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House of Representatives

The House met at 10 a.m. and was called to order by the Speaker pro tempore (Mr. PASTOR of Arizona).

DESIGNATION OF THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore laid before the House the following communication from the Speaker:

WASHINGTON, DC,
June 23, 2010.

I hereby appoint the Honorable ED PASTOR to act as Speaker pro tempore on this day.
NANCY PELOSI,
Speaker of the House of Representatives.

PRAYER

Reverend Steven Boes, National Executive Director, Boys Town, Nebraska, offered the following prayer:

Creator God, we ask Your blessings upon these men and women of the United States House of Representatives. Give them the wisdom of Father Edward Flanagan, the founder of Boys Town, who once said, "Any enterprise that does not have God at the heart of it is bound to fail."

Help them to clearly see the needs of America's children, families, and communities. Father Flanagan taught America, "There are no bad boys; only bad environment, bad training, bad example." Help them to understand that there are no bad families either. Every family has at least one member who loves their children and wants them to succeed.

Please inspire these Members to work together to strengthen our families and communities so that our children can become stronger in body, mind, and spirit.

THE JOURNAL

The SPEAKER pro tempore. The Chair has examined the Journal of the last day's proceedings and announces to the House his approval thereof.

Pursuant to clause 1, rule I, the Journal stands approved.

PLEDGE OF ALLEGIANCE

The SPEAKER pro tempore. Will the gentleman from Vermont (Mr. WELCH) come forward and lead the House in the Pledge of Allegiance.

Mr. WELCH led the Pledge of Allegiance as follows:

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

WELCOMING REVEREND STEVEN BOES

The SPEAKER pro tempore. Without objection, the gentleman from Nebraska, Congressman TERRY, is recognized for 1 minute.

There was no objection.

Mr. TERRY. Mr. Speaker, I rise today to recognize our guest chaplain, a constituent of the Second District of Nebraska, Father Steven Boes. On July 1, Father Boes will celebrate 5 years as the national executive director of Boys Town, one of the largest nonprofit, nonsectarian child care organizations in the United States. He is the fourth priest to succeed Father Edward Flanagan who founded Boys Town in 1917.

A native of Carroll, Iowa, Father Boes holds a bachelor's degree in sociology and master's degree in theology and divinity from the University of St. Thomas in St. Paul, Minnesota. He also holds a master's degree in counseling from Creighton University in Omaha.

A priest of the Omaha archdiocese, Father Boes previously served as the director of St. Augustine Indian Mission in Winnebago, Nebraska, before coming to Boys Town. He has over 20 years of experience in nonprofit administration and youth advocacy and will be a great leader in carrying out Boys Town's mission in the 21st century.

For 93 years, Boys Town has helped at-risk youth and families through a variety of services, and the organization has now expanded to 12 locations nationally. Last year, the organization served nearly 370,000 children and adults across the U.S., Canada and the U.S. territories, as well as in several foreign countries.

Boys Town has grown significantly since Father Flanagan's era. In 1977, the Boys Town National Research Hospital opened its doors and has become a national treatment center for children with hearing and speech problems and other communication disorders. Boys Town also opened its national hotline in 1989. Currently, Boys Town is implementing its Integrated Continuum of Care, which allows each child or family to make progress within the same treatment model while still getting individualized care.

Today, I honor Father Steven Boes. He is dedicated to the children and families throughout our Nation, representing the true spirit and tradition of Boys Town.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. The Chair will entertain up to 15 further requests for 1-minute speeches on each side of the aisle.

WHERE'S THE MONEY?

(Mrs. MALONEY asked and was given permission to address the House for 1 minute.)

Mrs. MALONEY. Mr. Speaker, this past Monday the Wall Street Journal ran an excellent article on the challenges facing small businesses. It began with a question that small businesses all across America are asking: Where is the money?

The Journal article cites a survey by the National Federation of Independent

□ This symbol represents the time of day during the House proceedings, e.g., □ 1407 is 2:07 p.m.

Matter set in this typeface indicates words inserted or appended, rather than spoken, by a Member of the House on the floor.



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Business that found that half of the small businesses that tried to get the loans last year were either denied the loans or they were not given the money that they needed.

We found that small businesses in the Joint Economic Committee report have been badly hurt by the tighter lending standards that resulted from the financial crisis. That is why passing the Small Business Lending Fund Act last week was such an important step forward and sending it to the Senate.

Where is the money is an important question to ask, and the answer is, it is on the way. We hope that the Senate will act quickly and pass this important legislation.

IN RECOGNITION OF JOHN BRUTON

(Mr. WILSON of South Carolina asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. WILSON of South Carolina. Mr. Speaker, it is an honor for me to thank John Bruton for serving the 2nd Congressional District with distinction. For the past 2 years, John has ensured South Carolina residents receive timely and accurate updates about the happenings in Congress. John has also been a key adviser on issues of science and technology, postal issues, and welfare. John's dedication and creativity will certainly be hard to replace as he heads off to law school at the University of South Carolina.

John Bruton is the son of Jean and John Bruton of Columbia, South Carolina, two parents who have been instrumental in their son's success. He is the grandson of the late judge J. Bratton Davis, a legend of integrity and competence for the legal profession.

I am confident that John's education at my alma mater, Washington and Lee University, his experiences as a Sigma Alpha Epsilon, and his dedication as a congressional staffer have made John prepared for success in the field of law. He is a credit to the people of South Carolina. I wish him Godspeed.

In conclusion, God bless our troops, and we will never forget September 11th in the Global War on Terrorism. Congratulations to primary victors Nikki Haley, Ken Ard, Alan Wilson and Mick Zais.

KEEP THE DURBIN AMENDMENT IN THE WALL STREET REFORM BILL

(Mr. WELCH asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. WELCH. Mr. Speaker, the gentleman from Pennsylvania (Mr. SHUSTER) and I are speaking to you today about credit card relief for small businesses and merchants, and as we are, credit card lobbyists are roaming the halls trying to water down a very key provision in the Wall Street reform

legislation. They know that if the conferees keep the Durbin swipe fee amendment in the bill, small business and consumers will gain, and the monopoly pricing of the credit card industry will lose.

Just yesterday, several Vermont small business owners told me how much the credit card and debit swipe fees are hurting their business. Katy Lesser, who owns Healthy Living Market in Burlington, told me her business paid \$250,000 in fees last year. This year it will be \$350,000. And Sheryl Trainor, who runs a Mobil station in Queechee, told me she could plow the money she spends on swipe fees into better wages and more jobs.

I call on my colleagues in the conference committee to put small businesses before the credit card industry and maintain the Durbin amendment in the final package.

SUPPORT THE DURBIN AMENDMENT

(Mr. SHUSTER asked and was given permission to address the House for 1 minute.)

Mr. SHUSTER. Mr. Speaker, I want to associate myself with the gentleman from Vermont's remarks and urge my colleagues not to be swayed by the lobbyists from the credit card companies that are trying to eliminate the Durbin amendment from this important legislation.

Let me make this point clear. The compromise reached in the conference committee does not eliminate the interchange fee or allow the Federal Government to set the interchange fee. The amendment simply creates a level playing field for banks and small businesses to negotiate interchange fees like any other business contract.

The Sheetz Corporation, which has 363 stores in 6 States, is headquartered in my district, and last year, the Sheetz Corporation paid twice as much in interchange fees as they took in in net income after tax. Their second largest expense after payroll is the interchange fee. That means that for Sheetz, the interchange fee eclipsed the company's cost in rent for their 363 stores, and they are paying 1½ times the cost of providing health care to their nearly 13,000 employees.

The compromise reached by the conference committee benefits merchants, retains flexibility of small community banks and credit unions, and ultimately benefits the American consumer.

I urge the conference committee and my colleagues to support the Durbin amendment.

□ 1010

CAPPING CARBON DIOXIDE

(Mr. INSLEE asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. INSLEE. Mr. Speaker, we now are at a critical juncture to determine whether or not we will respond to a terrible problem in the oceans, and that is not just the oil spill in the gulf; it is the acidification of the oceans now caused by carbon dioxide that comes from the oil and gas industry and some other fossil fuel industries.

I would suggest Members may want to take a look at a new report. It was in Science magazine, published 2 days ago by the American Association for the Advancement of Science. This is their conclusion: "The world's oceans are virtually choking on rising greenhouse gases, destroying marine ecosystems and breaking down the food chain, irreversible changes that have not occurred for several million years."

We have a chance to restrict and restrain this pollutant, carbon dioxide, in a bill now pending in the U.S. Senate. We hope that in conversations with the President next week we come out with a firm, clear cap on carbon dioxide so we can stop what will otherwise be irreversible changes in our oceans.

PROMOTING SAFE AMERICAN ENERGY PRODUCTION

(Mr. BOUSTANY asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. BOUSTANY. Mr. Speaker, I rise to applaud the Federal District Court ruling yesterday overturning the administration's job-killing moratorium on American energy production in the deep water of the Gulf of Mexico. This moratorium on drilling will ship thousands of good-paying jobs overseas. It will also make us more dependent on foreign oil. And finally, it's contrary to and in fact distorts the recommendations by a panel of independent scientists and engineers that the administration put together. It distorts their whole view that this industry-wide moratorium will in fact hurt safety by pushing the most experienced workers overseas and actually shipping all of our most advanced drilling rig technology overseas. It will hurt safety.

I urge the administration to back down from this ill-conceived, job-killing, arbitrary moratorium on American energy production.

HONORING THE SISTERS OF ST. JOSEPH

(Mrs. DAHLKEMPER asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Mrs. DAHLKEMPER. Mr. Speaker, I rise today to honor the Sisters of St. Joseph of Northwestern Pennsylvania.

This year marks the 150th anniversary of service to the Diocese of Erie by the Sisters of St. Joseph. Since 1860, the Sisters of St. Joseph have cared for the people of Erie. They have provided quality education for our children, including establishing schools like my

alma mater, Villa Maria Academy. To care for the sick and elderly, the sisters founded St. Vincent Hospital in Erie and the St. Vincent School of Nursing.

The dedication of the Sisters of St. Joseph has no bounds. They serve as nurses, teachers, social workers, ministers, and community leaders. As a former student of the sisters, I am eternally grateful for their love and guidance.

Mr. Speaker, it is my privilege to honor the Sisters of St. Joseph of Northwestern Pennsylvania today, and I thank them for 150 years of service to our community.

VAT TAX IS ONE TAX AMERICA CAN'T AFFORD

(Mr. PITTS asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. PITTS. Mr. Speaker, we've heard a lot lately about the need for a European-style value-added tax in the U.S. to solve our budget problem. And just yesterday, the ruling coalition in Britain announced that it wants to raise their nation's value-added tax from 17.5 percent to 20 percent. It's estimated that this increase would cost 163,000 jobs and reduce consumer spending by \$5.3 billion in the United Kingdom.

It's not a surprise that the VAT tax is creeping up in Britain. The average rate in Europe is now around 20 percent, and Greece raised their VAT rate to 21 percent as part of their bailout agreement. This is yet more evidence that the VAT taxes are easy for countries to raise during times of fiscal crisis.

With so much discussion about an American VAT, we have to be aware of what the true cost of such a tax would be to our own job growth and consumer spending. Early proposals might call for a 5 percent VAT tax, but in truth, the seemingly easy revenue would make it all too easy for the U.S. Government to quickly raise taxes to European levels. This seemingly easy tax revenue would have a great cost—American jobs. The VAT tax is one tax we can't afford in America.

HONORING MARNA DAVIDSON

(Mr. KLEIN of Florida asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. KLEIN of Florida. Mr. Speaker, today I rise to honor Marna Davidson, a great educator and leader in our community. Marna has worked in the south Florida office of the United Federation of Teachers for many years and has helped to run an extraordinary program for retired teachers in our community. After a total career of 45 years, Marna has decided to retire this year, and I would personally like to thank her for her service and wish her a wonderful retirement.

People like Marna are what make south Florida the best place to live in the country. Her lifelong dedication to teachers and her tireless dedication and commitment have had a real and lasting impact in our community. Of her decision to retire this year, Marna said she wants to "leave while I'm still in love." That sentiment truly captures Marna's spirit. And while the Boca Raton-based UFT office will surely be sad to see her go, we all respect her wise decision and wish her the very best in the next phase of her life.

Thank you, Marna.

AMERICA SPEAKING OUT

(Mr. FLEMING asked and was given permission to address the House for 1 minute.)

Mr. FLEMING. Mr. Speaker, from the bailouts to the failed stimulus bills to the government takeover of health care to the failure to prevent and respond timely to the BP spill disaster, Americans are sick and tired of being ignored by their government. Republicans have heard this outcry and believe it is time to let Americans lead the way, so we've launched a new initiative aimed at giving every American a voice in Washington.

America Speaking Out was created as a platform for Americans to share their priorities and ideas for a national policy agenda. In addition to open forum town halls held across the country, we've launched Americaspeakingout.com, an online tool where Americans can go and express their opinion about what issues they believe government should be addressing regardless of party affiliation.

Through initiatives like America Speaking Out, Americans can make their voices heard in Washington. Now is your time to speak out, America.

JOB CREATION

(Ms. EDDIE BERNICE JOHNSON of Texas asked and was given permission to address the House for 1 minute.)

Ms. EDDIE BERNICE JOHNSON of Texas. Mr. Speaker, I rise today to discuss a very important matter, job creation.

2010 has shown that America is slowly getting back to its feet in terms of recovery. The newest job numbers indicate that over 419,000 jobs were created last month. According to a recent Associated Press release, Texas has the greatest amount of job creation in 2010.

Texas employers expanded payrolls by 43,600 during the month of May, making it the State's largest monthly gain in more than 3 years. Companies like American Airlines, AT&T, and Texas Instruments are creating jobs in my district because north Texas is a good place to do business.

As a country, we are getting stronger and stronger, but we still have a long ways to go. We must continue to invest in American businesses and in the American people. I urge my colleagues

both in the House and Senate to come together to enact policies that create and encourage job creation.

□ 1020

WHY DOES THE ADMINISTRATION WANT TO PURPOSELY AND PUNITIVELY DESTROY JOBS?

(Mr. POE of Texas asked and was given permission to address the House for 1 minute.)

Mr. POE of Texas. Mr. Speaker, a Federal judge stated yesterday the administration's ban on deepwater drilling was improper and illegal. The government imposed a 6-month moratorium after the BP disaster. Non-BP oil-related industries sued, saying the ban would put them out of business and cost thousands of jobs.

The government tried to justify the ban, but the judge said, "The government's explanation abuses reason and common sense." The government claimed its engineers supported the ban, but that's just not true.

The judge granted the injunction, stating the ban was "arbitrary", "capricious" and "punitive". In other words, the administration had no scientific basis for this absurd moratorium. The judge stated the oil-related industries "would suffer irreparable harm" by the moratorium. Of course, the administration doesn't care. Determined to stop deepwater drilling, the administration is going to appeal and issue another moratorium.

Mr. Speaker, why does the administration hate the energy industry in the gulf? Why does the administration want to purposely destroy American jobs? President Reagan was right: "The government is the problem."

And that's just the way it is.

DISCLOSE ACT

(Ms. EDWARDS of Maryland asked and was given permission to address the House for 1 minute.)

Ms. EDWARDS of Maryland. Mr. Speaker, I rise with regret today to express my concern about proposed changes to the DISCLOSE Act that I cosponsored. One particular change is deeply troubling—both on the politics and the policy. Having worked on campaign finance and ethics reform for many years, I didn't come to this conclusion lightly or uninformed. I was among the first to say that the Supreme Court decision in Citizens United was both wrong and shouldn't have given corporations a blank check in our elections.

As an early cosponsor of DISCLOSE, I am dismayed that, in order to gain passage, we have fallen prey to bullying and threats from one of the most powerful special interest lobbying organizations in the country. Carving out an exception on behalf of one big group like this is just not the way to do reform. Shame on us.

I proposed an amendment that would treat all of these organizations the

same and guard against unfair, undisclosed contributions. Corporations would be required to disclose if they had received more than 15 percent from any corporation or from donors who had contributed more than \$100,000 regardless of the number of members or whether they are on the right or the left. We shouldn't draw these arbitrary lines. We should be looking at the corrupting influence.

The question is "Who owns our elections?" Yet, before we answer that, we need to know who owns us—the NRA or the American people. You decide.

BUDGET

(Mr. WITTMAN asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. WITTMAN. Mr. Speaker, yesterday, we heard Washington won't have a budget blueprint this year. For the first time in modern history, Congress will not perform one of its primary responsibilities.

I believe it is simply not acceptable to pass the buck at a time when families are feeling uncertain about what comes next in this economy. All across this Nation, families are making tough choices. Is this decision to forgo a budget simply to pass on making tough choices? Without a budget, Congress is avoiding the tough choices American families and small businesses must make every day.

This failure to govern and to lead is especially alarming as spending deficits and debt continue to spiral out of control. The Treasury Department reported recently that the Federal Government is now \$13 trillion in the red, marking the first time the government has sunk that far into debt.

The United States simply cannot continue on an unchecked spending spree that will put the future of our economic strength in jeopardy in the short term and for the next generation. We have to control spending in Washington. It must start now. American individuals and families are looking for leadership.

I ask leaders of this House today to reconsider this decision and to perform the duties we are elected to do.

ENERGY REFORM

(Mr. YARMUTH asked and was given permission to address the House for 1 minute.)

Mr. YARMUTH. Mr. Speaker, I understand the Republican party's love affair with fossil fuels. After all, the fossil industry has dominated the direction of energy policy in this country for the last generation, but the American people know that our future is not with fossil fuels, that it is not with oil and that it is not with coal. It is with alternative and renewable energy. They know also that this is the way we will help create new jobs in the economy.

In a recent poll, almost 70 percent of the people said they thought an emphasis on alternative renewable fuels, just like we have done in our ACES Act, will create jobs for the American economy—in one estimate, up to 2 million jobs. In my own district, General Electric is bringing back 800 jobs to build energy-efficient appliances—400 of them coming back from China.

Energy reform is a job creator. The American people know it. I hope the Republican Party will join us in bringing the energy situation in this country into the 21st century and will join us in creating new jobs for a new American economy.

BP OIL SPILL

(Mr. TONKO asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. TONKO. Mr. Speaker, the difference could not be any clearer. As tar balls continue to roll onto the beaches of the gulf coast States, my colleagues on the other side of the aisle are apologizing to BP for the government's holding them accountable. While they continue to chant "drill, baby, drill" and to put forward ideas that benefit Big Oil, Democrats are moving America in a new direction.

I rise today to stand with the families, the small businesses, the communities, and the economy of the gulf coast and our country to say that we can no longer be held hostage by our gluttonous dependence on dirty oil, most of which is imported from our enemies around the world. Instead, we must change our priorities and stand up to special interests by continuing to promote a clean energy economy and to create good-paying American jobs for American families. In fact, 87 percent of Americans support requiring utilities to produce more energy from renewable sources, sources that cannot be outsourced or imported.

A clean energy economy will make our country safer, more energy independent and will create jobs. In the meantime, let's be strong and steadfast and hold BP accountable.

DUMPSTER DIVE

(Mr. McDERMOTT asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. McDERMOTT. Mr. Speaker, I rise today out of disgust over recent comments by Rush Limbaugh about child hunger.

A few days ago, I was sent Mr. Limbaugh's response to the news that more than 16 million children will face "a summer of hunger" because they won't have access to free or discounted meals they usually get at school.

Mr. Limbaugh ultimately recommended these children dumpster dive—dumpster dive to find food until school starts back up. In the midst of a

deep recession that has forced millions of Americans to face the daily fear of losing their homes and of failing to provide food for their kids, all Mr. Limbaugh can contribute is another awful example of shameless and callous commentary.

Ask yourselves: When is the last time that Rush Limbaugh missed a meal? Take a look. You judge for yourselves.

FELLOW AMERICANS, LET US REMEMBER OUR OWN BASIC DIGNITY AS A PEOPLE

(Ms. WATSON asked and was given permission to address the House for 1 minute.)

Ms. WATSON. Mr. Speaker, I want to put something on our minds.

When President Obama, head of the executive branch of our Federal Government and as an invited guest speaker of the House of Representatives, has his remarks interrupted in defiance of the rules of the House by a Member of this House, shouting "you lie"—and no amount of apology can remove the scar on this House's dignity—when the commander of the United States forces in Afghanistan—General McChrystal—and his subordinates feel free to make mocking criticisms of their Commander in Chief, Barack Obama, to the national media and when these acts of disrespect and insubordination are openly directed at President Obama, our Nation has entered into an era of negativity and cynicism unprecedented in this Republic's history.

Only one question comes immediately and painfully to mind with these outrageous words and accusations, which would once have been universally deplored and which would have been far beyond and beneath the pale of what Americans and America are all about.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, the Chair will postpone further proceedings today on motions to suspend the rules on which a recorded vote or the yeas and nays are ordered, or on which the vote incurs objection under clause 6 of rule XX.

Record votes on postponed questions will be taken later.

REQUIRING CERTIFICATION FOR SMALL BUSINESS LENDING FUND

Ms. KOSMAS. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 5551) to require the Secretary of the Treasury to make a certification when making purchases under the Small Business Lending Fund Program, as amended.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 5551

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

SECTION 1. CERTIFICATION UNDER THE SMALL BUSINESS LENDING FUND PROGRAM.

Before the Secretary of the Treasury makes the first purchase (including a commitment to purchase) under the Small Business Lending Fund Program under the Small Business Jobs and Credit Act of 2010, the Secretary shall certify, under oath, to the Inspector General of the Department of the Treasury, with a copy to the Comptroller General of the United States, that the purchase-decision process has been designed so that each purchase decision is made solely on the basis of economic fundamentals and not because of any political considerations.

The SPEAKER pro tempore. Pursuant to the rule, the gentlewoman from Florida (Ms. KOSMAS) and the gentleman from Texas (Mr. NEUGEBAUER) each will control 20 minutes.

The Chair recognizes the gentlewoman from Florida.

GENERAL LEAVE

Ms. KOSMAS. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks on this legislation and to insert extraneous material thereon.

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

There was no objection.

Ms. KOSMAS. I yield myself 3 minutes.

Mr. Speaker, last Friday, the House approved H.R. 5297, the Small Business Lending Fund Act, which creates important programs designed to increase access to capital for small businesses and which allows them to create new jobs.

□ 1030

I would like to thank Chairman FRANK, Congressman GARY PETERS, Congresswoman MELISSA BEAN, and Chairwoman NYDIA VELÁZQUEZ for their hard work and effort on this legislation. The bill will encourage new lending by financial institutions, and this will help small businesses access the capital they need to continue innovating, growing, and creating jobs in our communities.

During the debate on this bill, the minority offered a good suggestion for the oversight of the Small Business Lending Fund, specifically regarding the disbursement of the funds provided for under the program. Today, we are here to take action on their suggestion to enhance this oversight.

I am pleased to sponsor, along with Mr. DRIEHAUS, H.R. 5551, which will require the Secretary of the Treasury to certify, under oath, to the Inspector General that determinations on the disbursements from the Small Business Lending Fund are based on economic need and not political considerations. We believe this enhanced oversight to be a good addition to the already existing oversight for the program, and we believe that it will go further to make sure that the necessary funds are made available to the small businesses in the areas of the country and of the economy that need it the most. H.R. 5551,

together with H.R. 5297, will provide much-needed assistance to small businesses across the Nation. I urge my colleagues to support this effort.

Mr. Speaker, I reserve the balance of my time.

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

Last week I did offer a motion to recommit that would have required Treasury to certify that every transaction made from the \$30 billion TARP Jr lending fund be made on the basis of economics and not politics. As we pointed out during our debate last week, there are several examples of lending to banks out of the first TARP fund that raise questions of whether political considerations were involved in deciding which banks received this money.

When we voted on the issue last week, 237 Members of the other side of the aisle voted against having Treasury certify that each transaction using the taxpayers' \$30 billion is based on economics and not politics. Those same Members all voted against putting an experienced and effective regulator over the new program, simply because the regulator has TARP in his title. When the Treasury Department lends \$30 billion more of taxpayers' money out to banks, the taxpayers deserve better protection than they are getting.

The majority last week exposed the taxpayers to greater likelihood of waste, fraud, and abuse and added to the cost of setting up a new regulator when we already had one. Today, the majority is back on the floor trying to make amends for their vote against the taxpayers.

During the debate last week, Chairman FRANK said, We'll go you one better in this effort. Let me repeat that. We'll go you one better. If the bill on the floor today is "one better" than our proposal, I would hate to see what happened if the majority tried to go "one less."

The bill today does not require a certificate for each investment transaction, as our motion to recommit would have required. Instead, this bill only asks Treasury to certify that the purchase decision process has been designed to ensure decisions are made because of political considerations. Let me repeat that: Certifying that the purchase decision process is designed so that decisions are made based on economics and not political is not going one better than certifying that each actual purchase with the taxpayers' money was made based on economics and not politics.

I'm sure the purchase decision process for the original TARP was not intended to bring any politics into play. While I may not have supported TARP, the purchase decision process was aimed at investing capital in healthy banks to support banks in lending. However, when the individual investment decisions were made with the

first TARP, legitimate questions have come up whether political and considerations involving certain banks receiving funds were in fact taken into consideration.

As we recreate this second TARP for smaller banks, we need to make sure that our past problems are not repeated. This bill falls short of a motion to recommit that we offered last week. Last week, Chairman FRANK said, We'll come forward with further reinforcement of the oath-taking—we'll even make it oath-taking. Having Treasury certify under oath that the decision process for this new TARP fund for small banks is based on economics and not political is not further reinforcement. It is not even the same as requiring Treasury to certify that each specific investment decision is based on economics or not politics, and I think the taxpayers are smart enough to see the difference.

Mr. Speaker, let me just make an example here. What this process that our colleagues on the other side have brought is the same promise that every 16-year-old young woman or young man makes to their parents when they get their driver's license and borrow the car: promise me you won't ever get any tickets. And they promise. And so basically what we're going to have is the Treasury is going to take an oath that we promise we won't let politics be involved in this process. But we'll have no certification on whether politics, as these transactions play out, whether politics or influence was used to influence how these investments were made. And so we're going to take an oath up front, but no certification during the process. I don't think that's good policy.

With that, I reserve the balance of my time.

Ms. KOSMAS. Mr. Speaker, I yield such time as he may consume to the gentleman from Ohio (Mr. DRIEHAUS).

Mr. DRIEHAUS. Mr. Speaker, I thank the cosponsor of this resolution, Ms. KOSMAS, for yielding.

Last week, we passed the Small Business Lending Fund Act. I offered an amendment at that time that would create the Office of Small Business Lending Fund Oversight under the authority of the Treasury Inspector General. This office would strengthen accountability by helping ensure that loans are being put to use where they're most needed and put to use in a way responsible to taxpayers. The bill we're now considering would further improve oversight by requiring the Treasury Secretary to certify to the Treasury Inspector General, under oath, that loan disbursements are based on economic need and not political considerations.

Credit where credit is due, Mr. Speaker. This idea was brought to the floor last week in a Republican motion to recommit. However, that measure would have required a special certification to the Special Inspector General for TARP, which is not the appropriate

oversight body for this bill. The Small Business Lending Fund is not part of TARP, and it isn't reliant upon TARP funds. But it is critically important that these loans are helping small businesses to invest and create jobs.

This legislation will provide greater assurance that the Small Business Lending Fund is most effective in aiding our recovery, and I urge speedy passage. However, I think I would be remiss if I weren't to comment on the gentleman from Texas's comments, and that is this comparison between the oath being taken by the Treasury Secretary and a 16-year-old driver. I do in fact believe an oath taken by the Secretary of the Treasury, just like an oath taken before a committee of Congress, means something, and it means something very serious.

Now, as much as the gentleman from Texas and his colleagues would have us want to talk about the TARP, this is not the TARP. This was never the TARP. And I want to remind the Members about the Inspector General at Treasury because we treat the Inspector General at Treasury as if he hasn't done this before. Several references were made last week to his inability.

So I want to talk just a minute about this. The Small Business Lending Fund will not be a TARP program. It will not be funded with TARP money, and the oversight body should not be TARP either. In fact, we're giving it to the Inspector General at Treasury, Mr. Thorson, who served as the Inspector General for the Small Business Administration from 2006 to 2008. In that short time, Mr. Speaker, his office uncovered what is believed to be the largest government-backed loan fraud scheme in history. He's not an amateur. Roughly \$75 million was uncovered in that loan investigation. As a result of their investigation, they arrested 15 people in one day and convicted the executive vice president of one bank and the vice president of another.

Again, this is not TARP money. I realize that doesn't fit with the overall political objective of the opposition to suggest that we are extending yet another TARP. This is not TARP. This is about getting money to small businesses and creating jobs in the United States.

Mr. NEUGEBAUER. Mr. Speaker, I appreciate the Democrats wanting to bring a little bit of additional oversight into this. So I would ask unanimous consent, then, that we take the language from the motion to recommit that says the Secretary shall have to certify every transaction and make that a part of the text of this bill.

The SPEAKER pro tempore. The proponent of the motion would have to withdraw and offer a new form of the motion to achieve that end.

Mr. NEUGEBAUER. So I guess my colleagues are not really serious about making this oversight stronger. We're going to go with the watered-down language, which basically says the Sec-

retary is going to certify that we're going to put together a little process here and we think that, one, it will not be based on politics or influence from outside, but we're not going to make him accountable for each billion-dollar investment or millions of dollars of investment of the taxpayers' money into these banks. And so I wish my colleagues on the other side were actually serious about what we're doing here.

I appreciate the majority's trying to address these shortcomings. However, I've already covered that today's bill falls short of the protections for taxpayers offered in the motion last week. At the same time, the majority said those protections were just another bureaucratic layer in the process. I don't think the taxpayers see it that way. Just like the Capital Purchase Program within TARP, this new \$30 billion lending fund will make capital investment in banks with taxpayers' dollars. Unlike the TARP program, however, this new program will lack the strong oversight provided by the Inspector General for TARP or SIGTARP. That same SIGTARP last week announced a \$2 billion fraud indictment involving an attempt by a bank to obtain TARP money. The regulator put in charge of this new TARP-like fund, the Treasury Inspector, was not even involved in this fraud case.

□ 1040

According to GAO and the Treasury Inspector General's report, the Treasury Inspector General is currently focused on material loss reviews required for failed banks due to the large number of bank failures. Adding oversight of the \$30 billion lending fund will require more resources, creating more bureaucracy when we already have in place an agency that can do this job.

SIGTARP has considerable experience overseeing a program in which government purchases preferred stocks in banks—TARP and TARP 2, both the same program. If we create a new TARP program that will also purchase shares in banks, we should use the same oversight agency that has a proven track record and expertise. Doing less is a disservice to the taxpayers. Merely requiring certification that the process the Treasury intends to use will prevent politics from coming into play is not the same as requiring Treasury to certify that each transaction made was based on economics and not politics.

The majority can't have it both ways. You can't say you are going to go "one better" than the protections in our motion to recommit that you called another "bureaucratic layer" and then do less, which basically is the bill that they brought before us today. I reserve the balance of my time.

Ms. KOSMAS. Mr. Speaker, I yield such time as he might consume to the gentleman from Ohio (Mr. DRIEHAUS).

Mr. DRIEHAUS. I thank the gentlelady for yielding.

Mr. Speaker, again, this is a straightforward amendment. If you want to

make sure that politics isn't involved in the Small Business Lending Fund, you want to make sure that the Treasury is sticking to their oath and making sure that these are based on economic decisions, then you vote for this bill. If you believe politics should be part of it, then vote against it.

We keep missing the mark here in terms of the Republicans. The Republicans want to talk about SIGTARP. This isn't about TARP. No more should SIGTARP be overseeing the Department of Defense than should they be overseeing small business lending. This is about Treasury and making sure that politics aren't part of the decisions being made at Treasury. Again, if the Republicans think politics should be part of the decision, they can vote "no," but we took them at their word that they didn't think politics should be part of the Treasury function. We've taken it away through the Inspector General. The Inspector General has an incredible track record. We respect that track record. And if the Republicans don't respect it, they can, with all due respect, vote against this. But again, this is not TARP money. As much as they would like to have us believe that this is, again, another TARP, it is not. And I realize that doesn't fit into the political rhetoric that is so often used around here, but it is the reality.

Mr. NEUGEBAUER. I will remind the gentleman that the original TARP program was the Federal Government investing taxpayer dollars into the preferred stock of banks. I would encourage the gentleman to read the text of this bill that we passed last Friday. And what does that say? It says the Federal Government will tax the taxpayers' money and provide preferred stock. Now you can try to call it something else, but it's a TARP program.

I want to go back to something that happened last week. During that debate, the gentlewoman from New York (Ms. VELÁZQUEZ) said that those of us on this side of the aisle wanted to keep TARP going. Let's go back to the record here. I didn't get a chance to respond then, so I want to set the record straight.

TARP was supposed to expire on December 31, 2009, and there was strong support for allowing TARP to expire. In fact, more than 100 of us on this side of the aisle sent a letter to Treasury Secretary Geithner that urged him to let TARP expire. In fact, we introduced legislation to force the expiration of TARP. We voted against the majority's legislation to divert TARP funds for other spending. But the Treasury Secretary extended TARP through this October, and the majority did nothing to stop it.

Just as we are, again, getting close to having TARP expire, the majority brings up a bill that creates what is essentially a second TARP program, and it will last for years. So who wants to keep TARP going? Rather than doing something that creates more certainty

for small businesses to grow and add jobs to this economy, the majority is repeating the same failed initiatives that have helped grow our national debt to over \$13 trillion in the past 2 years.

We've had record bank failures, including four banks that were TARP recipients. When those TARP recipient banks failed, the taxpayers' investment of \$2.6 billion was essentially wiped out. More than 100 banks that have received TARP funds have missed their dividend payments. These missed dividend payments have cost the American taxpayers more than \$200 million. The sad thing is that there are things Congress could do that actually help small businesses. Instead, the majority has chosen to pass a bill that will cost taxpayers billions of dollars and do nothing, really, to help small businesses. And today the majority has chosen to provide fewer taxpayer protections than we offered last week.

Mr. Speaker, I appreciate the fact that the majority thought we had a good idea. I just wish they would have used our idea. So the vote today is, Do you want to make sure that the taxpayers have a strong oversight, or do you want a watered-down version?

I yield back the balance of my time.

Ms. KOSMAS. I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentlewoman from Florida (Ms. KOSMAS) that the House suspend the rules and pass the bill, H.R. 5551, as amended.

The question was taken.

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

Ms. KOSMAS. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

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.

RECOGNIZING NATIONAL HOMEOWNERSHIP MONTH

Ms. KOSMAS. Mr. Speaker, I move to suspend the rules and agree to the resolution (H. Res. 1434) recognizing National Homeownership Month and the importance of homeownership in the United States.

The Clerk read the title of the resolution.

The text of the resolution is as follows:

H. RES. 1434

Whereas the month of June is recognized as National Homeownership Month;

Whereas the people of the United States are one of the best-housed populations in the world;

Whereas owning a home is a fundamental part of the American dream and is the largest personal investment many families will ever make;

Whereas homeownership provides economic security for homeowners by aiding

them in building wealth over time and strengthens communities through a greater stake among homeowners in local schools, civic organizations, and churches;

Whereas creating affordable homeownership opportunities requires the commitment and cooperation of the private, public, and nonprofit sectors, including the Federal Government and State and local governments;

Whereas homeownership can be sustained through appropriate homeownership education and informed borrowers; and

Whereas affordable homeownership will play a vital role in resolving the crisis in the United States housing market: Now, therefore, be it

Resolved, That the House of Representatives—

(1) fully supports the goals and ideals of National Homeownership Month;

(2) recognizes the importance of homeownership in building strong communities and families; and

(3) reaffirms the importance of homeownership in the Nation's economy and its central role in our national economic recovery.

The SPEAKER pro tempore. Pursuant to the rule, the gentlewoman from Florida (Ms. KOSMAS) and the gentleman from California (Mr. GARY G. MILLER) each will control 20 minutes.

The Chair recognizes the gentlewoman from Florida.

GENERAL LEAVE

Ms. KOSMAS. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks on this legislation and to insert extraneous material thereon.

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

There was no objection.

Ms. KOSMAS. Mr. Speaker, I yield myself 2 minutes.

This bipartisan resolution supports the goals and ideals of National Homeownership Month and reaffirms Congress' commitment to helping working families fulfill a fundamental part of the American Dream. Importantly, this resolution recognizes the vital role that homeownership plays, together with safe and affordable rental housing, and building strong communities and families, and it affirms the central role that responsible homeownership plays in our economic recovery.

I hope my colleagues will join in support of this resolution that will send an important signal to the American people that creating fair and responsible homeownership opportunities requires commitment and cooperation, and that Washington is up to the challenge.

Mr. Speaker, I reserve the balance of my time.

Mr. GARY G. MILLER of California. I yield myself such time as I may consume.

Today I rise in support of House Resolution 1434, recognizing the significance of homeownership in America. Every year, this body comes together to designate June as National Homeownership Month. To continue this long record of recognition, H.R. 1434 provides congressional recognition of National Homeownership Month and

the importance of homeownership in the United States.

Owning a home is a fundamental part of the American Dream and is the largest personal investment most families will ever make. For millions of families across this country, a home is more than just the symbol of the American Dream. It's the backbone of the American way of life. Moreover, in addition to providing financial benefits to individuals, homeownership helps strengthen communities. Since homeowners are investing not only in themselves, but in the community, they have a greater stake in the success of their local schools, civic organizations, and churches.

For the past several years, this country has experienced significant upheaval in the United States housing market. The turmoil being experienced by homeowners has been devastating and swift moving, and Americans are looking to their leaders in government to end the terrible housing situation without placing an additional burden on the taxpayers.

□ 1050

My home State of California, in particular, has been heavily impacted by the mortgage crisis, with thousands of families losing their homes. Thirty-four percent of homeowners in my State currently have negative equity in their home. It is crucial that the body recognize the impact of the problems facing the housing market so it can take steps to ensure that equity and liquidity return to the marketplace.

Despite all that is occurring in the current housing market, we need to remember that home ownership has historically been the single largest creator of wealth for most Americans. As someone who has been involved in the industry for over 35 years as a developer, I have seen my fair share of the housing market downturns.

From these experiences, I have learned at times of stress it is important to ensure that liquidity continues to flow to the housing market in order to keep the market functioning. Accordingly, the loan limit increases passed by this body are finally providing affordable, safe mortgages for homeowners in the high cost areas who were previously forced to resort to risky loans and impaired their ability to keep their home.

Additionally, to bring stability to the housing market and encourage responsible home ownership, I have sponsored legislation to allow homeowners going through foreclosure to stay in their homes and have the option of buying them back in the future. During these economically challenging times, it is more important than ever to provide relief to hardworking Americans.

In conclusion, in the first quarter of 2010 the national home ownership rate decreased to 67.1 percent. This is the lowest home ownership rate since the first quarter of 2000. Additionally, in

the first-time buyer age group of under 35 years old, the home ownership rate fell to 38.9 percent, which is the lowest level since 1997.

Assisting home buyers and homeowners by permanently increasing the loan limits, enabling borrowers in financially distressed homes to stay in their homes, must be a priority for this body. These efforts will help maintain the Nation's home ownership level and speed up the overall recovery of the housing market.

I reserve the balance of my time.

Ms. KOSMAS. Mr. Speaker, I yield 4 minutes to the gentleman from Texas (Mr. HINOJOSA).

Mr. HINOJOSA. Mr. Speaker, I rise in strong support of House Resolution 1434, recognizing June 2010 as National Homeownership Month. I am proud to be an original cosponsor of this important resolution, and I commend my good friend and colleague, Congressman GARY MILLER from California, for its introduction.

This year's theme is Protecting the American Dream. American families deserve the opportunity to achieve and sustain the dream of home ownership. This administration and Congress have been taking the necessary measures to help existing homeowners stay in their homes, to offer a second chance to millions of responsible families, to encourage wise and affordable home purchases, and to stabilize our households, neighborhoods, and communities.

The House of Representatives passed the Federal Housing Administration Reform Act of 2010. Sponsored by Chairwoman MAXINE WATERS of California, the bill also helps families realize the American Dream of home ownership, protects Americans from mortgage fraud, and saves taxpayers money. The legislation ensures that the Federal Housing Administration remains viable and continues to provide qualified borrowers with access to prime credit.

FHA insurance has been particularly important for minority communities, for low-income families, and for first-time home buyers, and will continue to help my congressional district, which is 80 percent Hispanic and poor.

The Homebuyer Tax Credit the House has extended several times has increased home sales and helped stabilize the housing market. Estimates suggest that this credit and several extensions will have resulted in 1 million additional home purchases and saved an average of \$21,000 in equity for American homeowners who indirectly benefited from the stabilization of house values.

In my capacity as chairman of the Congressional Rural Housing Caucus, I have managed to collaborate with my colleagues in obtaining a substantial amount of money for the USDA Section 502 Single Family Direct Loan program. Recently, I worked closely with the USDA's Department of Rural Housing Service on additional commitment authority for the Section 502 Single Family Guaranteed Loan program.

The House of Representatives and USDA's Rural Housing Service have done our jobs. It's my sincere hope that the Senate will act quickly on the 502 Single Family Guaranteed Loan program so that banks can close on loans.

The House has passed antipredatory lending legislation and is now in conference with the Senate on legislation that will increase consumer protection by reforming our financial services regulations and legislation. Moreover, the House of Representatives has passed legislation reauthorizing the National Flood Insurance Program that will help Americans in their times of need. Hundreds of thousands of first time home buyers will be unable to close on their homes if they are located in floodplains and require flood insurance. I humbly ask that the Senate reauthorize the National Flood Insurance Program as quickly as possible.

Mr. Speaker, dozens of communities across the Nation have planned events and activities throughout June to highlight the benefits of home ownership and share information on ways families can remain successful homeowners.

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

Ms. KOSMAS. I yield an additional 10 seconds to the gentleman.

Mr. HINOJOSA. I am glad that we are in Congress acknowledging their efforts through this resolution.

I urge all my colleagues to support this important resolution.

CONGRESS OF THE
UNITED STATES,

Washington, DC, June 17, 2010.

Hon. NANCY PELOSI,

Speaker, U.S. House of Representatives, Washington, DC.

Hon. JOHN BOEHNER,

Minority Leader, U.S. House of Representatives, Washington, DC.

DEAR SPEAKER PELOSI AND MINORITY LEADER BOEHNER: The homebuyer tax credit has been extremely successful in increasing home sales and stabilizing the housing market. Early estimates suggest that when complete the credit will have created 1 million additional home purchases, and saved an average of \$21,000 in equity for American homeowners who indirectly benefited from the stabilizing of house values.

However, many relatively new challenges to the industry have delayed the closing for too many homebuyers who made every effort available to sign for a house by April 30, 2010 and close by the June 30, 2010 deadline. Lenders involved with short sales and foreclosures have not been able to respond fast enough to allow homebuyers to close. Federal programs, such as FHA, VA loans and USDA Rural Development have not always kept up with demand. USDA's single family home loan guarantee program ran out of funds in early May, thus eliminating a lending source for qualified homeowners and builders who had planned on the government program as early as last year. All of these delays were not foreseen by homebuyers or even Congress who set 60 additional days as an appropriate window of time to complete a closing.

We ask that the June 30, 2010 deadline be extended for those homeowners who entered into a binding contract by April 30, 2010. The National Association of Realtors estimated that up to 180,000 eligible homebuyers who

signed contracts will be unable to close before the June 30, 2010 deadline. We support the bipartisan effort in the Senate to include an extension of the deadline in legislation making its way to the President and would also support an extension as a standalone bill. The housing market remains fragile and vulnerable to the uncertainty created by thousands of potential homebuyers not knowing if they will receive their tax credit. Passing an extension sooner rather than later will help avoid the inertia and bottleneck in home sales created by the unknown outcome of so many pending closings.

Extending the deadline is the fair thing to do, and so Congressional action would be both appropriate and beneficial to thousands of our constituents. H.R. 3548 which extended the homebuyer tax credit was supported by both sides of the aisle on November 5, 2009 by a vote of 403-12. This provision was pushed by both Republicans and Democrats who wanted it extended to April. Therefore, ensuring the tax credit can be administered efficiently and fairly is shared by both parties. As you consider additional measures to strengthen the economy and support job growth we urge to support a fix to the homebuyer tax credit.

Sincerely,

Joe Courtney; Shelley Berkley; Bob Filner; Solomon P. Ortiz; Maurice D. Hinchey; Rosa DeLauro; Ike Skelton; Carol Shea-Porter; Kathy Dahlkemper; John Boozman; John J. Duncan, Jr.; Jerry Moran; Sanford D. Bishop, Jr.; Paul Tonko; Gene Taylor; Lincoln Davis; Ileana Ros-Lehtinen; Kathy Castor; Eddie Bernice Johnson; Nick Rahall; Madeleine Z. Bordallo; Jim Costa; Frank Pallone, Jr.; Timothy Bishop; Dean Heller; Chris Van Hollen; John Boccieri; Ron Paul; Larry Kissell; Dan Burton; Dina Titus; Thomas S.P. Perriello; Michael E. McMahon; John Adler; Baron P. Hill; Dennis Cardoza; Marcy Kaptur; Vernon J. Ehlers; Mike McIntyre; Lloyd Doggett; John Spratt; Brad Ellsworth; Alcee L. Hastings; Daniel Maffei; Betty Sutton; Bobby Bright; Leonard L. Boswell; Donald A. Manzullo; Bruce L. Braley; Steve Israel; Jerry McNamee; Rubén Hinojosa; Thomas Rooney; Phil Hare; Timothy J. Walz; Harry E. Mitchell; Suzanne M. Kosmas; Ander Crenshaw; Deborah L. Halvorson; Bill Foster; Paul E. Kanjorski; Henry E. Brown, Jr.; Patrick J. Murphy; Nita M. Lowey; Edolphus Towns; Howard L. Berman; John Barrow; Brad Sherman; Steve Kagen; Russ Carnahan; Joe Wilson; Henry Cuellar; Gerald E. Connolly; Dave Loebsack; Walter B. Jones; Pete Stark.

Mr. GARY G. MILLER of California. I yield myself the balance of my time.

As I said, owning a home is a fundamental part of the American Dream, and I have been honored to introduce this resolution, I think, for the past 12 years. It is a fundamental part, but that doesn't mean that everybody necessarily is in a position to own a home at a given time. And that's something people need to strive for in their lives and look for in the future.

And if you look at the situation—and my colleague was talking about FHA—FHA, Freddie, and Fannie are providing about 92 percent of all the loans in this country. If it were not for that, people in this country could not buy or sell a home basically because there is not liquidity in the marketplace to deal with it other than the GSEs.

But at the same time, we need to understand that underwriting standards for FHA, Freddie, and Fannie need to be very solid, thereby not putting any of the agencies or the taxpayers at risk. I think FHA has done a good job recently increasing their underwriting standards, requiring people to be in a better position to be able to repay their mortgages, and this is essential.

The National Association of Realtors is strongly behind this resolution. Although this is a statement that Congress is making, it doesn't require any action, it's a significant statement. It's being made on behalf of the American people who believe they want to own a home, and if they are in a position to do that, we are encouraging that.

The Realtors say that 5½ million taxpayers depend on the NFIP to protect them from flooding. We are going to deal with that in the next bill. They also came and supported the resolution we are putting before us today. So there are two resolutions in a row that are very important to home ownership in this debate today. The one we have before us is the concept that people should have a right to own a home.

With that, I yield back the balance of my time, and I ask for an "aye" vote on this resolution.

Ms. JACKSON LEE of Texas. Mr. Speaker, I rise in support of H. Res. 1434 to recognize National Homeownership Month and the importance of homeownership in America. As you know, homeownership is an important portion of our economy and a central piece of American culture that lies within the idea of the "American Dream".

The idea of homeownership being central to the "American Dream" has a long history. Some believe that its roots date all the way back to 1776, where in the Declaration of Independence, Jefferson stated that all men have the right to "life, liberty, and the pursuit of happiness." In American culture, home ownership is often used as a proxy for the promised prosperity that was to be included in the interpretation of "liberty" and "happiness." In 1931, James Truslow Adams invented the term "American Dream" and used it to exemplify the idea that with enough hard work, anyone can achieve what they desire in life. For many Americans, homeownership is a central aspiration and the key to happiness and prosperity.

Our great nation has long supported this theme in American culture. In response to the Great Depression and a failing housing industry, the U.S. government created the Federal Housing Administration in 1934. The FHA then became a part of the Department of Housing and Urban Development office in 1965. Together, the mission of these organizations is to create strong, sustainable, inclusive communities and quality affordable homes for all. Since its inception in 1934, the FHA and HUD have insured over 34 million home mortgages and 47,205 multifamily project mortgages. In the 1920s only about 4 out of 10 homes were owned. Thanks to the work of the FHA the homeownership rate in America is now upwards of 66%. FHA insurance has been especially important for minority communities, low-income families, and first-time homebuyers.

Mr. Speaker, homeownership does not only serve as a centralized American idea, but also as a fundamental source of growing capital and investment for the American people and economy. The purchase of a home is one of the biggest investments one can make. It strengthens both a homeowner's individual economic growth as well as the local communities as the effects of a growing housing market will trickle down in the form of jobs, building suppliers, tax bases, schools, and other 3 forms of revenue. Until recently, the U.S. gross domestic product has always been very closely tied to the total American housing valuation. Housing is a form of wealth that increases American consumption and the growth of the economy.

With consideration to the significance of homeownership in America, the House recently passed H.R. 5072, the FHA Reform Act of 2010. This act will serve to crack down on fraud and misrepresentation from lenders, improve the FHA's internal controls and risk management, and provide more transparency and information to the public. This act is crucial to the future growth of the American housing industry, and it signifies the congressional recognition of the extreme importance of homeownership in our economy.

For these reasons, Mr. Speaker, I rise in support of H. Res. 1434 to recognize National Homeownership month and give praise to home owners in America.

Ms. EDDIE BERNICE JOHNSON of Texas. Mr. Speaker, I rise in strong support of National Homeownership Month. This month marks the 42nd anniversary of the landmark 1968 Fair Housing Act which opened the dialogue of equal homeowner opportunities and growth. National Homeownership Month continues its same principles by promoting the very core of American values of fairness, opportunity, and growth.

National Homeownership Month reflects the importance of homeownership and the American dream. For most Americans, owning their own home will be their largest and most significant financial investment. It represents security, builds neighborhood pride, and is essential in creating positive productive communities.

National Homeownership Month reaffirms the importance of homeownership in the Nation's economy and its central role in our national economic recovery. Home affordability and financial education is the key to overcoming the housing crisis and promote good housing practices and policies. Financial education not only directly benefits American families, but, in turn, helps to ensure a robust and strong economy.

Mr. Speaker, it is vital that we continue to empower people of all races, economic status, and backgrounds who desire to own their own home. It is a valuable stabilizer for both families and communities.

Ms. KOSMAS. Mr. Speaker, I have no further requests for time, and I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentlewoman from Florida (Ms. KOSMAS) that the House suspend the rules and agree to the resolution, H. Res. 1434.

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. KOSMAS. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

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.

NATIONAL FLOOD INSURANCE PROGRAM EXTENSION ACT of 2010

Ms. KOSMAS. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 5569) to extend the National Flood Insurance Program until September 30, 2010.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 5569

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

SECTION 1. SHORT TITLE.

This Act may be cited as the "National Flood Insurance Program Extension Act of 2010".

SEC. 2. EXTENSION OF NATIONAL FLOOD INSURANCE PROGRAM.

(a) PROGRAM EXTENSION.—Section 1319 of the National Flood Insurance Act of 1968 (42 U.S.C. 4026) is amended by striking "September 30, 2008" and inserting "September 30, 2010".

(b) FINANCING.—Section 1309(a) of such Act (42 U.S.C. 4016(a)) is amended—

(1) by striking "September 30, 2008" and inserting "September 30, 2010"; and

(2) by striking "\$20,775,000,000" and inserting "\$20,725,000,000".

(c) EFFECTIVE DATE.—The amendments made by subsections (a) and (b) shall be considered to have taken effect on May 31, 2010.

SEC. 3. BUDGET COMPLIANCE.

The budgetary effects of this Act, for the purpose of complying with the Statutory Pay-As-You-Go Act of 2010, shall be determined by reference to the latest statement titled "Budgetary Effects of PAYGO Legislation" for this Act, submitted for printing in the Congressional Record by the Chairman of the House Budget Committee, provided that such statement has been submitted prior to the vote on passage.

The SPEAKER pro tempore. Pursuant to the rule, the gentlewoman from Florida (Ms. KOSMAS) and the gentleman from California (Mr. GARY G. MILLER) each will control 20 minutes.

The Chair recognizes the gentlewoman from Florida.

GENERAL LEAVE

Ms. KOSMAS. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks on this legislation and to insert extraneous material thereon.

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

There was no objection.

Ms. KOSMAS. Mr. Speaker, I yield myself such time as I may consume.

I thank the gentleman from Texas who earlier spoke on this particular issue.

Mr. Speaker, I rise today to speak about this crucial bill, H.R. 5569, the National Flood Insurance Program Extension Act of 2010, which would extend

the National Flood Insurance Program through the end of September this year.

The flood insurance program provides valuable protection for approximately 5.5 million homeowners. Unfortunately, the lack of a long-term authorization has placed this program at risk. The program has lapsed three times now since the beginning of this year: for 2 days in March, for 18 days in April, and again since June 1.

□ 1100

These lapses meant that FEMA was not able to write new policies, renew expiring policies, or increase coverage limits. This also means that each day 1,400 home buyers who wanted to purchase homes located in flood plains are unable to close on their homes. Given the current crisis in the housing market, this instability in the flood insurance program is hampering the market's recovery, and it must be addressed.

This bill would simply extend the current program through September 30, 2010, to address the immediate issue of individuals being able to close on their homes.

Soon I will be able to support Ms. WATERS in bringing comprehensive flood insurance reform to the floor. This bill passed out of the Financial Services Committee on a simple voice vote in April. Ms. WATERS' bill would restore stability to the flood insurance program by reauthorizing the program for 5 years and would address the impact of new flood maps by delaying the mandatory purchase requirement for 5 years and then phasing in actuarial rates for another 5 years.

Ms. WATERS' bill also makes other improvements to the program by phasing in actuarial rates for pre-FIRM properties, raising maximum coverage limits, providing notice to renters about contents insurance, and establishing a flood insurance advocate similar to the taxpayer advocate at the Internal Revenue Service.

In the meantime, we must extend the current National Flood Insurance Program. This country is reeling from major floods in Tennessee, Arkansas, and Oklahoma. And we are now officially in hurricane season. I urge my colleagues to stand with me in support of this important extension, and I thank Ms. WATERS and Chairman FRANK, and urge my colleagues to vote in favor of this bill.

I reserve the balance of my time.

Mr. GARY G. MILLER of California. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I rise to speak on another temporary short-term extension of the National Flood Insurance Program, NFIP, which expired more than 3 weeks ago on May 31, 2010. This is the third time this year that the flood insurance program has expired, causing disruption in the housing market in cases where individuals are trying to purchase a home located in a flood-

plain which requires them to buy flood insurance to close on a federally backed mortgage.

It is unfortunate that the fate of the National Flood Insurance Program has to be authorized on a temporary basis because of other unrelated issues. The result has created uncertainty and instability in the market at a time when this country can least afford it. Immediate action is needed to support homeowners and small businesses owners who depend on flood insurance for an important measure of financial security, especially during the June to November storm season.

This bill provides for a temporary extension through the end of the current fiscal year, September 30, 2010. The bill would also make the reauthorization retroactive to May 31, 2010, and offset the cost by reducing the NFIP's borrowing authority by \$50 million from \$20.775 billion to \$20.725 billion. As a result, according to consultations with CBO, this bill would have no net impact on the Federal budget.

Congress also needs to move forward this year with serious long-term reforms of the flood insurance program. The NFIP carries a debt of more than \$18 billion and continues to subsidize premium rates of nearly 25 percent of all insured properties. The program cannot continue on this path with a built-in shortfall.

On April 27, 2010, the Financial Services Committee reported this bill, the Flood Insurance Reform Priority Act, to reauthorize and reform the NFIP for 5 years. This bill includes several important provisions that represent a good first step toward repairing the financial soundness of the NFIP, but more reforms are urgently needed. I support the extension of the NFIP program and encourage my colleagues to vote for it today.

I reserve the balance of my time.

Ms. KOSMAS. Mr. Speaker, I yield 2 minutes to the gentleman from Texas (Mr. HINOJOSA).

Mr. HINOJOSA. Mr. Speaker, I rise in strong support of H.R. 5569, extending the National Flood Insurance Program until September 30, 2010, making it retroactive to May 31, 2010.

I commend Chairwoman MAXINE WATERS for introducing this timely bill. Congress must extend authority for the National Flood Insurance Program to write or renew flood insurance policies which are required in order to obtain a mortgage in a 100-year floodplain.

Now that the National Flood Insurance Program authorization has lapsed, property owners in federally designated areas across nearly 20,000 communities nationwide are unable to obtain a mortgage or flood insurance to protect their properties. We are well into hurricane season. Congress must pass this legislation. Congress must reauthorize as soon as possible the National Flood Insurance Program to provide my constituents in Texas and all other constituents across the United States access to a program they will

need should they become victims of a hurricane. I encourage my colleagues to support this important legislation.

Mr. GARY G. MILLER of California. Mr. Speaker, I yield 2½ minutes to the gentleman from Florida (Ms. ROS-LEHTINEN).

Ms. ROS-LEHTINEN. I thank my good friend for the time.

Mr. Speaker, I rise in strong support of this bill to extend the National Flood Insurance Program, as administered by FEMA, until September 30, 2010. About 90 percent of all flood insurance policies nationwide are provided through the National Flood Insurance Program, and nearly half of those policies are held in my home State of Florida.

Flood insurance in a hurricane-prone State is not merely a necessity; it is a requirement for those homeowners with mortgages. For nearly 1 month, prospective homeowners in my congressional district of south Florida have been in limbo. Unable to secure the required flood insurance, these individuals and families have been unable to close on their homes. Their frustration is palpable. New buyers in the housing market are needed to help my congressional district recover from this economic downturn.

At a time when the Federal Government is increasing incentives for homeownership, it is utterly bizarre that Congress would fail to extend a program that is required for many mortgages to be finalized. The National Flood Insurance Program is a necessity, and its extension should not be subject to partisan politics.

This bill extends the program until the end of September, but it must be extended for several years so that homeowners can buy and sell their properties without worries. This uncertainty produced by Band-Aid extensions of the flood insurance program is hurting an already ailing housing market.

I am a cosponsor of Congressman CAO's bill, which extends the program for 3 years; and I encourage my colleagues to cosponsor the bill of the gentleman from Louisiana, H.R. 5553, and I will also be introducing a bill to further extend this popular flood insurance program.

Mr. Speaker, we have extended this program three times since it has expired. Let's get this right. Flood insurance is critically important for homeowners. Also, let's reform it so it does not face continual financial shortfalls.

I urge my colleagues to join me in voting "yes" for this much-needed, way overdue, important extension.

Ms. KOSMAS. Mr. Speaker, I yield myself 1 minute to make a comment.

I want to suggest how important I think this legislation is and to also say as a member of the National Association of Realtors myself for over 30 years, and having been an active member of the realty community assisting friends and neighbors in my community to achieve the American Dream of

homeownership, I am pleased to offer a letter of support from the NAR and include it for the RECORD.

NATIONAL ASSOCIATION OF
REALTORS®,
Washington, DC, June 23, 2010.

U.S. HOUSE OF REPRESENTATIVES,
Washington, DC.

DEAR REPRESENTATIVE: The National Association of REALTORS® strongly supports H.R. 5569. The bill would extend authority for the National Flood Insurance Program (NFIP) until September 30, 2010.

Five and a half million taxpayers depend on the NFIP as their main source of protection against flooding, the most common natural disaster in the United States. Since May 31, the NFIP has not had the statutory authority to issue new or renewal policies. By law, flood insurance is required to obtain federally related mortgage loans in nearly 20,000 communities nationwide. This has resulted in the delay, if not cancellation, of thousands of real estate transactions during one of the worst down-turns in residential and commercial real estate markets since the Great Depression.

We urge immediate approval of H.R. 5569 to extend NFIP authority and avoid exacerbating the uncertainty for taxpayers who rely on the program, particularly in a recovering real estate market.

Sincerely,

VICKI COX GOLDER, CRB,
2010 President, National Association of
REALTORS®.

Mr. GARY G. MILLER of California. Mr. Speaker, I yield 4 minutes to the gentleman from Louisiana (Mr. CAO).

Mr. CAO. I thank the gentleman from California for yielding me this time.

Mr. Speaker, I rise today in support of H.R. 5569 to focus attention on an important issue that has left our constituents financially and economically vulnerable. The National Flood Insurance Program, NFIP, has lapsed for the third time this year, meaning that life decisions have to be put on hold, leaving our constituents to wait out congressional action.

When I was in New Orleans over the weekend, a constituent came up to me and sadly stated: I could not sell my home because the buyer could not purchase flood insurance.

□ 1110

Today, I also read in the U.S. News and World Report that home sales have slipped 2 percent in May, even though Federal stimulus efforts kept real estate transactions artificially elevated. One of the contributing elements is the lapse in the NFIP. Many potential sales are being delayed by an interruption in the National Flood Insurance Program, according to the National Association of Realtors.

Mr. Speaker, the most recent NFIP lapse couldn't have come at a worse time. As we deal with the worst oil spill in history, we are facing what is predicted to be an active hurricane season along the gulf coast. Now, more than ever, we need to be supporting our constituents during these difficult times.

Many of the fishermen and others who have had their livelihoods turned upside down because of the oil spill

also live in flood-prone areas. Therefore, we must act not only to extend this program in the short term but ensure that in the future communities devastated by the oil spill will have affordable access to insurance.

That is why on Thursday I introduced H.R. 5553 that would extend the NFIP for 3 years and would include a sense of Congress that the program should not expire again. This extension would remove uncertainty and would show our desire to see real reform to an inefficient program.

I appreciate the gentlelady from California's, MAXINE WATERS, attention to this important issue, and I hope that we can work together in reforming this critical program for both of our people in the future.

I urge my colleagues to support H.R. 5569.

Ms. KOSMAS. Mr. Speaker, I have no further requests for time, and I continue to reserve the balance of my time.

Mr. GARY G. MILLER of California. I yield 3 minutes to the gentlelady from Michigan, Mrs. CANDICE MILLER.

Mrs. MILLER of Michigan. I thank the gentleman for yielding.

Mr. Speaker, I rise today to express my very serious concerns about this program and to remind my colleagues that this program is actually a very bad deal for my constituents in the State of Michigan and many other States in the Great Lakes Basin as well.

For the past few years, FEMA has been engaged doing what Congress did direct them to do, and that is updating and modernizing our flood maps across the entire Nation. We all recognize that with technology we can and we should update the maps to reflect our best science and to convert our existing outdated maps into user-friendly digital format. Let me just make clear, I totally support that effort and those objectives.

However, property owners in the Great Lakes are being treated very unfairly by these new maps which have taken effect in my district and all through the basin during the past several years, and the net effect is that we can show how these property owners whose properties very rarely flood, nor have the potential to flood, are being treated badly because, in fact, they are being abused by the National Flood Insurance Program.

My constituents, many of them on the water, are paying very, very high flood insurance premiums, and yet we very rarely even claim on this or receive any money for our claims. Essentially, Michigan and other States in the Great Lakes Basin are being forced to subsidize those in other States who are prone to severe weather events. If that's what we are going to do, we should just call it what it is and have a national catastrophic fund as opposed to this national flood insurance fund. In other words, let everybody pay. Why should the people in the Great Lakes

Basin have to subsidize this particular program?

A GAO report on this program that was published in April found that nearly one in four property owners pay subsidized rates for their flood insurance that do not reflect the full risk of flooding. You have to ask, no wonder this program is \$19 billion in debt, and to add insult to injury, this program keeps paying claims year after year so some Americans can continue to live in flood-prone areas. That's fine if they want to live there, but I don't know why those people in the Great Lakes have to keep paying for these repetitive claims year after year. It's only 1 percent of the policy, but it is 25 percent of all of the claims.

I think it is well past time that this program either be scrapped entirely or reformed. My constituents in Michigan, with little risk of flooding, again who have experienced little or no flooding, are funding the National Flood Insurance Program at astronomical rates. States that we see flooded year after year and, again, allow people to keep building and rebuilding in a floodplain, or who keep experiencing hurricanes, are essentially using this FEMA fund as an ATM machine, and I don't think it's fair. Really, if we're going to have a National Flood Insurance Program, I think everybody should be paying fairly. Again, I think a national catastrophic fund would be the most fair approach to this.

I think, if this situation continues, that Michigan and other States should consider opting out of this national plan and self-insuring. I've written a letter to our Governor, and I hope that she considers that.

In Michigan, I would say this: We look down at the water.

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

Mr. GARY G. MILLER of California. I yield the gentlewoman an additional 30 seconds.

Mrs. MILLER of Michigan. I thank the gentleman for yielding me another 30 seconds.

In Michigan, we look down at the water. We don't look up at the water, and we just think it is very unfair that we have to keep subsidizing all of the other areas just because we live on the water as well. I think this program needs to be revamped, and I would say again, we should have a national catastrophic fund.

We have great empathy and sympathy for those who want to live in a flood-prone area, but I don't know why those of us on the shores of the Great Lakes have to be the only ones in the Nation to subsidize this. I think it is very unfair.

HOUSE OF REPRESENTATIVES,
Washington, DC, April 3, 2008.

Hon. JENNIFER GRANHOLM,
Lansing, MI.

DEAR GOVERNOR GRANHOLM: I write to bring to your attention an issue of great importance to the economic health and well-being of the State of Michigan.

The Federal Emergency Management Agency (FEMA) is in the process of updating

and modernizing flood maps across the entire nation. This process is necessary to account for property development and growth over the past several decades as well as changes in topography. If done properly, this process would bring more fairness for those who live in flood plains and are required to purchase flood insurance.

Unfortunately, property owners in Michigan are being treated unfairly by these new maps, which have recently taken effect in my district and other parts of the state. These property owners, whose properties very rarely flood—nor have the potential to flood—are paying very high flood insurance premiums and yet they very rarely receive claims.

In regards to FEMA's proposal for remapping in the Great Lakes region, they are raising the base flood elevation an additional 14 inches—they say to accurately reflect the risk of flooding. This is predicated on data from 1988, 2 years after the absolute highest recorded levels for the Great Lakes. However, in Lake St. Clair alone, the lake levels have dropped over 3 feet since then and are now 5½ feet below the old base flood elevation. In spite of this, FEMA's new base flood elevation is now 6½ feet above the current lake level.

I have been trying to stop FEMA from implementing their new flood maps until the International Joint Commission's Upper Great Lakes study has been completed. This study will be the most comprehensive study of this region ever undertaken. Nevertheless, my constituents are currently paying much higher premiums for an insurance plan that they will likely not ever file a claim on. These new maps will cost my constituents literally millions of dollars at a time when lake levels are at historic all time lows. This means that they are not going to be making claims, but they will be subsidizing other parts of the country through the National Flood Insurance Program.

What is happening is that many states and their property owners, with little risk of flooding, who have experienced little or no flooding, are funding the National Flood Insurance Program at astronomical rates. Between 1978, the year the National Flood Insurance Program began, and 2002, there were 10 states that received more in claims than what they paid in policies. In fact over \$1.5 billion dollars more—and the average premium for policyholders in those states was only \$223.

Michigan, on the other hand, paid almost \$120 million more into the program than it received back in claims, yet the average premium for Michigan policyholders was \$257 dollars. As you can see, this program is draining millions of dollars from Michigan and dispensing it throughout other areas of the country.

As you know, the residents of our state are already experiencing tremendous economic strain due to rising gasoline costs, the high unemployment rate, and the housing crisis. They do not need to spend an additional several hundred dollars each year on insurance they will likely never need. And they should not be mandated to sacrifice for residents of other states much more prone to severe weather events.

One of the potential solutions to this disparity is for the State of Michigan to take action to opt out of the National Flood Insurance Program and self insure. While I realize that some will consider this a rather drastic measure, this problem is having such a negative impact on our constituents that I believe it must be considered.

If Michigan were to opt out of this program, it would undoubtedly save our constituents millions of dollars each year which could then be used to further stimulate our

state's economy. I urge you to work with the state legislature and the Commissioner of Financial and Insurance Services to explore this option to see if it could result in significant savings to Michigan taxpayers.

Thank you for your attention to this issue. I look forward to working with you on this important matter.

Sincerely,

CANDICE S. MILLER,
Member of Congress.

Mr. GARY G. MILLER of California. I yield myself the balance of my time.

It is very unfortunate that the fate of the National Flood Insurance Program has to be authorized on a temporary basis because of unrelated issues. What the marketplace needs today is certainty and stability, and we should do whatever we can to create that.

I ask for an "aye" vote.

Mr. BRADY of Texas. Mr. Speaker, I rise in support of H.R. 5569—To extend the National Flood Insurance Program until September 30, 2010. It's Hurricane Season—we cannot put off the reauthorization of this program. We can no longer wait on the extenders package—we must pass an extension now.

I have constituents in Southeast Texas both in flood-prone and hurricane-prone areas that are unable to access flood insurance. This is a major problem for potential homeowners, if their lender requires flood insurance before closing.

Though I am supportive of this measure, I am advocating for a longer term extension of the National Flood Insurance Program through May 31, 2011. I hope my colleagues will join me in advancing such a measure.

Ms. GINNY BROWN-WAITE of Florida. Mr. Speaker, I rise today in support of keeping promises to the American people. To speak plainly about it, I do not support the federal government's growing role in the private sector.

But for reasons known to all of my colleagues, the federal government has, for some time, been the primary provider of flood insurance to America's homeowners. Because of Congress' inaction, that insurance is no longer available.

Simply put, as a matter of principle and responsible public policy, when the government makes commitments to the American people, and families and businesses come to rely on the fulfillment of those commitments, it is flat out wrong to fail to live up to them. That is where we are right now.

Mr. Speaker, the Democrats have control over every lever of government and your majorities in both chambers are significant. So to allow the National Flood Insurance Program, the "SGR", the state sales tax deduction, and others to expire demonstrates a complete lack of responsibility and an inability to govern.

This is hurting my constituents. My district, like many in Florida, has been pummeled by the housing crisis. And while the President may believe that press conferences touting his foreclosure initiatives are sufficient to addressing the problem, my constituents know that the only thing that will turn their situation around is a recovery in demand.

I am sure that Members on both sides of the aisle can understand my frustration when I get calls from reators in my district explaining that three of their clients can't close on houses because the Flood Insurance program has lapsed.

There is nothing they can do about it and they want answers. They want to know when the government is going to get the situation fixed. And frankly, I don't know what to tell them. To me, the idea that a single-party government can't pass must-pass legislation is incomprehensible.

So I would like to thank the gentlelady from California, Ms. WATERS, for stepping up to the plate and bringing this legislation to the floor. And while I support the bill and will be the first of my colleagues to vote for it, my constituents also want assurances from the Speaker and Majority Leader that this isn't just "pat ourselves on the back" legislation—that it isn't just "pass it to say we did" legislation. My constituents want real results and that means actually getting the Flood Insurance program, the tax cuts, and other commitments that this government have made extended quickly. It is simply the right thing to do.

Mr. GARY G. MILLER of California. I yield back the balance of my time.

Ms. KOSMAS. 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 Florida (Ms. KOSMAS) that the House suspend the rules and pass the bill, H.R. 5569.

The question was taken; and (two-thirds being in the affirmative) the rules were suspended and the bill was passed.

A motion to reconsider was laid on the table.

CONGRESSIONAL AWARD PROGRAM REAUTHORIZATION ACT OF 2009

Mr. PAYNE. Mr. Speaker, I move to suspend the rules and pass the bill (S. 2865) to reauthorize the Congressional Award Act (2 U.S.C. 801 et seq.), and for other purposes.

The Clerk read the title of the bill.

The text of the bill is as follows:

S. 2865

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

SECTION 1. SHORT TITLE.

This Act may be cited as the "Congressional Award Program Reauthorization Act of 2009".

SEC. 2. CONGRESSIONAL AWARD PROGRAM.

(a) IMPLEMENTATION AND PRESENTATION.—Section 102 of the Congressional Award Act (2 U.S.C. 802) is amended—

(1) in the matter following subsection (b)(5), by striking "under paragraph (3)"; and

(2) in subsection (c), in the second sentence, by striking "during" and inserting "in connection with".

(b) TERMS OF APPOINTMENT AND REAPPOINTMENTS.—Section 103 of the Congressional Award Act (2 U.S.C. 803) is amended by striking subsection (b) and inserting the following:

"(b) TERMS OF APPOINTED MEMBERS; REAPPOINTMENT.—

"(1) Appointed members of the Board shall continue to serve at the pleasure of the officer by whom they are appointed, and (unless reappointed under paragraph (2)) shall serve for a term of 4 years.

"(2)(A) Subject to the limitations in subparagraph (B), members of the Board may be reappointed, except that no member may

serve more than 2 full consecutive terms. Members may be reappointed to 2 full consecutive terms after being appointed to fill a vacancy on the Board.

“(B) Members of the Board shall not be subject to the limitation on reappointment in subparagraph (A) during their period of service as Chairman of the Board and may be reappointed to an additional full term after termination of such Chairmanship.

“(3)(A) Notwithstanding paragraph (1) or (2), the term of each member of the Board shall begin on October 1 of the even numbered year which would otherwise apply with one-half of the Board positions having terms which begin in each even numbered year.

“(B) Subparagraph (A) shall apply to appointments made to the Board on or after the date of enactment of the Congressional Award Program Reauthorization Act of 2009.”.

(C) REQUIREMENTS REGARDING FINANCIAL OPERATIONS.—Section 104(c) of the Congressional Award Act (2 U.S.C. 804(c)) is amended—

(1) in paragraph (1), in the third sentence, by striking “, in any calendar year,” and inserting “in any fiscal year”; and

(2) by striking paragraph (2) and inserting the following:

“(2)(A) The Comptroller General of the United States shall determine for each fiscal year whether the Director has substantially complied with paragraph (1). The findings made by the Comptroller General under the preceding sentence shall be included in the reports submitted under section 107(b).

“(B) If the Director fails to substantially comply with paragraph (1), the Board shall instruct the Director to take such actions as may be necessary to correct such deficiencies, and shall remove and replace the Director if such deficiencies are not promptly corrected.”.

(d) FUNDING AND EXPENDITURES.—Section 106(a) of the Congressional Award Act (2 U.S.C. 806(a)) is amended by striking paragraph (1) and inserting the following:

“(1) the Board shall carry out its functions and make expenditures with—

“(A) such resources as are available to the Board from sources other than the Federal Government; and

“(B) funds awarded in any grant program administered by a Federal agency in accordance with the law establishing that grant program.”.

(e) STATEWIDE CONGRESSIONAL AWARD COUNCILS.—Section 106(c) of the Congressional Award Act (2 U.S.C. 806(c)) is amended by striking paragraph (4) and inserting the following:

“(4) Each Statewide Council established under this section may receive contributions, and use such contributions for the purposes of the Program. The Board shall adopt appropriate financial management methods in order to ensure the proper accounting of these funds. Each Statewide Council shall comply with subsections (a), (d), (e), and (h) governing the Board.”.

(f) CONTRACTING AND USE OF FUNDS FOR SCHOLARSHIPS.—Section 106 of the Congressional Award Act (2 U.S.C. 806) is amended—

(1) in subsection (d), by inserting “to be” after “expenditure is”; and

(2) in subsection (e)(1)(A), by inserting “or for scholarships” after “local program”.

(g) NONPROFIT CORPORATION.—Section 106 of the Congressional Award Act (2 U.S.C. 806) is amended by striking subsection (i) and inserting the following:

“(i)(1) The Board shall provide for the incorporation of a nonprofit corporation to be known as the Congressional Award Foundation (together with any subsidiary nonprofit corporations determined desirable by the Board, collectively referred to in this title as

the ‘Corporation’) for the sole purpose of assisting the Board to carry out the Congressional Award Program, and shall delegate to the Corporation such duties as it considers appropriate, including the employment of personnel, expenditure of funds, and the incurrance of financial or other contractual obligations.

“(2) The articles of incorporation of the Congressional Award Foundation shall provide that—

“(A) the members of the Board of Directors of the Foundation shall be the members of the Board, with up to 24 additional voting members appointed by the Board, and the Director who shall serve as a nonvoting member; and

“(B) the extent of the authority of the Foundation shall be the same as that of the Board.

“(3) No director, officer, or employee of any corporation established under this subsection may receive compensation, travel expenses, or benefits from both the Corporation and the Board.”.

(h) TERMINATION.—

(1) IN GENERAL.—Section 108 of the Congressional Award Act (2 U.S.C. 808) is amended by striking “October 1, 2009” and inserting “October 1, 2013”.

(2) EFFECTIVE DATE.—This subsection shall take effect as of October 1, 2009.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from New Jersey (Mr. PAYNE) and the gentleman from Washington (Mrs. MCMORRIS RODGERS) each will control 20 minutes.

The Chair recognizes the gentleman from New Jersey.

GENERAL LEAVE

Mr. PAYNE. Mr. Speaker, I request 5 legislative days during which Members may revise and extend and insert extraneous material on S. 2865 into the RECORD.

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

There was no objection.

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

Mr. Speaker, I rise in support of S. 2865, which reauthorizes the Congressional Award Program. The Congressional Award is a public-private partnership created by Congress in 1979 that works to recognize the initiative, achievement, and service of America’s youth, ages 14 to 23. Participants earn recognition and bronze, silver, and gold Congressional Award certificates or medals based on their involvement in four key areas: volunteer service, personal development, physical fitness, and exploration.

Participants in the Congressional Award Program set and achieve personally challenging goals based on their individual interests, needs, and abilities. Because these participants set their own goals, the program is open and inclusive of youth of all ability levels.

S. 2865 provides for the reauthorization of the Congressional Award Program until October 2013. It will allow the Congressional Awards Foundation to confer awards to the many youth who have completed their goals and service. We recognize the outstanding

contributions of over 27,700 individuals who have participated in the Congressional Award Program since its inception, and over 1,500 youth from 45 States earned certificates or medals at one of the six award levels this current year. We congratulate them on their achievement and thank them for an outstanding 2.5 million hours of combined volunteer service.

□ 1120

In fact, this morning, Members of Congress and community leaders will join together to honor 252 recipients of the Congressional Award Gold Medal. These recipients will represent the best of the best of the young people working to meet their goals. They will be congratulated by NFL star Michael Oher and Deputy Secretary of Education Anthony Miller. We wish these young people continued success in their personal, professional and educational goals.

We also thank Congresswoman SHEILA JACKSON LEE and Congressman GUS BILIRAKIS, who serve on the Congressional Award board of directors. Their contributions to the program are an important part of this Congress’ support of the outstanding youth who participate in the Congressional Award Program.

Mr. Speaker, once again I express my support for Senate bill 2865 and the reauthorization of the Congressional Award Program. I urge my colleagues to join me in support of this bill.

Mr. Speaker, I reserve the balance of my time.

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

Mr. Speaker, I rise in support of S. 2865, the Congressional Award Program Reauthorization Act of 2009. This bill reauthorizes the Congressional Award Program and the board that administers the program, which is a public-private partnership created by Congress to promote and recognize excellence in America’s youth ages 14 to 23. Applicants excel in service, personal development, physical fitness, expedition, and exploration, and receive various levels of the award, including bronze, silver, and gold certificates and medals. The Congressional Award Program also provides scholarships to select winners for participation in the People to People Program and the Presidential Classroom, and for select incoming freshmen to Drexel University.

The Congressional Award Program was founded in 1979 and has recognized outstanding youth since that time. To earn the award, youth are encouraged to set their own goals in one of four areas of volunteer service, personal development, physical fitness, and expedition and exploration. The award recognizes youth that complete their goals in these areas. It encourages adolescents and young adults to set and achieve their own challenging goals and recognizes them for doing such.

I urge my colleagues to support S. 2865.

Ms. JACKSON LEE OF Texas. Mr. Speaker, I rise in support of S. 2865, an act that seeks the reauthorization of the Congressional Award Program. I also want to thank my colleague, Senator LIEBERMAN, for introducing this important legislation.

Today we acknowledge the continued success of the Congressional Award Program and seek its reauthorization contingent with a few amendments. This program enriches America's youth by instilling four principle areas in the contestant's life. The four program areas include voluntary community service, personal development, physical fitness, and expedition and exploration. Performance of these activities strengthens the mind, body, and soul of the youth. By providing service to others and the greater community at large, developing personal interests, social or employment skills, improving quality of life through physical fitness activities, and by undertaking an outdoor, wilderness or venture experience (historical, cultural or environmental), the participating youth are well rounded.

I have relentlessly sought better education and jobs for our youth in this great nation, because they fuel the future of the country. As a member of the board of the Congressional Award Program I also believe that in order to truly produce a well rounded society, we should be supporting all aspects of life. Education is a very important factor in a youth's life, and the four program areas of the Congressional Award Program also work to shape the knowledge acquired through that education to mold successful youths.

This reauthorization act will strengthen the program's leadership amending the appointments provisions such as to revise requirements for appointment and reappointment of members of the Congressional Award Board, especially the limitation of service on the Board to two consecutive terms. This act exempts a member from the two-term limit during a period of service as Board Chairman, permits reappointment of such individual to an additional full term after termination of such Chairmanship, requires a Board member's term to begin on October 1 of the even numbered year, with one-half of the Board positions having terms which begin in each even numbered year, and changes from calendar to fiscal year the annual period for which the Director is required to ensure that the Board's liabilities do not exceed its assets.

For the foregoing reasons, I stand with Senator LIEBERMAN in support of this act to reauthorize the Congressional Award Program.

I urge my colleagues to support this bill.

Mrs. McMORRIS RODGERS. I yield back the balance of my time.

Mr. PAYNE. Mr. Speaker, I yield back the balance of my time and urge the support of Senate bill 2865, the Congressional Award Program Reauthorization Act, to the full body.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from New Jersey (Mr. PAYNE) that the House suspend the rules and pass the bill, S. 2865.

The question was taken; and (two-thirds being in the affirmative) the rules were suspended and the bill was passed.

A motion to reconsider was laid on the table.

SUPPORTING DESIGNATION OF YEAR OF THE FATHER

Mr. PAYNE. Mr. Speaker, I move to suspend the rules and agree to the concurrent resolution (H. Con. Res. 285) recognizing the important role that fathers play in the lives of their children and families and supporting the goals and ideals of designating 2010 as the Year of the Father.

The Clerk read the title of the concurrent resolution.

The text of the concurrent resolution is as follows:

H. CON. RES. 285

Whereas Father's Day was founded in 1910 by Mrs. John B. Dodd after attending a Mother's Day celebration in 1909 and believing that fathers should receive the same recognition;

Whereas Mrs. John B. Dodd, Sonora Smart Dodd, founded the day in celebration of her father, William Smart;

Whereas William Smart, a Civil War veteran, raised six children on his own after the death of his wife;

Whereas Spokane, Washington, recognized and hosted the first celebration of Father's Day on June 19, 1910;

Whereas in 1924, President Calvin Coolidge recognized Father's Day and urged States to follow suit;

Whereas in 1966, President Lyndon B. Johnson signed a proclamation calling for the third Sunday in June to be recognized as Father's Day and requested that flags be flown that day on all government buildings;

Whereas President Richard Nixon signed a proclamation in 1972 permanently observing Father's Day on the third Sunday in June;

Whereas Father's Day is celebrated in over 50 countries around the world;

Whereas there are an estimated 64.3 million fathers around the Nation today;

Whereas it is well documented that children involved with loving fathers are significantly more likely to have healthy self-esteem, exhibit empathy and prosocial behavior, avoid high risk behaviors, have reduced antisocial behavior and delinquency in boys, have better peer relationships, and have higher occupational mobility relative to parents;

Whereas fathers who live with their children are more likely to have a close, enduring relationship with their children than those who do not; and

Whereas the 100th anniversary of Father's Day will be celebrated in Spokane, Washington, on June 20, 2010: Now, therefore, be it

Resolved by the House of Representatives (the Senate concurring), That Congress—

(1) recognizes the important role that fathers play in the lives of their children and families; and

(2) supports the goals and ideals of the Year of the Father.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from New Jersey (Mr. PAYNE) and the gentlewoman from Washington (Mrs. McMORRIS RODGERS) each will control 20 minutes.

The Chair recognizes the gentleman from New Jersey.

GENERAL LEAVE

Mr. PAYNE. Mr. Speaker, I request 5 legislative days during which Members may revise and extend and insert extraneous material on House Concurrent Resolution 285 into the RECORD.

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

There was no objection.

Mr. PAYNE. I yield myself such time as I may consume.

Mr. Speaker, I rise today in support of House Concurrent Resolution 285, which honors and celebrates the observance of the centennial anniversary of Father's Day this past Sunday, and to recognize the importance of fatherhood. This resolution highlights the long history of Father's Day, first celebrated on June 19, 1910, to honor the love and commitment that fathers give our children and their families.

Every year on the third Sunday in June, families across this Nation stop to thank fathers for the hard work and dedication it takes to be a supportive and involved parent. The tradition of Father's Day began 100 years ago in Spokane, Washington. The day was first recognized nationally by President Coolidge in 1924, who urged States to follow suit. President Nixon signed the proclamation in 1972 permanently observing Father's Day as the third Sunday in June.

Supportive fathers play a significant and influential role in their child's development. Children with loving fathers generally have healthier self-esteem, better peer relationships, more pro-social behavior, and an enjoyment of learning new skills. A positive environment at home also helps children thrive academically and get involved in extracurricular activities.

By commending the hard work and dedication of fathers during the centennial celebration of Father's Day, we encourage responsible fatherhood and happy, successful, and stronger families and communities.

I want to thank Representative McMORRIS RODGERS for bringing this resolution to the floor and urge my colleagues to pass this resolution.

Mr. Speaker, I reserve the balance of my time.

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

Mr. Speaker, I rise today in strong support of House Concurrent Resolution 285, recognizing the important role that fathers play in the lives of their children and family, and recognizing this year, 2010, as the "year of the father."

Unbeknownst to many, Father's Day has an especially significant meaning to the people of Spokane, Washington. This past Sunday, the city of Spokane celebrated the 100th anniversary of the founding of Father's Day, a national tradition that began in 1909 by a local Spokane woman, Sonora Smart Dodd. Looking for a way to recognize her father and those like him, Sonora Dodd publicly recognized her father in 1909, a Civil War veteran who raised six children on his own after the death of his wife. From there, the city of Spokane established the first celebration of Father's Day at the local YMCA in 1910, and in the years following the celebration spread around the Nation. The resolution that we are considering today

is a way to demonstrate our appreciation to fathers everywhere and to recognize the critical role they play in our lives.

Research in the field confirms that children whose fathers play a significant role in their lives are much more likely to lead productive and healthy lives. Moreover, children with involved fathers are much more likely to have close, enduring relationships.

I would like to congratulate Spokane on its 100th anniversary and recognize all the fathers out there like my own who have and continue to do so much for their children and families.

I urge my colleagues to support this important resolution.

I yield back the balance of my time.

Mr. PAYNE. Mr. Speaker, I urge the support of House Concurrent Resolution 285.

As a father of three, grandfather of triplet grandchildren and another—four grandchildren, and one great grandchild, I certainly am here to say that I think that Father's Day is a wonderful day. I was very privileged to have my children take me to a wonderful brunch, as they do every Father's Day.

Mr. Speaker, I ask the House to vote in favor of this resolution.

Mr. JOHNSON of Georgia. Mr. Speaker, I rise today in order to express my support for H. Con. Res. 285, which recognizes the important role that fathers play in the lives of their children and families and supports the goals and ideals of designating 2010 as the Year of the Father. I would also like to commend Representative MCMORRIS RODGERS for sponsoring this bill and showing her commitment to recognizing the crucial role of fathers.

I grew up with both of my parents in my life. My father worked for the Department of Justice for a large portion of his career. He eventually became the Director of Classifications and Paroles for the Bureau of Prisons and was the highest ranking African-American in the Bureau at that time. I saw my father work hard everyday in an effort to provide for his family. His value system transferred to me, and I make it a point to influence my children in the same way my father positively influenced me. I know without a doubt that my father helped me to develop into the man I am today.

There are numerous studies and statistics that all show fathers are crucial to the development of a child. Children who grow up with the love and care of their fathers are more likely to exhibit strong self-confidence and are more likely to avoid high-risk behaviors.

In honoring fathers with this resolution, I would also like to offer a challenge to all fathers to make an effort to develop healthy, loving relationships with their children. I challenge fathers not to be in the words of the Temptations "rolling stones," but solid rocks on which their families can depend on.

Mr. Speaker, it is with upmost sincerity that I support this solution and I urge my colleagues to do the same. It is my hope that this resolution serves as an inspiration for fathers all across this great Nation.

Mr. PAYNE. I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by

the gentleman from New Jersey (Mr. PAYNE) that the House suspend the rules and agree to the concurrent resolution, H. Con. Res. 285.

The question was taken.

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

Mr. PAYNE. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

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.

□ 1130

SUPPORTING THE IMPORTANCE OF BRAILLE IN THE LIVES OF BLIND PEOPLE

Mr. PAYNE. Mr. Speaker, I move to suspend the rules and agree to the resolution (H. Res. 1034) expressing support for designation of July 2010 as "Braille Literacy Month", as amended.

The Clerk read the title of the resolution.

The text of the resolution is as follows:

H. RES. 1034

Whereas since its invention by Louis Braille (1809-1852), the reading and writing code for the blind that bears his name has become the accepted method of reading and writing for the blind the world over;

Whereas the Braille code is used to represent not only the alphabets of most written languages, but is also used for mathematical and scientific notation and the reproduction of musical scores;

Whereas while technology has improved the lives of blind people by facilitating quick access to information, Braille literacy gives blind people the ability to read and to write and to do the two interactively;

Whereas despite its efficiency, versatility, and universal acceptance by the blind, the rate of Braille literacy in the United States has declined to the point where only 10 percent of blind children are learning the code;

Whereas Braille is an important tool in the independence, productivity, and success for blind people;

Whereas while 70 percent of the blind are unemployed, 85 percent of those who are employed know Braille;

Whereas the United States Congress officially recognized the importance of Braille by passing the Louis Braille Bicentennial-Braille Literacy Commemorative Coin Act authorizing the striking of a United States silver dollar marking the 200th anniversary of the birth of Louis Braille and emphasizing the connection between learning Braille and true independence and opportunity for the blind; and

Whereas the National Federation of the Blind, the Nation's oldest and largest organization of blind people and a leading advocate for Braille literacy in the United States, has launched a national "Braille Readers are Leaders" campaign to promote awareness of the importance of Braille and to increase the availability of competent Braille instruction and of Braille reading materials in this country: Now, therefore, be it

Resolved, That the House of Representatives—

(1) supports the importance of Braille and the role that Braille plays in the lives of blind people;

(2) recognizes the 70th anniversary of the National Federation of the Blind; and

(3) supports the efforts of the National Federation of the Blind and other organizations to promote Braille literacy.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from New Jersey (Mr. PAYNE) and the gentleman from Washington (Mrs. MCMORRIS RODGERS) each will control 20 minutes.

The Chair recognizes the gentleman from New Jersey.

GENERAL LEAVE

Mr. PAYNE. Mr. Speaker, I request 5 legislative days during which Members may revise and extend and insert extraneous material on House Resolution 1034 into the RECORD.

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

There was no objection.

Mr. PAYNE. I yield myself such time as I may consume.

Mr. Speaker, I rise today in support of H. Res. 1034, which recognizes the importance of braille in the lives of blind people. We know that education is the key to success and that every American deserves an equal opportunity to a good education. Literacy, or the ability to read and write, is the key to this education.

Braille has been a recognized reading and writing code for the blind since its invention by Louis Braille in 1821. Braille translates to most written languages, and it is even used in converting figures in the areas of math, science, and music. Braille code has improved the lives of blind people by facilitating quick access to information and technology resources. It has even given blind persons the ability to read and write simultaneously.

Despite the freedom that comes from learning braille, fewer than 10 percent of the 1.3 million people who are legally blind in the United States are braille readers. According to the American Printing House for the Blind, there are approximately 58,000 legally blind children in the United States, but only 10 percent of these children are learning the code. This resolution honors, celebrates, and encourages the learning of braille, but it also recognizes the need for more education in the teaching of braille so that America's blind children can learn this important code.

In 2006, Congress recognized the importance of braille by passing the Louis Braille Bicentennial-Braille Literacy Commemorative Coin Act. This act authorizes the striking of a United States silver dollar, marking the 200th anniversary of the birth of Louis Braille, and emphasizes the connection between the learning of braille and the empowerment of blind people everywhere. A portion of the sale of each coin goes towards a braille literacy campaign that will help provide more blind youth and adults with access to this important code.

Mr. Speaker, let us continue to emphasize the importance of learning

braille by supporting House Resolution 1034. I urge my colleagues to support this legislation, which celebrates braille and which pays much needed attention to braille literacy in America. I reserve the balance of my time.

Mrs. McMORRIS RODGERS. I yield myself such time as I may consume.

Mr. Speaker, I rise in support of House Resolution 1034, expressing support for the designation of July 2010 as Braille Literacy Month.

The braille language was developed by Louis Braille in 1821. Unbeknownst to many, each braille character is comprised of six raised dots that, when put in various positions, form 64 possible combinations, combinations which allow individuals to communicate in most written languages as well as in mathematics and in musical scores.

Literacy involves the ability to acquire information, to understand it, and to communicate it with others. It is the ability to gain access to written information, information that is stored so that it can be referred to again and again. The braille code gives the blind the gift of literacy—the ability to communicate through reading and writing.

Despite the advantages of learning and knowing braille, only 10 percent of blind children today are learning the braille code. In 1960, 50 percent of legally blind school-aged children were able to read braille. The decline in braille literacy is a cause for concern. According to a 2007 study, there are over 57,000 legally blind children in the United States. Just as television and computers cannot replace the written word, technology cannot replace the benefits of learning the braille code for thousands of blind children and adults.

Supporting the designation of July 2010 as Braille Literacy Month highlights the importance of braille literacy and of the benefits it offers to blind children. I urge all of my colleagues to support House Resolution 1034, expressing support for designating July 2010 as Braille Literacy Month.

I reserve the balance of my time.

Mr. PAYNE. Mr. Speaker, I am pleased to yield such time as he may consume the sponsor of this resolution, the gentleman from Maryland (Mr. SARBANES).

Mr. SARBANES. I thank the gentleman for yielding.

Mr. Speaker, literacy is a fundamental building block for individuals to thrive in our society and in a constantly changing world. Literacy can have an impact on an individual's ability to be self-sufficient, and it is essential in overcoming social and economic barriers. Low literacy skills, on the other hand, are associated with poor health, lower income levels, and social exclusion.

Braille is an internationally recognized method of reading and writing for the blind community and is the key to literacy. It provides the blind community with the tools they need to succeed and to improve their lives. Yet braille literacy has declined to 10 per-

cent in the United States compared to 50 percent in the 1960s.

House Resolution 1034, which I was proud to introduce and which has co-sponsorship among both Republicans and Democrats, recognizes the importance of braille for success and adult independence. Studies show that braille literacy leads to higher educational levels, better employment, and increased financial independence. While 70 percent of blind adults face unemployment, 85 percent of those who are employed are able to read and write braille fluently.

I am pleased to have worked with the National Federation of the Blind in developing this resolution that calls attention to the need for a renewed commitment to braille literacy. The National Federation of the Blind, which is the Nation's largest blind membership organization and is headquartered in my congressional district, helps blind persons achieve self-confidence and self-respect, and it acts as a vehicle for collective self-expression by the blind community. The NFB has been a champion of braille literacy over the years, and I would like to congratulate them on their efforts.

Mr. Speaker, literacy provides individuals with basic life skills that can lead to access to higher educational opportunities and economic success. By promoting literacy within all communities, we can help our Nation and its citizens reach their full potential. I hope my colleagues will join me in supporting this resolution.

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

Mr. PAYNE. Mr. Speaker, I would ask that the House move in favor of H. Res. 1034.

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

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from New Jersey (Mr. PAYNE) that the House suspend the rules and agree to the resolution, H. Res. 1034, as amended.

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

The title of the resolution was amended so as to read: "Expressing support for the importance of Braille in the lives of blind people."

A motion to reconsider was laid on the table.

□ 1140

SUPPORTING NATIONAL PHYSICAL EDUCATION AND SPORT WEEK

Mr. PAYNE. Mr. Speaker, I move to suspend the rules and agree to the resolution (H. Res. 1373) expressing support for designation of the week beginning May 2, 2010, as "National Physical Education and Sport Week".

The Clerk read the title of the resolution.

The text of the resolution is as follows:

H. RES. 1373

Whereas the week beginning May 2, 2010, is observed as National Physical Education and Sport Week;

Whereas a decline in physical activity has contributed to an unprecedented epidemic of childhood obesity in the United States, which has more than tripled since 1980;

Whereas regular physical activity is necessary to support normal and healthy growth in children and is essential to their continued health and well-being;

Whereas, according to the Centers for Disease Control and Prevention, overweight adolescents have a 70 to 80 percent chance of becoming overweight adults, increasing their risk for chronic disease, disability, and death;

Whereas physical activity reduces the risk of heart disease, high blood pressure, diabetes, and certain types of cancers;

Whereas type 2 diabetes can no longer be referred to as "late in life" or "adult onset" diabetes because it occurs in children as young as 10 years old;

Whereas the Physical Activity Guidelines for Americans, published by the Department of Health and Human Services, recommend that children engage in at least 60 minutes of physical activity on most, and preferably all, days of the week;

Whereas, according to the Centers for Disease Control and Prevention, only 17 percent of high school students meet that goal of 60 minutes of physical activity a day;

Whereas children spend many of their waking hours at school and therefore need to be active during the school day to meet the recommendations of the Physical Activity Guidelines for Americans;

Whereas, according to the Centers for Disease Control and Prevention, 1 in 4 children in the United States does not attend any school physical education classes and fewer than 1 in 4 children in the United States engage in 20 minutes of vigorous physical activity each day;

Whereas teaching children about physical activity and sports not only ensures that they are physically active during the school day, but also educates them on how to be physically active and the importance of being physically active;

Whereas, according to a 2006 survey by the Department of Health and Human Services, 3.8 percent of elementary schools, 7.9 percent of middle schools, and 2.1 percent of high schools provide daily physical education classes or the equivalent for the entire school year, and 22 percent of schools do not require students to take any physical education classes at all;

Whereas, according to that survey, 13.7 percent of elementary schools, 15.2 percent of middle schools, and 3.0 percent of high schools provided physical education at least 3 days per week, or the equivalent thereof, for the entire school year for students in all grades in the school;

Whereas research shows that fit and active children are more likely to thrive academically;

Whereas increased time in physical education classes can improve children's attention and concentration and result in higher test scores;

Whereas participation in sports teams and physical activity clubs, which are often organized by schools and run outside the regular school day, can improve students' grade point averages, attachment to schools, educational aspirations, and the likelihood of graduating;

Whereas participation in sports and other physical activities also improves self-esteem and body image in children and adults;

Whereas children and youth who take part in physical activity and sports programs develop improved motor skills, healthy lifestyles, improved social skills, a sense of fair play, strong teamwork skills, and self-discipline and avoid risky behaviors;

Whereas the social and environmental factors affecting children are in the control of the adults and the communities in which children live, and therefore the Nation shares a collective responsibility in reversing the childhood obesity trend;

Whereas efforts to improve the fitness level of children who are not physically fit may also result in improvements in academic performance; and

Whereas the House of Representatives strongly supports efforts to increase physical activity and participation of youth in sports: Now, therefore, be it

Resolved, That the House of Representatives—

(1) supports the designation of “National Physical Education and Sport Week”;

(2) recognizes the central role of physical education and sports in creating healthy lifestyles for all children and youth;

(3) encourages school districts to implement local wellness policies, as described in section 204 of the Child Nutrition and WIC Reauthorization Act of 2004 (42 U.S.C. 1751 note), that include ambitious goals for physical education, physical activity, and other activities addressing the childhood obesity epidemic and promoting child wellness; and

(4) encourages schools to offer physical education classes to students and to work with community partners to provide opportunities and safe spaces for physical activities before and after school and during the summer months for all children and youth.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from New Jersey (Mr. PAYNE) and the gentlewoman from Washington (Mrs. McMORRIS RODGERS) each will control 20 minutes.

The Chair recognizes the gentleman from New Jersey.

GENERAL LEAVE

Mr. PAYNE. Mr. Speaker, I request 5 legislative days during which Members may revise and extend and insert extraneous material on House Resolution 1373 into the RECORD.

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

There was no objection.

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

Mr. Speaker, I rise today in support of House Resolution 1373, which recognizes the critical importance of physical education and physical activity for all of our Nation’s children and youth by celebrating National Physical Education and Sport Week. Participation in physical education and sports programs not only helps children stay physically fit, but contributes to a range of academic, social, and personal gains. With the observance of this week, coaches, educators, and parents around the country will promote greater youth participation in physical education and help tackle the growing problem of childhood obesity.

Since 1980, the childhood obesity rate in America has more than tripled. The

increase in obesity is, in large part, due to a decrease in regular physical exercise. Fewer than one in five adolescents now meet the Center for Disease Control’s recommended 60 minutes of physical activity per day. Many children do not have the opportunity to participate in physical education. Only a fraction of the Nation’s elementary, middle, and high schools are provided regular physical education classes.

Physical activity reduces the risk of heart attack, heart disease, high blood pressure, diabetes, and certain types of cancer. Research shows that children who have the opportunity to engage in physical activity regularly are more likely to thrive academically and graduate. In addition to improved academic performance, participation in sports teams and other physical activities can improve behavior, increase self-esteem, develop social skills, and help kids lead a healthy lifestyle as an adult. We are responsible for educating our children about physical education and for providing opportunities for fitness. National Physical Education and Sport Week reaffirms the importance of healthy bodies and healthy minds in our communities and schools.

Mr. Speaker, I once again express my support for House Resolution 1373, the National Physical Education and Sport Week. I thank Congressman ALTMIRE for introducing this resolution, and I urge my colleagues to support this fine resolution.

I reserve the balance of my time.

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

I rise today in support of House Resolution 1373, expressing support for designating the week beginning May 2, 2010, as National Physical Education and Sport Week. Today, childhood obesity rates are alarmingly high and continue to increase. Over 33 percent of America’s elementary school children are overweight or obese and 13 percent of America’s high school children. These increasing rates are associated with increased rates of diseases in children that were only seen in adults until recently. Obese children have been shown to be at an increased risk of coronary heart disease, diabetes, respiratory problems, and numerous other debilitating diseases. In addition childhood obesity can significantly increase the risk that a child will be obese in adulthood.

Physical activity is key to preventing these kinds of illnesses in both children and adults. Regular physical activity substantially reduces the risk of coronary heart disease, strokes, colon cancer, diabetes, and high blood pressure. It’s important to treat and address obesity and begin and sustain the weight loss process. Physical activity need not be strenuous to be beneficial, but America’s youth are participating at an ever decreasing rate.

Physical education and sports encourage children to participate in physical activity on a regular basis in

a group setting that can foster teamwork, competition, and a sense of accomplishment. Participation of children in organizing sports has grown in recent decades. However, the percentage of children participating in daily physical activity has declined. The Centers for Disease Control and Prevention recommends that children engage in 60 minutes of physical activity on most or all days of the week. However, only 17 percent of high school students are meeting this recommendation.

National Physical Education and Sport Week highlights the benefits of physical education and sports in the lives of America’s children. Highlighting the importance of such benefits encourages our children to begin healthy physical activity and habits that continue throughout their lives. I ask my colleagues to support this resolution.

I reserve the balance of my time.

Mr. PAYNE. Mr. Speaker, I am pleased to yield such time as he may consume to the sponsor of H. Res. 1373, the gentleman from Pennsylvania (Mr. ALTMIRE).

Mr. ALTMIRE. I thank the gentleman from New Jersey for yielding.

Mr. Speaker, I rise in support of my resolution to honor National Physical Education and Sport Week. More than one-third of America’s elementary school children are overweight or obese, and more than 13 percent of America’s high school children are overweight or obese. As a result, these children are now developing diseases and vascular conditions that were once thought to affect only the middle-aged, such as type II diabetes, high blood pressure, and high cholesterol. In addition, research has shown that children that participate in physical activity perform better in the classroom. So the Centers for Disease Control and Prevention recommend that children engage in 60 minutes of physical activity 5 or more days per week. However, only 35 percent of our Nation’s children regularly meet this recommendation.

This resolution, which I introduced, acknowledges that physical activity and sports play a central role in creating an opportunity for children to build lifelong healthy habits. And it’s for this reason, Mr. Speaker, that I introduced this resolution, and I encourage all of my colleagues to support it.

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

Mr. PAYNE. Mr. Speaker, I yield 1 minute to the gentleman from Maryland (Mr. SARBANES).

Mr. SARBANES. I thank the gentleman for yielding.

I just wanted to commend my colleague, Congressman ALTMIRE, for introducing this resolution to designate the week beginning May 2 as National Physical Education and Sport Week.

Today, the President is going to be launching at Bell Multicultural High School in Columbia Heights, here in

the District of Columbia, the President's Council on Fitness, Sport, and Nutrition, which expands on the President's Council on Physical Fitness and Sports, which has been in place since the Kennedy administration, the Eisenhower administration. It brings the kind of focus to physical fitness and sports and nutrition that Congressman ALTMIRE has signaled with this resolution.

Again, I commend him for bringing that attention to this issue, and I urge support of this resolution.

Mr. PAYNE. Mr. Speaker, I have no further requests for time but would like to urge that House Resolution 1373 be passed. We also in my district on Saturday will be having a community meeting dealing with obesity, in line with the President and First Lady Obama's initiative to battle obesity. We've been doing this now for the past decade. It's in epidemic proportions in some districts. So we do urge the people to come out to Metropolitan Church on Saturday to participate. But we believe that this is very important. The health of our Nation is at stake. And so I certainly urge support of the National Physical Education and Sport Week, House Resolution 1373, and urge passage.

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

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from New Jersey (Mr. PAYNE) that the House suspend the rules and agree to the resolution, H. Res. 1373.

The question was taken.

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

Mr. PAYNE. 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.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, proceedings will resume on motions to suspend the rules previously postponed.

Votes will be taken in the following order:

H.R. 5551, by the yeas and nays;
House Resolution 1434, by the yeas and nays;

House Resolution 1369, de novo.

Remaining postponed proceedings will resume later.

The first electronic vote will be conducted as a 15-minute vote. Remaining electronic votes will be conducted as 5-minute votes.

REQUIRING CERTIFICATION FOR SMALL BUSINESS LENDING FUND

The SPEAKER pro tempore. The unfinished business is the vote on the motion to suspend the rules and pass the bill (H.R. 5551) to require the Secretary of the Treasury to make a certification when making purchases under the Small Business Lending Fund Program, as amended, on which the yeas and nays were ordered.

The Clerk read the title of the bill.

The SPEAKER pro tempore. The question is on the motion offered by the gentlewoman from Florida (Ms. KOSMAS) that the House suspend the rules and pass the bill, as amended.

The vote was taken by electronic device, and there were—yeas 411, nays 0, not voting 21, as follows:

[Roll No. 379]

YEAS—411

Ackerman	Chandler	Gerlach
Aderholt	Childers	Giffords
Adler (NJ)	Chu	Gingrey (GA)
Akin	Clarke	Gohmert
Alexander	Clay	Gonzalez
Altmire	Cleaver	Goodlatte
Andrews	Clyburn	Gordon (TN)
Arcuri	Coble	Granger
Austria	Coffman (CO)	Graves (GA)
Baca	Cohen	Graves (MO)
Bachmann	Cole	Grayson
Bachus	Conaway	Green, Al
Baird	Connolly (VA)	Green, Gene
Baldwin	Conyers	Grijalva
Barrow	Cooper	Guthrie
Bartlett	Costa	Gutierrez
Barton (TX)	Costello	Hall (NY)
Bean	Courtney	Hall (TX)
Becerra	Crenshaw	Halvorson
Berkley	Critz	Hare
Berman	Crowley	Harman
Berry	Cuellar	Harper
Biggert	Culberson	Hastings (FL)
Bilbray	Cummings	Hastings (WA)
Bilirakis	Dahlkemper	Heinrich
Bishop (GA)	Davis (CA)	Heller
Bishop (NY)	Davis (IL)	Hensarling
Bishop (UT)	Davis (KY)	Herger
Blackburn	Davis (TN)	Herseth Sandlin
Blumenauer	DeFazio	Higgins
Blunt	DeGette	Himes
Boccieri	Delahunt	Hinchey
Boehner	DeLauro	Hinojosa
Bonner	Dent	Hirono
Bono Mack	Deutch	Holden
Boozman	Diaz-Balart, L.	Holt
Boren	Diaz-Balart, M.	Honda
Boswell	Dicks	Hoyer
Boucher	Dingell	Hunter
Boustany	Djou	Inslee
Boyd	Doggett	Israel
Brady (PA)	Donnelly (IN)	Issa
Brady (TX)	Doyle	Jackson (IL)
Braley (IA)	Dreier	Jackson Lee
Bright	Driehaus	(TX)
Broun (GA)	Duncan	Jenkins
Brown, Corrine	Edwards (MD)	Johnson (GA)
Brown-Waite,	Edwards (TX)	Johnson (IL)
Ginny	Ehlers	Johnson, E. B.
Buchanan	Ellison	Johnson, Sam
Burgess	Ellsworth	Jones
Burton (IN)	Emerson	Jordan (OH)
Butterfield	Engel	Kagen
Calvert	Eshoo	Kanjorski
Camp	Etheridge	Kaptur
Campbell	Farr	Kennedy
Cantor	Fattah	Kildee
Cao	Filner	Kilpatrick (MI)
Capito	Flake	Kilroy
Capps	Fleming	Kind
Capuano	Forbes	King (IA)
Cardoza	Fortenberry	King (NY)
Carnahan	Foster	Kingston
Carney	Fox	Kirkpatrick (AZ)
Carson (IN)	Frank (MA)	Kissell
Carter	Franks (AZ)	Klein (FL)
Cassidy	Frelinghuysen	Kline (MN)
Castle	Fudge	Kosmas
Castor (FL)	Gallegly	Kratovil
Chaffetz	Garrett (NJ)	Kucinich

Lamborn	Murphy, Tim	Scott (GA)
Lance	Myrick	Scott (VA)
Langevin	Nadler (NY)	Sensenbrenner
Larsen (WA)	Napolitano	Serrano
Larson (CT)	Neal (MA)	Sessions
Latham	Neugebauer	Sestak
LaTourette	Nunes	Shadegg
Latta	Nye	Shea-Porter
Lee (CA)	Oberstar	Sherman
Lee (NY)	Obey	Shimkus
Levin	Olson	Shuler
Lewis (CA)	Oliver	Shuster
Lewis (GA)	Ortiz	Simpson
Linder	Owens	Sires
Lipinski	Pallone	Skelton
LoBiondo	Pascarell	Slaughter
Loeb	Pastor (AZ)	Smith (NE)
Lofgren, Zoe	Paul	Smith (NJ)
Lowey	Paulsen	Smith (TX)
Lucas	Payne	Smith (WA)
Luetkemeyer	Pence	Snyder
Lujan	Perlmutter	Space
Lummis	Perriello	Speier
Lungren, Daniel	Peters	Spratt
E.	Peterson	Stark
Lynch	Petri	Stearns
Mack	Pingree (ME)	Stupak
Maffei	Pitts	Sullivan
Maloney	Poe (TX)	Sutton
Manzullo	Polis (CO)	Tanner
Marchant	Pomeroy	Taylor
Markey (CO)	Posey	Teague
Markey (MA)	Price (NC)	Terry
Marshall	Quigley	Thompson (CA)
Matsui	Radanovich	Thompson (MS)
McCarthy (CA)	Rahall	Thompson (PA)
McCarthy (NY)	Rangel	Thornberry
McCaul	Rehberg	Tiahrt
McClintock	Reichert	Tiberi
McCollum	Reyes	Tierney
McCotter	Richardson	Titus
McDermott	Rodriguez	Tonko
McGovern	Roe (TN)	Towns
McHenry	Rogers (AL)	Tsongas
McIntyre	Rogers (KY)	Turner
McKeon	Rogers (MI)	Upton
McMahon	Rohrabacher	Van Hollen
McMorris	Rooney	Velázquez
Rodgers	Ros-Lehtinen	Visclosky
McNerney	Ross	Walden
Meek (FL)	Rothman (NJ)	Walz
Melancon	Roybal-Allard	Wasserman
Mica	Royce	Schultz
Michaud	Ruppersberger	Waters
Miller (FL)	Ryan (OH)	Watson
Miller (MI)	Ryan (WI)	Watt
Miller (NC)	Salazar	Waxman
Miller, Gary	Sánchez, Linda	Weiner
Miller, George	T.	Welch
Minnick	Sanchez, Loretta	Westmoreland
Mitchell	Sarbanes	Whitfield
Mollohan	Scalise	Wilson (OH)
Moore (KS)	Schakowsky	Wilson (SC)
Moore (WI)	Schauer	Wittman
Moran (KS)	Schiff	Wolf
Moran (VA)	Schmidt	Woolsey
Murphy (CT)	Schock	Wu
Murphy (NY)	Schrader	Yarmuth
Murphy, Patrick	Schwartz	Young (AK)

NOT VOTING—21

Barrett (SC)	Hill	Platts
Brown (SC)	Hodes	Price (GA)
Buyer	Hoekstra	Putnam
Davis (AL)	Inglis	Roskam
Fallin	Kirk	Rush
Garamendi	Matheson	Wamp
Griffith	Meeks (NY)	Young (FL)

□ 1217

Mr. CLEAVER changed his vote from "nay" to "yea."

So (two-thirds being in the affirmative) the rules were suspended and the bill, as amended, was passed.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

RECOGNIZING NATIONAL HOMEOWNERSHIP MONTH

The SPEAKER pro tempore (Ms. MCCOLLUM). The unfinished business is

the vote on the motion to suspend the rules and agree to the resolution (H. Res. 1434) recognizing National Homeownership Month and the importance of homeownership in the United States, on which the yeas and nays were ordered.

The Clerk read the title of the resolution.

The SPEAKER pro tempore. The question is on the motion offered by the gentlewoman from Florida (Ms. KOSMAS) that the House suspend the rules and agree to the resolution.

This will be a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 405, nays 6, not voting 21, as follows:

[Roll No. 380]

YEAS—405

Ackerman	Coble	Green, Gene
Aderholt	Coffman (CO)	Grijalva
Adler (NJ)	Cohen	Guthrie
Akin	Cole	Gutierrez
Alexander	Conaway	Hall (NY)
Altmire	Connolly (VA)	Hall (TX)
Andrews	Conyers	Halvorson
Arcuri	Cooper	Hare
Austria	Costa	Harman
Baca	Costello	Harper
Bachmann	Courtney	Hastings (FL)
Bachus	Crenshaw	Hastings (WA)
Baldwin	Critz	Heinrich
Barrow	Crowley	Heller
Bartlett	Cuellar	Hensarling
Barton (TX)	Culberson	Herger
Bean	Cummings	Herseth Sandlin
Becerra	Dahlkemper	Higgins
Berkley	Davis (CA)	Himes
Berman	Davis (IL)	Hinchee
Berry	Davis (KY)	Hinojosa
Biggert	Davis (TN)	Hirono
Bilbray	DeFazio	Holden
Bilirakis	DeGette	Holt
Bishop (GA)	Delahunt	Honda
Bishop (NY)	DeLauro	Hoyer
Bishop (UT)	Dent	Hunter
Blackburn	Deutch	Insee
Blumenauer	Diaz-Balart, L.	Israel
Blunt	Diaz-Balart, M.	Issa
Bocchieri	Dicks	Jackson (IL)
Boehner	Dingell	Jackson Lee
Bonner	Djou	(TX)
Bono Mack	Doggett	Jenkins
Boozman	Donnelly (IN)	Johnson (IL)
Boren	Doyle	Johnson, E. B.
Boswell	Dreier	Johnson, Sam
Boucher	Driehaus	Jones
Boustany	Duncan	Jordan (OH)
Boyd	Edwards (MD)	Kagen
Brady (PA)	Edwards (TX)	Kanjorski
Brady (TX)	Ehlers	Kaptur
Bralley (IA)	Ellison	Kennedy
Bright	Ellsworth	Kildee
Brown, Corrine	Emerson	Kilpatrick (MI)
Buchanan	Engel	Kilroy
Burgess	Eshoo	Kind
Burton (IN)	Etheridge	King (IA)
Butterfield	Farr	King (NY)
Calvert	Fattah	Kingston
Camp	Filner	Kirkpatrick (AZ)
Campbell	Fleming	Kissell
Cantor	Forbes	Klein (FL)
Cao	Fortenberry	Kline (MN)
Capito	Foster	Kosmas
Capps	Fox	Kratovil
Capuano	Frank (MA)	Kucinich
Cardoza	Franks (AZ)	Lamborn
Carnahan	Frelinghuysen	Lance
Carney	Fudge	Langevin
Carson (IN)	Gallely	Larsen (WA)
Carter	Garrett (NJ)	Larson (CT)
Cassidy	Gerlach	Latham
Castle	Giffords	LaTourette
Castor (FL)	Gingrey (GA)	Latta
Chaffetz	Gohmert	Lee (CA)
Chandler	Gonzalez	Lee (NY)
Childers	Goodlatte	Levin
Chu	Gordon (TN)	Lewis (CA)
Clarke	Granger	Lewis (GA)
Clay	Graves (MO)	Linder
Cleaver	Grayson	Lipinski
Clyburn	Green, Al	LoBiondo

Loeb sack	Ortiz	Shadegg
Lofgren, Zoe	Owens	Shea-Porter
Lowey	Pallone	Sherman
Lucas	Pascrell	Shimkus
Luetkemeyer	Pastor (AZ)	Shuler
Lujan	Paulsen	Shuster
Lummis	Payne	Simpson
Lungren, Daniel E.	Pence	Sires
	Perlmutter	Skelton
Lynch	Perriello	Slaughter
Mack	Peters	Smith (NE)
Maffei	Peterson	Smith (NJ)
Maloney	Petri	Smith (TX)
Manzullo	Pingree (ME)	Smith (WA)
Marchant	Pitts	Snyder
Markey (CO)	Poe (TX)	Space
Markey (MA)	Polis (CO)	Speier
Marshall	Pomeroy	Spratt
Marshall	Posney	Stark
Matsui	Price (GA)	Stearns
McCarthy (NY)	Price (NC)	Stupak
McCaul	Quigley	Sullivan
McCollum	Radanovich	Sutton
McCotter	Rahall	Tanner
McDermott	Rangel	Taylor
McGovern	Rehberg	Teague
McHenry	Reichert	Terry
McIntyre	Reyes	Thompson (CA)
McKeon	Richardson	Thompson (MS)
McMahon	Rodriguez	Thompson (PA)
McMorris	Roe (TN)	Thornberry
Rodgers	Rogers (AL)	Tiahrt
McNerney	Rogers (KY)	Tiberi
Meek (FL)	Rogers (MI)	Tierney
Meeks (NY)	Rohrabacher	Titus
Melancon	Rooney	Tonko
Mica	Ros-Lehtinen	Towns
Michaud	Roskam	Tsongas
Hastings (FL)	Ross	Turner
Miller (FL)	Rothman (NJ)	Upton
Miller (MI)	Roybal-Allard	Van Hollen
Miller (NC)	Royce	Velazquez
Miller, Gary	Ruppersberger	Visclosky
Miller, George	Rush	Walden
Minnick	Ryan (OH)	Walz
Mitchell	Ryan (WI)	Wasserman
Mollohan	Salazar	Schultz
Moore (KS)	Sánchez, Linda T.	Waters
Moore (WI)	Sanchez, Loretta	Watson
Moran (KS)	Sarbanes	Watt
Moran (VA)	Scalise	Waxman
Moran (VA)	Schakowsky	Weiner
Murphy (CT)	Schauer	Welch
Murphy (NY)	Schmidt	Westmoreland
Sarbanes	Schock	Whitfield
Scalise	Schrader	Wilson (OH)
Schakowsky	Schwartz	Wilson (SC)
Schauer	Scott (GA)	Wittman
Schmidt	Scott (VA)	Wolf
Schock	Sensenbrenner	Woolsey
Schrader	Serrano	Wu
Schwartz	Sessions	Yarmuth
Scott (GA)	Sestak	Young (AK)
Scott (VA)		
Sensenbrenner		
Serrano		
Sessions		
Sestak		

NAYS—6

Broun (GA)	Flake	Paul
Brown-Waite, Ginny	Graves (GA)	
	McClintock	

NOT VOTING—21

Baird	Griffith	Matheson
Barrett (SC)	Hill	McCarthy (CA)
Brown (SC)	Hodes	Platts
Buyer	Hoekstra	Putnam
Davis (AL)	Inglis	Schiff
Fallin	Johnson (GA)	Wamp
Garamendi	Kirk	Young (FL)

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (during the vote). There are 2 minutes remaining in this vote.

□ 1227

So (two-thirds being in the affirmative) the rules were suspended and the resolution was agreed to.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

RECOGNIZING NATIONAL CARIBBEAN-AMERICAN HERITAGE MONTH

The SPEAKER pro tempore. The unfinished business is the question on suspending the rules and agreeing to the resolution (H. Res. 1369) recognizing the significance of National Caribbean-American Heritage Month.

The Clerk read the title of the resolution.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Illinois (Mr. DAVIS) that the House suspend the rules and agree to the resolution.

The question was taken.

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

Ms. MATSUI. Madam Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. This is a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 410, nays 0, not voting 22, as follows:

[Roll No. 381]

YEAS—410

Ackerman	Cardoza	Engel
Aderholt	Carnahan	Eshoo
Adler (NJ)	Carney	Etheridge
Akin	Carson (IN)	Farr
Alexander	Carter	Fattah
Altmire	Cassidy	Filner
Andrews	Castle	Flake
Arcuri	Castor (FL)	Fleming
Austria	Chaffetz	Forbes
Baca	Chandler	Fortenberry
Bachmann	Childers	Foster
Bachus	Chu	Fox
Baldwin	Clarke	Frank (MA)
Barrow	Clay	Franks (AZ)
Bartlett	Cleaver	Frelinghuysen
Barton (TX)	Clyburn	Fudge
Bean	Coble	Gallely
Becerra	Coffman (CO)	Garamendi
Berkley	Cohen	Garrett (NJ)
Berman	Cole	Gerlach
Berry	Conaway	Giffords
Biggert	Connolly (VA)	Gingrey (GA)
Bilbray	Conyers	Gohmert
Bilirakis	Cooper	Gonzalez
Bishop (GA)	Costa	Goodlatte
Bishop (NY)	Costello	Gordon (TN)
Bishop (UT)	Courtney	Granger
Blackburn	Crenshaw	Graves (GA)
Blumenauer	Critz	Graves (MO)
Blunt	Crowley	Grayson
Bocchieri	Cuellar	Green, Al
Boehner	Culberson	Green, Gene
Bonner	Cummings	Grijalva
Bono Mack	Dahlkemper	Guthrie
Boozman	Davis (CA)	Gutierrez
Boren	Davis (IL)	Hall (NY)
Boswell	Davis (KY)	Hall (TX)
Boucher	Davis (TN)	Halvorson
Boustany	DeFazio	Hare
Boyd	DeGette	Harman
Brady (PA)	Delahunt	Harper
Brady (TX)	DeLauro	Hastings (FL)
Bralley (IA)	Dent	Hastings (WA)
Bright	Deutch	Heinrich
Broun (GA)	Diaz-Balart, L.	Heller
Brown, Corrine	Diaz-Balart, M.	Hensarling
Brown-Waite, Ginny	Dingell	Herger
Buchanan	Djou	Herseth Sandlin
Burgess	Doggett	Higgins
Burton (IN)	Donnelly (IN)	Hill
Butterfield	Doyle	Himes
Calvert	Dreier	Hinchee
Camp	Driehaus	Hinojosa
Campbell	Duncan	Hirono
Cantor	Edwards (MD)	Holden
Cao	Edwards (TX)	Holt
Capito	Ehlers	Honda
Capps	Ellison	Hoyer
Capuano	Ellsworth	Hunter
	Emerson	Insee

Israel	Meek (FL)	Sánchez, Linda
Issa	Meeks (NY)	T.
Jackson (IL)	Melancon	Sanchez, Loretta
Jackson Lee	Mica	Sarbanes
(TX)	Michaud	Scalise
Jenkins	Miller (FL)	Schakowsky
Johnson (GA)	Miller (MI)	Schauer
Johnson (IL)	Miller (NC)	Schmidt
Johnson, E. B.	Miller, Gary	Schock
Johnson, Sam	Miller, George	Schrader
Jones	Minnick	Schwartz
Jordan (OH)	Mitchell	Scott (GA)
Kagan	Mollohan	Scott (VA)
Kanjorski	Moore (KS)	Sensenbrenner
Kaptur	Moore (WI)	Serrano
Kennedy	Moran (KS)	Sessions
Kildee	Moran (VA)	Sestak
Kilpatrick (MI)	Murphy (CT)	Shadegg
Kilroy	Murphy (NY)	Shea-Porter
Kind	Murphy, Patrick	Sherman
King (IA)	Murphy, Tim	Shimkus
King (NY)	Myrick	Shuler
Kingston	Nadler (NY)	Shuster
Kirkpatrick (AZ)	Napolitano	Simpson
Kissell	Neal (MA)	Sires
Klein (FL)	Neugebauer	Skelton
Kline (MN)	Nunes	Slaughter
Kosmas	Nye	Smith (NE)
Kratovil	Oberstar	Smith (NJ)
Kucinich	Obey	Smith (TX)
Lamborn	Ortiz	Smith (WA)
Lance	Owens	Snyder
Langevin	Pallone	Space
Larsen (WA)	Pascarell	Speier
Larson (CT)	Pastor (AZ)	Spratt
Latham	Paul	Stark
LaTourette	Paulsen	Stearns
Latta	Payne	Stupak
Lee (CA)	Pence	Sullivan
Lee (NY)	Perlmutter	Sutton
Levin	Perrriello	Tanner
Lewis (CA)	Peters	Taylor
Lewis (GA)	Peterson	Teague
Linder	Petri	Terry
Lipinski	Pingree (ME)	Thompson (CA)
LoBiondo	Pitts	Thompson (MS)
Loebsock	Poe (TX)	Thompson (PA)
Lofgren, Zoe	Polis (CO)	Thornberry
Lowey	Pomeroy	Tiberi
Lucas	Posey	Tierney
Luetkemeyer	Price (GA)	Titus
Luján	Price (NC)	Tonko
Lummis	Quigley	Towns
Lungren, Daniel	Radanovich	Tsongas
E.	Rahall	Turner
Lynch	Rangel	Upton
Mack	Rehberg	Van Hollen
Maffei	Reichert	Velázquez
Maloney	Reyes	Visclosky
Manzullo	Richardson	Walden
Marchant	Rodriguez	Walz
Markey (CO)	Roe (TN)	Wasserman
Markey (MA)	Rogers (AL)	Schultz
Marshall	Rogers (KY)	Waters
Matsui	Rogers (MI)	Watson
McCarthy (NY)	Rohrabacher	Watt
McCaul	Rooney	Waxman
McClintock	Ros-Lehtinen	Weiner
McCollum	Roskam	Welch
McCotter	Ross	Westmoreland
McDermott	Rothman (NJ)	Whitfield
McGovern	Roybal-Allard	Wilson (OH)
McHenry	Royce	Wilson (SC)
McIntyre	Ruppersberger	Wittman
McKeon	Rush	Wolf
McMahon	Ryan (OH)	Woolsey
McMorris	Ryan (WI)	Wu
Rodgers	Salazar	Yarmuth
McNerney		Young (AK)

NOT VOTING—22

Baird	Hodes	Platts
Barrett (SC)	Hoekstra	Putnam
Brown (SC)	Inglis	Schiff
Buyer	Kirk	Tiahrt
Davis (AL)	Matheson	Wamp
Dicks	McCarthy (CA)	Young (FL)
Fallin	Olson	
Griffith	Oliver	

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (during the vote). Members are reminded there are 2 minutes remaining.

□ 1234

So (two-thirds being in the affirmative) the rules were suspended and the resolution was agreed to.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

PERSONAL EXPLANATION

Mr. SCHIFF. Madam Speaker, on rollcall Nos. 380 and 381, had I been present, I would have voted “yea.”

PERSONAL EXPLANATION

Mr. PUTNAM. Madam Speaker, on Tuesday, June 22, 2010, and Wednesday, June 23, 2010, I was not present for six recorded votes. Had I been present, I would have voted the following way: Roll No. 376—“yea”; roll No. 377—“yea”; roll No. 378—“yea”; roll No. 379—“yea”; roll No. 380—“yea”; roll No. 381—“yea.”

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, the Chair will postpone further proceedings today on motions to suspend the rules on which a recorded vote or the yeas and nays are ordered, or on which the vote incurs objection under clause 6 of rule XX.

Record votes on postponed questions will be taken later.

CALLING CARD CONSUMER PROTECTION ACT

Ms. MATSUI. Madam Speaker, I move to suspend the rules and pass the bill (H.R. 3993) to require accurate and reasonable disclosure of the terms and conditions of prepaid telephone calling cards and services, as amended.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 3993

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

SECTION 1. SHORT TITLE.

This Act may be cited as the “Calling Card Consumer Protection Act”.

SEC. 2. DEFINITIONS.

For purposes of this Act, the following definitions apply:

(1) The term “Commission” means the Federal Trade Commission.

(2) The term “prepaid calling card” has the meaning given the term “prepaid calling card” by section 64.5000(a) of the Federal Communications Commission’s regulations (47 C.F.R. 64.5000(a)). Such term shall also include calling cards that use VoIP service or a successor protocol. Such term shall also include an electronic or other mechanism that allows users to pay in advance for a specified amount of calling. Such term shall not include—

(A) calling cards or other rights of use that are provided for free or at no additional cost as a promotional item accompanying a product or service purchased by a consumer;

(B) any card, device, or other right of use, the purchase of which establishes a cus-

tommer-carrier relationship with a provider of wireless telecommunications service or wireless hybrid service, or that provides access to a wireless telecommunications service or wireless hybrid service account wherein the purchaser has a pre-existing relationship with the wireless service provider; or

(C) payphone service, as that term is defined in section 276(d) of the Communications Act of 1934 (47 U.S.C. 276(d)).

(3) The term “prepaid calling card provider” has the meaning given the term “prepaid calling card provider” by section 64.5000(b) of the Federal Communications Commission’s regulations (47 C.F.R. 64.5000(b)). Such term shall also include—

(A) a provider of a prepaid calling card that uses VoIP service or a successor protocol; and

(B) a provider of a prepaid calling card that allows users to pay in advance for a specified amount of minutes through an electronic or other mechanism.

(4) The term “prepaid calling card distributor” means any entity or person that purchases prepaid calling cards from a prepaid calling card provider or another prepaid calling card distributor and sells, re-sells, issues, or distributes such cards to one or more distributors of such cards or to one or more retail sellers of such cards. Such term shall not include—

(A) any retail seller whose only activity with respect to the sale of prepaid calling cards is point-of-sale transactions with end-user customers; or

(B) any person whose only activity with respect to the sale of prepaid calling cards is the transport or delivery of such cards.

(5) The term “wireless hybrid service” is defined as a service that integrates both commercial mobile radio service (as defined by section 20.3 of the Federal Communications Commission’s regulations (47 C.F.R. 20.3)) and VoIP service.

(6) The term “VoIP service” has the meaning given the term “interconnected Voice over Internet protocol service” by section 9.3 of the Federal Communications Commission’s regulations (47 C.F.R. 9.3). Such term shall include any voice calling service that utilizes a voice over Internet protocol or any successor protocol in the transmission of the call.

(7) The term “fees” includes all charges, fees, taxes, or surcharges applicable to a prepaid calling card that are—

(A) required by Federal law or regulation or order of the Federal Communications Commission or by the laws and regulations of any State or political subdivision of a State; or

(B) expressly permitted to be assessed under Federal law or regulation or order of the Federal Communications Commission or under the laws and regulations of any State or political subdivision of a State.

(8) The term “additional charge” means any charge assessed by a prepaid calling card provider or prepaid calling card distributor for the use of a prepaid calling card, other than a fee or rate.

(9) The term “international preferred destination” means one or more specific international destinations named on a prepaid calling card or on the packaging material accompanying a prepaid calling card.

SEC. 3. REQUIRED DISCLOSURES OF PREPAID CALLING CARDS.

(a) REQUIRED DISCLOSURE.—Any prepaid calling card provider or prepaid calling card distributor shall accurately disclose the following information relating to the terms and conditions of the prepaid calling card:

(1) The name of the prepaid calling card provider and such provider’s customer service telephone number and hours of service, except that the hours of service may not be

required to be disclosed if the provider's customer service is provided and available 24 hours a day, 7 days per week.

(2)(A) The number of domestic interstate minutes available from the prepaid calling card and the number of available minutes for all international preferred destinations served by the prepaid calling card at the time of purchase; or

(B) the dollar value of the prepaid calling card, the domestic interstate rate per minute provided by such card, and the applicable per minute rates for all international preferred destinations served by the prepaid calling card at the time of purchase.

(3)(A) The applicable per minute rate for all individual international destinations served by the card at the time of purchase; or

(B) a toll-free customer service number and website (if the provider maintains a website) where a consumer may obtain the information described in subparagraph (A) and a statement that such information may be obtained through such toll-free customer service number and website.

(4) The following terms and conditions pertaining to, or associated with, the use of the prepaid calling card:

(A) Any applicable fees associated with the use of the prepaid calling card.

(B) A description of any additional charges associated with the use of the prepaid calling card and the amount of such charges.

(C) Any limitation on the use or period of time for which the promoted or advertised minutes or rates will be available.

(D) A description of the applicable policies relating to refund, recharge, and any predetermined decrease in value of such card over a period of time.

(E) Any expiration date applicable to the prepaid calling card or the minutes available with such calling card.

(b) LOCATION OF DISCLOSURE AND LANGUAGE REQUIREMENT.—

(1) CLEAR AND CONSPICUOUS.—

(A) CARDS.—The disclosures required under subsection (a) shall be printed in plain English language (except as provided in paragraph (2)) in a clear and conspicuous manner and location on the prepaid calling card, except as the Commission may provide under paragraph (3). If the card is enclosed in packaging that obscures the disclosures on the card, such disclosures also shall be printed on the outside packaging of the card.

(B) ONLINE SERVICES.—In addition to the requirements under subparagraph (A), in the case of a prepaid calling card that consumers purchase via the Internet, the disclosures required under subsection (a) shall be displayed in plain English language (except as provided in paragraph (2)) in a clear and conspicuous manner and location on the Internet website that the consumer must access prior to purchasing such card.

(C) ADVERTISING AND OTHER PROMOTIONAL MATERIAL.—Any advertising or other promotional material for a prepaid calling card that contains any representation, expressly or by implication, regarding the dollar value, the per minute rate, or the number of minutes provided by the card shall include in a clear and conspicuous manner and location all the disclosures described in subsection (a), except as the Commission may provide under paragraph (3).

(2) FOREIGN LANGUAGES.—If a language other than English is prominently used on a prepaid calling card, its packaging, or in point-of-sale advertising, Internet advertising, or promotional material for such card, the disclosures required by this section shall be disclosed in that language on such card, packaging, advertisement, or promotional material.

(3) DIFFERENT LOCATION OF CERTAIN INFORMATION AS DETERMINED BY COMMISSION.—Notwithstanding the requirements of paragraph (1), the Commission may determine that some of the information required to be disclosed pursuant to subsection (a) does not need to be disclosed on the prepaid calling card, advertising, or other promotional material, if the Commission by regulation—

(A) requires the information to be otherwise disclosed and available to consumers; and

(B) determines that—

(i) such disclosures provide for easy comprehension and comparison by consumers; and

(ii) the remaining disclosures on the prepaid calling card, advertising, or other promotional material, include sufficient information to allow a consumer to effectively inquire about or seek clarification of the services provided by the calling card.

(c) MINUTES ANNOUNCED, PROMOTED, OR ADVERTISED THROUGH VOICE PROMPTS.—Any information provided to a consumer by any voice prompt given to the consumer at the time the consumer uses the prepaid calling card relating to the remaining value of the calling card or the number of minutes available from the calling card shall be accurate, taking into account the application of the fees and additional charges required to be disclosed under subsection (a).

(d) DISCLOSURES REQUIRED UPON PURCHASE OF ADDITIONAL MINUTES.—If a prepaid calling card permits a consumer to add value to the card or purchase additional minutes after the original purchase of the prepaid calling card, any changes to the rates or additional charges required to be disclosed under subsection (a) shall apply only to the additional minutes to be purchased and shall be disclosed clearly and conspicuously to the consumer before the completion of such purchase.

(e) NO FALSE, MISLEADING, OR DECEPTIVE DISCLOSURES.—No prepaid calling card, packaging, advertisement, or other promotional material containing a disclosure required pursuant to this section shall contain any false, misleading, or deceptive representations relating to the terms and conditions of the prepaid calling card.

SEC. 4. FEDERAL TRADE COMMISSION AUTHORITY.

(a) UNFAIR AND DECEPTIVE ACT OR PRACTICE.—A violation of section 3 shall be treated as a violation of a rule defining an unfair or deceptive act or practice prescribed under section 18(a)(1)(B) of the Federal Trade Commission Act (15 U.S.C. 57a(a)(1)(B)).

(b) AUTHORITY OF THE COMMISSION.—The Commission shall enforce this Act in the same manner and by the same means as though all applicable terms and provisions of the Federal Trade Commission Act were incorporated into and made a part of this Act. Notwithstanding any provision of the Federal Trade Commission Act or any other provision of law, common carriers subject to the Communications Act of 1934 (47 U.S.C. 151 et seq.) and any amendment thereto shall be subject to the jurisdiction of the Commission for purposes of this Act.

(c) RULEMAKING AUTHORITY.—Not later than 1 year after the date of enactment of this Act, the Commission shall, in consultation with the Federal Communications Commission and in accordance with section 553 of title 5, United States Code, issue regulations to carry out this Act. In promulgating such regulations, the Commission shall—

(1) take into consideration the need for clear disclosures that provide for easy comprehension and comparison by consumers, taking into account the size of prepaid calling cards; and

(2) give due consideration to the views of the Federal Communications Commission

with regard to matters for which that Commission has particular expertise and authority and shall take into consideration the views of States.

In promulgating such regulations, the Commission may prescribe requirements concerning the order, format, presentation, and design of disclosures required by this Act and may establish and require the use of uniform terms, symbols, or categories to describe or disclose fees and additional charges, if the Commission finds that such requirements will assist consumers in making purchasing decisions and effectuate the purposes of this Act. The Commission shall not issue regulations that otherwise specify the rates, terms, and conditions of prepaid calling cards.

(d) SAVINGS PROVISION.—Nothing in this Act shall be construed to limit the authority of the Commission under any other provision of law. Except to the extent expressly provided in this Act, nothing in this Act shall be construed to alter or affect the exemption for common carriers provided by section 5(a)(2) of the Federal Trade Commission Act (15 U.S.C. 45(a)(2)). Nothing in this Act is intended to limit the authority of the Federal Communications Commission.

(e) COORDINATION.—If the Federal Communications Commission initiates a rulemaking proceeding to establish requirements relating to the disclosure of terms and conditions of prepaid calling cards, the Federal Communications Commission shall coordinate with the Federal Trade Commission to ensure that any such requirements are not inconsistent with the requirements of this Act and the regulations issued under subsection (c).

SEC. 5. STATE ENFORCEMENT.

(a) IN GENERAL.—

(1) CIVIL ACTIONS.—In any case in which the attorney general of a State, a State utility commission, or other consumer protection agency has reason to believe that an interest of the residents of that State has been or is threatened or adversely affected by the engagement of any person in a practice that is prohibited under this Act, the State utility commission or other consumer protection agency, if authorized by State law, or the State, as *parens patriae*, may bring a civil action on behalf of the residents of that State in an appropriate district court of the United States or any other court of competent jurisdiction to—

(A) enjoin that practice;

(B) enforce compliance with this Act;

(C) obtain damages, restitution, or other compensation on behalf of residents of the State; or

(D) obtain such other relief as the court may consider to be appropriate.

(2) NOTICE TO THE COMMISSION.—

(A) IN GENERAL.—Before filing an action under paragraph (1), the State shall provide to the Commission—

(i) written notice of the action; and

(ii) a copy of the complaint for the action.

(B) EXEMPTION.—

(i) IN GENERAL.—Subparagraph (A) shall not apply with respect to the filing of an action by a State under this subsection, if the attorney general or other appropriate officer determines that it is not feasible to provide the notice described in that subparagraph before the filing of the action.

(ii) NOTIFICATION.—In an action described in clause (i), the State shall provide notice and a copy of the complaint to the Commission at the same time as the State files the action.

(b) INTERVENTION BY COMMISSION.—

(1) IN GENERAL.—On receiving notice under subsection (a)(2), the Commission shall have the right to intervene in the action that is the subject of the notice.

(2) EFFECT OF INTERVENTION.—If the Commission intervenes in an action under subsection (a), it shall have the right—

(A) to be heard with respect to any matter that arises in that action;

(B) to remove the action to the appropriate United States District Court; and

(C) to file a petition for appeal.

(c) CONSTRUCTION.—For purposes of bringing any civil action under subsection (a), nothing in this section shall be construed to prevent an attorney general of a State, a State utility commission, or other consumer protection agency authorized by State law from exercising the powers conferred on the attorney general or other appropriate official by the laws of that State to—

(1) conduct investigations;

(2) administer oaths or affirmations;

(3) compel the attendance of witnesses or the production of documentary and other evidence; or

(4) enforce any State law.

(d) ACTION BY THE COMMISSION MAY PRECLUDE STATE ACTION.—In any case in which an action is instituted by or on behalf of the Commission for violation of this Act, or any regulation issued under this Act, no State may, during the pendency of that action, institute an action under subsection (a) against any defendant named in the complaint in that action for violation of this Act or regulation.

SEC. 6. APPLICATION.

This Act shall apply to—

(1) any prepaid calling card issued or placed into the stream of commerce beginning 180 days after the date on which final regulations are promulgated pursuant to section 4(c); and

(2) any advertising, promotion, point-of-sale material or voice prompt regarding a prepaid calling card that is disseminated beginning 180 days after the date on which final regulations are promulgated pursuant to section 4(c).

SEC. 7. EFFECT ON STATE LAWS.

After the date on which final regulations are promulgated pursuant to section 4(c), no State or political subdivision of a State may establish or continue in effect any provision of law that contains requirements regarding disclosures to be printed on prepaid calling cards or packaging unless such requirements are identical to the requirements of section 3.

SEC. 8. STUDIES.

(a) GAO STUDY.—Beginning 2 years after the date on which final regulations are promulgated pursuant to section 4(c), the Comptroller General shall conduct a study of the effectiveness of this Act and the disclosures required under this Act and shall submit a report of such study to Congress not later than 3 years after the date of enactment of this Act.

(b) FTC STUDY.—The Commission shall, in consultation with the Federal Communications Commission, conduct a study of the extent to which the business practices of the prepaid calling card industry intended to be addressed by this Act exist in the prepaid wireless industry and shall submit a report of such study, including recommendations, if any, to Congress not later than 3 years after the date of enactment of this Act.

The SPEAKER pro tempore. Pursuant to the rule, the gentlewoman from California (Ms. MATSUI) and the gentleman from Kentucky (Mr. WHITFIELD) each will control 20 minutes.

The Chair recognizes the gentlewoman from California.

GENERAL LEAVE

Ms. MATSUI. Madam Speaker, I ask unanimous consent that all Members

have 5 legislative days in which to revise and extend their remarks and include extraneous material in the RECORD.

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

There was no objection.

Ms. MATSUI. Madam Speaker, I yield myself such time as I may consume.

Madam Speaker, I rise in strong support of H.R. 3993, the Calling Card Consumer Protection Act. I want to thank Mr. ENGEL for introducing this important piece of legislation, and Chairmen WAXMAN and RUSH for their leadership in guiding the bill through the committee.

I am pleased that the House is taking up this important bipartisan measure which will prevent fraud and abuse in the prepaid calling card industry. The bill was voice-voted out of the Energy and Commerce Committee.

American consumers spend billions of dollars on prepaid calling cards. These cards are generally marketed to a particular group of consumers, including immigrants, college students, seniors, and military personnel. Unfortunately, the prepaid calling card market is rife with fraudulent and deceptive practices. Many prepaid calling cards fail to deliver the full number of advertised minutes. Cards often contain hidden charges, such as connection fees, maintenance fees, and disconnect fees, as well as inconsistent rates per minute.

In short, consumers often find that because of misleading information, inconsistent claims, and buried disclosures, they are left with an insufficient product with little or no recourse. To address these issues and protect American consumers, H.R. 3993 will require calling card providers and distributors to clearly and conspicuously disclose all relevant information so that consumers can make informed choices.

□ 1240

These disclosures would include critical information such as contact information for the provider, the number of minutes available or the dollar value of the card.

Importantly, H.R. 3993 would mean the end of hidden fees in the prepaid calling card market. Entities would be required to disclose all fees, charges, limitations, changes in value, or other terms that impact the use of the card.

Consumers who purchase prepaid calling cards should get what they pay for. If they don't, consumers should have recourse, and bad actors should face tough enforcement.

I urge my colleagues to support H.R. 3993, and I reserve the balance of my time.

Mr. WHITFIELD. I yield myself such time as I may consume.

Madam Speaker, I rise today in support of H.R. 3993, the Calling Card Consumer Protection Act. We have a lot of students and military personnel around this country who depend on prepaid

calling cards. Unfortunately, we have discovered that the majority of prepaid cards only deliver 50 to 60 percent of the minutes advertised. While a private enterprise certainly has the right to shape its business model as it sees fit, it does not have the right to misinform and to mistreat customers with exorbitant hang-up fees and maintenance fees, and as I said, many people who have prepaid cards simply do not know what they actually provide them.

That is why H.R. 3993 is so important. It is going to go a long way toward preventing these occurrences in the future. This legislation will ensure that consumers are better informed by requiring an accurate and reasonable disclosure of the terms and conditions of prepaid telephone calling cards and services.

Under the bill, prepaid calling card providers would have to clearly disclose how many minutes they offer and the prices for those minutes. They would also have to clearly disclose any additional fees levied on the consumer as well as the card's expiration date and other relevant information.

I want to especially thank my colleagues on the other side of the aisle—and certainly Mr. ENGEL, who introduced this bill—for working so closely with the minority on this important issue. Because of our working together, we have a bill that, I believe, helps consumers without unduly hampering the industry. This legislation includes commonsense preemption standards, liability exemptions for retailers, which is very important, and, of course, strong protections for the consumer.

I would urge all of my colleagues to support this important legislation, and I reserve the balance of my time.

Ms. MATSUI. Madam Speaker, I yield such time as he may consume to the gentleman from New York (Mr. ENGEL), the sponsor of this bill.

Mr. ENGEL. I thank the gentlewoman from California, my good friend, Congresswoman MATSUI, and I thank the gentleman, Mr. WHITFIELD, for his kind remarks.

Madam Speaker, I stand here in support of my legislation, H.R. 3993, the Calling Card Consumer Protection Act.

I want to thank my good friends Chairman WAXMAN, who is the chairman of our Energy and Commerce Committee; BOBBY RUSH, who is the chairman of the Consumer Protection Subcommittee; as well as JOE BARTON and GEORGE RADANOVICH, who are the ranking members of the full committee and subcommittee.

As my colleagues have mentioned, calling cards are an invaluable resource for a number of people who make frequent long distance or overseas calls. Students, members of the Armed Forces, and those whose families live outside of the country regularly use these cards to call home. The cards are also popular among people who either choose not to subscribe to long distance telephone services or who cannot afford them. They are a necessary tool for keeping in touch with

friends or with family members. Calling cards that provide the services that the companies advertise can save consumers a great deal of money when they call home.

Unfortunately, as my colleagues have mentioned, as we see all too often, a number of unscrupulous companies are failing to keep their advertised terms. I first learned of this issue about 3 years ago when I heard from a number of constituents who said that their prepaid calling cards were not delivering the number of minutes that they advertised. In fact, many were not even close to delivering the promised number of minutes.

When I heard about these problems, I purchased a calling card to investigate the problem for myself. What shocked me—although, it should come as no surprise to anybody now—is that I found the exact same problems my constituents were having. One of those companies promised me a certain number of minutes, and I found that it was a complete fabrication. I did not receive even close to the number of minutes that the card advertised. This is when I decided to introduce my legislation to ban this practice.

I have read studies conducted by States' attorneys general as well as by independent groups showing that many calling cards provide far fewer minutes than are advertised. One study by the Hispanic Institute found, on average, that the caller only received about 60 percent of the minutes guaranteed by the card. I recently read that the prepaid calling card industry takes in \$4 billion a year in revenue. If the cards are only providing 60 percent of the minutes, each one of us can do the math.

This deception is costing consumers and honest companies hundreds of millions of dollars every year. Calling card fraud harms segments of the population which are among the most vulnerable to being victimized by unscrupulous companies only seeking to make quick profits. Companies will target poor, minority, and immigrant populations, and they don't stop there. They have even preyed upon our soldiers in Iraq and Afghanistan. This is unconscionable.

As was mentioned, there are so many ways that they use fraudulent terms. There are different fees. If you call and don't get anyone home, there is a fee. If you call and someone hangs up, there is a fee. There are all kinds of hidden fees in terms of what time you can call and what day you can call. It just gets ridiculous.

In an article in BusinessWeek magazine, the author detailed one example of a company that marketed toward Spanish-speaking consumers. It had packaging with Spanish language information, but the fine print that detailed all the various fees they would charge the user was in English. When confronted about this deception, the company simply said, "We're in America." They had the audacity to claim

that, even when they put Spanish language advertisements in markets with Spanish-speaking consumers, they could hide all of their fees in English.

This legislation will put a stop to a number of deceptive practices employed by unscrupulous companies. It would simply require calling cards and advertisements to include the clear disclosure of all terms, conditions, and fees in the language in which the calling card is advertised. Just like the nutrition information on a box of cereal, consumers should be able to quickly and easily compare two products side by side.

I would strongly encourage all Members to support this bipartisan and, as Mr. WHITFIELD pointed out, well-thought-out legislation. I thank everyone for marking up this legislation today.

Mr. WHITFIELD. Madam Speaker, this issue is so important that I yield 2 minutes to the gentleman from Indiana (Mr. BURTON).

Mr. BURTON of Indiana. I won't take 2 minutes, Madam Speaker.

I would just like to say that my colleague who just spoke, Mr. ENGEL, and I became aware of this some time ago when one of the people we know, who is in this business, brought to our attention the way some of these companies have been so unscrupulous in bilking the public out of the minutes that they pay for.

I am very happy that Congressman ENGEL has introduced this bill. Though, I only wish I'd known about it because I certainly would have wanted to have been a cosponsor on it. You may rest assured that I will support it, and I hope that all of my colleagues will because it is unconscionable that the American people would buy something like this, especially military personnel, knowing that they are going to be able to call their loved ones, then to find out that they've been short-changed. It's almost a criminal act. I think we ought to look down the road. If this is being done intentionally by these calling card companies, there possibly ought to be some prosecutions that take place.

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

Ms. MATSUI. Madam Speaker, H.R. 3993 will protect consumers from faulty and deceptive calling cards.

Again, I want to thank my colleague, Representative ENGEL, for his work on this legislation.

This bill is bipartisan, and I urge my colleagues to support this legislation.

I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentlewoman from California (Ms. MATSUI) that the House suspend the rules and pass the bill, H.R. 3993, as amended.

The question was taken.

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

Ms. MATSUI. Madam Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

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.

□ 1250

FORMALDEHYDE STANDARDS FOR COMPOSITE WOOD PRODUCTS ACT

Ms. MATSUI. Madam Speaker, I move to suspend the rules and pass the bill (S. 1660) to amend the Toxic Substances Control Act to reduce the emissions of formaldehyde from composite wood products, and for other purposes.

The Clerk read the title of the bill.

The text of the bill is as follows:

S. 1660

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

SECTION 1. SHORT TITLE.

This Act may be cited as the "Formaldehyde Standards for Composite Wood Products Act".

SEC. 2. FORMALDEHYDE STANDARDS FOR COMPOSITE WOOD PRODUCTS.

(a) AMENDMENT.—The Toxic Substances Control Act (15 U.S.C. 2601 et seq.) is amended by adding at the end the following:

"TITLE VI—FORMALDEHYDE STANDARDS FOR COMPOSITE WOOD PRODUCTS

"SEC. 601. FORMALDEHYDE STANDARDS.

"(a) DEFINITIONS.—In this section:

"(1) FINISHED GOOD.—

"(A) IN GENERAL.—The term 'finished good' means any good or product (other than a panel) containing—

"(i) hardwood plywood;

"(ii) particleboard; or

"(iii) medium-density fiberboard.

"(B) EXCLUSIONS.—The term 'finished good' does not include—

"(i) any component part or other part used in the assembly of a finished good; or

"(ii) any finished good that has previously been sold or supplied to an individual or entity that purchased or acquired the finished good in good faith for purposes other than resale, such as—

"(I) an antique; or

"(II) secondhand furniture.

"(2) HARDBOARD.—The term 'hardboard' has such meaning as the Administrator shall establish, by regulation, pursuant to subsection (d).

"(3) HARDWOOD PLYWOOD.—

"(A) IN GENERAL.—The term 'hardwood plywood' means a hardwood or decorative panel that is—

"(i) intended for interior use; and

"(ii) composed of (as determined under the standard numbered ANSI/HPVA HP-1-2009) an assembly of layers or plies of veneer, joined by an adhesive with—

"(I) lumber core;

"(II) particleboard core;

"(III) medium-density fiberboard core;

"(IV) hardboard core; or

"(V) any other special core or special back material.

"(B) EXCLUSIONS.—The term 'hardwood plywood' does not include—

"(i) military-specified plywood;

"(ii) curved plywood; or

"(iii) any other product specified in—

"(I) the standard entitled 'Voluntary Product Standard—Structural Plywood' and numbered PS 1-07; or

"(II) the standard entitled 'Voluntary Product Standard—Performance Standard

for Wood-Based Structural-Use Panels' and numbered PS 2-04.

“(C) LAMINATED PRODUCTS.—

“(i) RULEMAKING.—

“(I) IN GENERAL.—The Administrator shall conduct a rulemaking process pursuant to subsection (d) that uses all available and relevant information from State authorities, industry, and other available sources of such information, and analyzes that information to determine, at the discretion of the Administrator, whether the definition of the term ‘hardwood plywood’ should exempt engineered veneer or any laminated product.

“(II) MODIFICATION.—The Administrator may modify any aspect of the definition contained in clause (i) before including that definition in the regulations promulgated pursuant to subclause (I).

“(ii) LAMINATED PRODUCT.—The term ‘laminated product’ means a product—

“(I) in which a wood veneer is affixed to—

“(aa) a particleboard platform;

“(bb) a medium-density fiberboard platform; or

“(cc) a veneer-core platform; and

“(II) that is—

“(aa) a component part;

“(bb) used in the construction or assembly of a finished good; and

“(cc) produced by the manufacturer or fabricator of the finished good in which the product is incorporated.

“(4) MANUFACTURED HOME.—The term ‘manufactured home’ has the meaning given the term in section 3280.2 of title 24, Code of Federal Regulations (as in effect on the date of promulgation of regulations pursuant to subsection (d)).

“(5) MEDIUM-DENSITY FIBERBOARD.—The term ‘medium-density fiberboard’ means a panel composed of cellulosic fibers made by dry forming and pressing a resinated fiber mat (as determined under the standard numbered ANSI A208.2-2009).

“(6) MODULAR HOME.—The term ‘modular home’ means a home that is constructed in a factory in 1 or more modules—

“(A) each of which meet applicable State and local building codes of the area in which the home will be located; and

“(B) that are transported to the home building site, installed on foundations, and completed.

“(7) NO-ADDED FORMALDEHYDE-BASED RESIN.—

“(A) IN GENERAL.—(i) The term ‘no-added formaldehyde-based resin’ means a resin formulated with no added formaldehyde as part of the resin cross-linking structure in a composite wood product that meets the emission standards in subparagraph (C) as measured by—

“(I) one test conducted pursuant to test method ASTM E-1333-96 (2002) or, subject to clause (ii), ASTM D-6007-02; and

“(II) 3 months of routine quality control tests pursuant to ASTM D-6007-02 or ASTM D-5582 or such other routine quality control test methods as may be established by the Administrator through rulemaking.

“(ii) Test results obtained under clause (i)(I) or (II) by any test method other than ASTM E-1333-96 (2002) must include a showing of equivalence by means established by the Administrator through rulemaking.

“(B) INCLUSIONS.—The term ‘no-added formaldehyde-based resin’ may include any resin made from—

“(i) soy;

“(ii) polyvinyl acetate; or

“(iii) methylene diisocyanate.

“(C) EMISSION STANDARDS.—The following are the emission standards for composite wood products made with no-added formaldehyde-based resins under this paragraph:

“(i) No higher than 0.04 parts per million of formaldehyde for 90 percent of the 3 months

of routine quality control testing data required under subparagraph (A)(ii).

“(ii) No test result higher than 0.05 parts per million of formaldehyde for hardwood plywood and 0.06 parts per million for particleboard, medium-density fiberboard, and thin medium-density fiberboard.

“(8) PARTICLEBOARD.—

“(A) IN GENERAL.—The term ‘particleboard’ means a panel composed of cellulosic material in the form of discrete particles (as distinguished from fibers, flakes, or strands) that are pressed together with resin (as determined under the standard numbered ANSI A208.1-2009).

“(B) EXCLUSIONS.—The term ‘particleboard’ does not include any product specified in the standard entitled ‘Voluntary Product Standard—Performance Standard for Wood-Based Structural-Use Panels’ and numbered PS 2-04.

“(9) RECREATIONAL VEHICLE.—The term ‘recreational vehicle’ has the meaning given the term in section 3282.8 of title 24, Code of Federal Regulations (as in effect on the date of promulgation of regulations pursuant to subsection (d)).

“(10) ULTRA LOW-EMITTING FORMALDEHYDE RESIN.—

“(A) IN GENERAL.—(i) The term ‘ultra low-emitting formaldehyde resin’ means a resin in a composite wood product that meets the emission standards in subparagraph (C) as measured by—

“(I) 2 quarterly tests conducted pursuant to test method ASTM E-1333-96 (2002) or, subject to clause (ii), ASTM D-6007-02; and

“(II) 6 months of routine quality control tests pursuant to ASTM D-6007-02 or ASTM D-5582 or such other routine quality control test methods as may be established by the Administrator through rulemaking.

“(ii) Test results obtained under clause (i)(I) or (II) by any test method other than ASTM E-1333-96 (2002) must include a showing of equivalence by means established by the Administrator through rulemaking.

“(B) INCLUSIONS.—The term ‘ultra low-emitting formaldehyde resin’ may include—

“(i) melamine-urea-formaldehyde resin;

“(ii) phenol formaldehyde resin; and

“(iii) resorcinol formaldehyde resin.

“(C) EMISSION STANDARDS.—

“(i) The Administrator may, pursuant to regulations issued under subsection (d), reduce the testing requirements for a manufacturer only if its product made with ultra low-emitting formaldehyde resin meets the following emission standards:

“(I) For hardwood plywood, no higher than 0.05 parts per million of formaldehyde.

“(II) For medium-density fiberboard—

“(aa) no higher than 0.06 parts per million of formaldehyde for 90 percent of 6 months of routine quality control testing data required under subparagraph (A)(ii); and

“(bb) no test result higher than 0.09 parts per million of formaldehyde.

“(III) For particleboard—

“(aa) no higher than 0.05 parts per million of formaldehyde for 90 percent of 6 months of routine quality control testing data required under subparagraph (A)(ii); and

“(bb) no test result higher than 0.08 parts per million of formaldehyde.

“(IV) For thin medium-density fiberboard—

“(aa) no higher than 0.08 parts per million of formaldehyde for 90 percent of 6 months of routine quality control testing data required under subparagraph (A)(ii); and

“(bb) no test result higher than 0.11 parts per million of formaldehyde.

“(ii) The Administrator may not, pursuant to regulations issued under subsection (d), exempt a manufacturer from third party certification requirements unless its product made with ultra low-emitting formaldehyde

resin meets the following emission standards:

“(I) No higher than 0.04 parts per million of formaldehyde for 90 percent of 6 months of routine quality control testing data required under subparagraph (A)(ii).

“(II) No test result higher than 0.05 parts per million of formaldehyde for hardwood plywood and 0.06 parts per million for particleboard, medium-density fiberboard, and thin medium-density fiberboard.

“(b) REQUIREMENT.—

“(1) IN GENERAL.—Except as provided in an applicable sell-through regulation promulgated pursuant to subsection (d), effective beginning on the date that is 180 days after the date of promulgation of those regulations, the emission standards described in paragraph (2), shall apply to hardwood plywood, medium-density fiberboard, and particleboard sold, supplied, offered for sale, or manufactured in the United States.

“(2) EMISSION STANDARDS.—The emission standards referred to in paragraph (1), based on test method ASTM E-1333-96 (2002), are as follows:

“(A) For hardwood plywood with a veneer core, 0.05 parts per million of formaldehyde.

“(B) For hardwood plywood with a composite core—

“(i) 0.08 parts per million of formaldehyde for any period after the effective date described in paragraph (1) and before July 1, 2012; and

“(ii) 0.05 parts per million of formaldehyde, effective on the later of the effective date described in paragraph (1) or July 1, 2012.

“(C) For medium-density fiberboard—

“(i) 0.21 parts per million of formaldehyde for any period after the effective date described in paragraph (1) and before July 1, 2011; and

“(ii) 0.11 parts per million of formaldehyde, effective on the later of the effective date described in paragraph (1) or July 1, 2011.

“(D) For thin medium-density fiberboard—

“(i) 0.21 parts per million of formaldehyde for any period after the effective date described in paragraph (1) and before July 1, 2012; and

“(ii) 0.13 parts per million of formaldehyde, effective on the later of the effective date described in paragraph (1) or July 1, 2012.

“(E) For particleboard—

“(i) 0.18 parts per million of formaldehyde for any period after the effective date described in paragraph (1) and before July 1, 2011; and

“(ii) 0.09 parts per million of formaldehyde, effective on the later of the effective date described in paragraph (1) or July 1, 2011.

“(3) COMPLIANCE WITH EMISSION STANDARDS.—(A) Compliance with the emission standards described in paragraph (2) shall be measured by—

“(i) quarterly tests shall be conducted pursuant to test method ASTM E-1333-96 (2002) or, subject to subparagraph (B), ASTM D-6007-02; and

“(ii) quality control tests shall be conducted pursuant to ASTM D-6007-02, ASTM D-5582, or such other test methods as may be established by the Administrator through rulemaking.

“(B) Test results obtained under subparagraph (A)(i) or (ii) by any test method other than ASTM E-1333-96 (2002) must include a showing of equivalence by means established by the Administrator through rulemaking.

“(C) Except where otherwise specified, the Administrator shall establish through rulemaking the number and frequency of tests required to demonstrate compliance with the emission standards.

“(4) APPLICABILITY.—The formaldehyde emission standard referred to in paragraph

(1) shall apply regardless of whether an applicable hardwood plywood, medium-density fiberboard, or particleboard is—

“(A) in the form of an unfinished panel; or
“(B) incorporated into a finished good.

“(C) EXEMPTIONS.—The formaldehyde emission standard referred to in subsection (b)(1) shall not apply to—

“(1) hardboard;

“(2) structural plywood, as specified in the standard entitled ‘Voluntary Product Standard—Structural Plywood’ and numbered PS 1-07;

“(3) structural panels, as specified in the standard entitled ‘Voluntary Product Standard—Performance Standard for Wood-Based Structural-Use Panels’ and numbered PS 2-04;

“(4) structural composite lumber, as specified in the standard entitled ‘Standard Specification for Evaluation of Structural Composite Lumber Products’ and numbered ASTM D 5456-06;

“(5) oriented strand board;

“(6) glued laminated lumber, as specified in the standard entitled ‘Structural Glued Laminated Timber’ and numbered ANSI A190.1-2002;

“(7) prefabricated wood I-joists, as specified in the standard entitled ‘Standard Specification for Establishing and Monitoring Structural Capacities of Prefabricated Wood I-Joists’ and numbered ASTM D 5055-05;

“(8) finger-jointed lumber;

“(9) wood packaging (including pallets, crates, spools, and dunnage);

“(10) composite wood products used inside a new—

“(A) vehicle (other than a recreational vehicle) constructed entirely from new parts that has never been—

“(i) the subject of a retail sale; or

“(ii) registered with the appropriate State agency or authority responsible for motor vehicles or with any foreign state, province, or country;

“(B) rail car;

“(C) boat;

“(D) aerospace craft; or

“(E) aircraft;

“(11) windows that contain composite wood products, if the window product contains less than 5 percent by volume of hardwood plywood, particleboard, or medium-density fiberboard, combined, in relation to the total volume of the finished window product; or

“(12) exterior doors and garage doors that contain composite wood products, if—

“(A) the doors are made from composite wood products manufactured with no-added formaldehyde-based resins or ultra low-emitting formaldehyde resins; or

“(B) the doors contain less than 3 percent by volume of hardwood plywood, particleboard, or medium-density fiberboard, combined, in relation to the total volume of the finished exterior door or garage door.

“(d) REGULATIONS.—

“(1) IN GENERAL.—Not later than January 1, 2013, the Administrator shall promulgate regulations to implement the standards required under subsection (b) in a manner that ensures compliance with the emission standards described in subsection (b)(2).

“(2) INCLUSIONS.—The regulations promulgated pursuant to paragraph (1) shall include provisions relating to—

“(A) labeling;

“(B) chain of custody requirements;

“(C) sell-through provisions;

“(D) ultra low-emitting formaldehyde resins;

“(E) no-added formaldehyde-based resins;

“(F) finished goods;

“(G) third-party testing and certification;

“(H) auditing and reporting of third-party certifiers;

“(I) recordkeeping;

“(J) enforcement;

“(K) laminated products; and

“(L) exceptions from the requirements of regulations promulgated pursuant to this subsection for products and components containing de minimis amounts of composite wood products.

The Administrator shall not provide under subparagraph (L) exceptions to the formaldehyde emission standard requirements in subsection (b).

“(3) SELL-THROUGH PROVISIONS.—

“(A) IN GENERAL.—Sell-through provisions established by the Administrator under this subsection, with respect to composite wood products and finished goods containing regulated composite wood products (including recreational vehicles, manufactured homes, and modular homes), shall—

“(i) be based on a designated date of manufacture (which shall be no earlier than the date 180 days following the promulgation of the regulations pursuant to this subsection) of the composite wood product or finished good, rather than date of sale of the composite wood product or finished good; and

“(ii) provide that any inventory of composite wood products or finished goods containing regulated composite wood products, manufactured before the designated date of manufacture of the composite wood products or finished goods, shall not be subject to the formaldehyde emission standard requirements under subsection (b)(1).

“(B) IMPLEMENTING REGULATIONS.—The regulations promulgated under this subsection shall—

“(i) prohibit the stockpiling of inventory to be sold after the designated date of manufacture; and

“(ii) not require any labeling or testing of composite wood products or finished goods containing regulated composite wood products manufactured before the designated date of manufacture.

“(C) DEFINITION.—For purposes of this paragraph, the term ‘stockpiling’ means manufacturing or purchasing a composite wood product or finished good containing a regulated composite wood product between the date of enactment of the Formaldehyde Standards for Composite Wood Products Act and the date 180 days following the promulgation of the regulations pursuant to this subsection at a rate which is significantly greater (as determined by the Administrator) than the rate at which such product or good was manufactured or purchased during a base period (as determined by the Administrator) ending before the date of enactment of the Formaldehyde Standards for Composite Wood Products Act.

“(4) IMPORT REGULATIONS.—Not later than July 1, 2013, the Administrator, in coordination with the Commissioner of Customs and Border Protection and other appropriate Federal departments and agencies, shall revise regulations promulgated pursuant to section 13 as the Administrator determines to be necessary to ensure compliance with this section.

“(5) SUCCESSOR STANDARDS AND TEST METHODS.—The Administrator may, after public notice and opportunity for comment, substitute an industry standard or test method referenced in this section with its successor version.

“(e) PROHIBITED ACTS.—An individual or entity that violates any requirement under this section (including any regulation promulgated pursuant to subsection (d)) shall be considered to have committed a prohibited act under section 15.”

(b) CONFORMING AMENDMENT.—The table of contents of the Toxic Substances Control Act (15 U.S.C. prec. 2601) is amended by adding at the end the following:

“TITLE VI—FORMALDEHYDE STANDARDS FOR COMPOSITE WOOD PRODUCTS

“Sec. 601. Formaldehyde standards.”.

SEC. 3. REPORTS TO CONGRESS.

Not later than one year after the date of enactment of this Act, and annually thereafter through December 31, 2014, the Administrator of the Environmental Protection Agency shall submit to the Committee on Environment and Public Works of the Senate and the Committee on Energy and Commerce of the House of Representatives a report describing, with respect to the preceding year—

(1) the status of the measures carried out or planned to be carried out pursuant to title VI of the Toxic Substances Control Act; and

(2) the extent to which relevant industries have achieved compliance with the requirements under that title.

SEC. 4. MODIFICATION OF REGULATION.

Not later than 180 days after the date of promulgation of regulations pursuant to section 601(d) of the Toxic Substances Control Act (as amended by section 2), the Secretary of Housing and Urban Development shall update the regulation contained in section 3280.308 of title 24, Code of Federal Regulations (as in effect on the date of enactment of this Act), to ensure that the regulation reflects the standards established by section 601 of the Toxic Substances Control Act.

The SPEAKER pro tempore. Pursuant to the rule, the gentlewoman from California (Ms. MATSUI) and the gentleman from California (Mr. RADANOVICH) each will control 20 minutes.

The Chair recognizes the gentlewoman from California.

GENERAL LEAVE

Ms. MATSUI. Madam Speaker, I ask unanimous consent that all Members have 5 legislative days in which to revise and extend their remarks and include extraneous material in the RECORD.

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

There was no objection.

Ms. MATSUI. Madam Speaker, I yield myself such time as I may consume.

Madam Speaker, I rise in strong support of S. 1660, the Formaldehyde Standards for Composite Wood Products Act. I want to thank Senators KLOBUCHAR and CRAPO for their leadership in guiding this bill through the Senate.

Madam Speaker, this is a truly bipartisan bill, with 10 out of the 19 Senate cosponsors being Republican Senators, including ISAKSON of Georgia, Senators CORKER and ALEXANDER from Tennessee, Senator VIITER from Louisiana, and Senator COCHRAN of Mississippi, just to name a few. Just last week, this legislation was unanimously approved by the Senate. I, along with Representative VERN EHLERS, introduced the House companion, H.R. 4805.

I want to thank Chairmen WAXMAN and RUSH for their leadership in guiding H.R. 4805 through the Energy and Commerce Committee, which was reported out in a bipartisan manner by a vote of 27-10 on May 26. During the committee debate on this legislation we worked collaboratively with the minority to address the vast majority of

the concerns initially raised by CTCF Subcommittee Ranking Member WHITFIELD and Representatives GINGREY and SCALISE. And I thank them for their support during the full committee's consideration. Those changes are included in this legislation that we are considering today.

On the issue of labeling, we expect that EPA will take steps to ensure that consumers are able to make informed purchases. At the same time, it is not our intention to require labeling that is more burdensome than what is already required in California.

Madam Speaker, the bill is a result of months of hard work; and we have a strong bipartisan, bicameral measure that is widely supported by a diverse coalition comprised of industries, public health advocates, environmental groups, and others. Groups that have publicly endorsed this legislation include the American Forest and Paper Association; the Engineered Wood Association; the Composite Panel Association; American Home Furnishings Association; Business and Institutional Furniture Manufacturers Association; Kitchen Cabinet Manufacturers Association; the Sierra Club; the United Steelworkers of America; the American Public Health Association; the Retail Industry Leaders Association; and others.

I am pleased that the House is taking up this important bipartisan measure today. The bill would direct that EPA establish one national standard for formaldehyde in domestic and imported composite wood products. As we all know, the emissions of formaldehyde, which is a harmful chemical widely used in a variety of composite wood product applications, are known to have adverse effects on human health and resulted in cases of toxicity for those storm victims provided FEMA trailers following Hurricane Katrina.

Formaldehyde emissions from composite wood are largely the result of cheap foreign products that enter the U.S. marketplace at much lower cost, which places U.S. manufacturers at a competitive disadvantage. This legislation will level the playing field for our domestic manufacturers by creating one national standard on formaldehyde emissions for both our domestic industry and foreign manufacturers to follow.

Simply put, we must ensure that faulty foreign wood products do not enter the U.S. market anymore. In doing so, this bill will protect and create American jobs, boost the competitiveness of our domestic manufacturing sector, and ensure that American consumers are not exposed to faulty foreign products with high formaldehyde emissions.

In closing, I would like to thank Chairman WAXMAN's staff, particularly Robin Appleberry for her hard work and effort in working in a bipartisan manner with my office and with the minority staff of the Energy and Com-

merce Committee to ensure that the legislation will protect consumers as well as our U.S. domestic manufacturing industries. I urge my colleagues to support this legislation.

I reserve the balance of my time.

Mr. RADANOVICH. Madam Speaker, I yield myself such time as I may consume.

(Mr. RADANOVICH asked and was given permission to revise and extend his remarks.)

Mr. RADANOVICH. Madam Speaker, H.R. 4805, the Formaldehyde Standards for Composite Wood Products Act, would set Federal formaldehyde emission standards for composite wood products based on the standards recently set by the State of California. Excessive exposure to formaldehyde can cause health problems, and health risks imposed by formaldehyde may indeed warrant a Federal emission standard for composite wood products. Although this bill has improved in several important respects since it was introduced, it still has a number of deficiencies that outweigh its benefits. Therefore, I urge all Members to vote against the bill.

Before summarizing the bill's principal deficiencies, let me note some of the changes that we were able to make on the Energy and Commerce Committee. The bill before the House today provides greater clarity regarding the actual emission standards that the EPA must promulgate and mandates "sell-through" provisions that ensure fair treatment for merchants seeking to sell inventory manufactured before the emission standards take effect.

Despite these improvements, the bill suffers from at least four critical deficiencies. First, the proponents of the bill failed to demonstrate that the emission standards themselves are reflective of the most recent scientific study and understanding. Second, the bill sets forth a theoretical national standard because it does not preempt State and local regulation. Third, the bill requires EPA to promulgate the standards without making a determination that they are technically feasible and that compliance is not prohibitively expensive. Finally, the bill requires EPA to regulate consumer products even though the CPSC appears better qualified for this task.

I will now address each of these four deficiencies in more detail. Excessive exposure to formaldehyde can cause health problems, and we are not here to debate that point. I am concerned that this bill's stated emission standards do not reflect the levels science is telling us are necessary to prevent harm. Instead, I understand the bill relies on the increasingly outdated risk assessment conducted by the State of California in issuing its own regulations. Further, as explained and called into question by Dr. Mel Anderson in his expert testimony provided at the March 18, 2010, hearing before the Commerce, Trade, and Consumer Protection Subcommittee, the California

standards are much more restrictive than necessary to protect consumers from cancer risks.

Further, assuming the health risks posed by formaldehyde in composite wood products warrant some type of Federal emission standard, the bill raises concerns because it does not preempt State regulation. The preemption provisions in section 18 of the Toxic Substances Control Act, or TSCA, would not apply to these standards. Nothing in the bill would preclude States from imposing more stringent and conflicting standards than those mandated by the bill. States could create a patchwork of differing laws and requirements, thereby frustrating the stated goal of creating a uniform national standard for formaldehyde emissions from composite wood products. In addition, the EPA is currently considering a regulation under TSCA addressing the same issues addressed by this bill. If the EPA completes its current rulemaking process, any resulting formaldehyde standard would preempt State regulation as provided in TSCA.

The bill would also require the EPA to issue the mandated emission standards regardless of whether they ultimately prove technically feasible and reasonably affordable. Congress lacks experience regarding the workability of these standards in the real world. We have learned through our experience with the Consumer Product Safety Improvement Act that we should be very careful about mandating standards based on industry segment's confidence that it can comply with them. We learned the hard way that well-meaning bills can lead to unemployment for small manufacturers, and we should not repeat that mistake, with almost 10 percent unemployment.

This bill does not provide the EPA with any discretion if one or more of these standards proves technically not feasible to meet or if the high cost of compliance with the standard would prevent any manufacturers from remaining in business. It doesn't make sense to impose a standard which has not been "road tested" and that industry potentially cannot meet.

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Moreover, the bill would provide for EPA rulemaking and enforcement of the emissions standards under the Toxic Substances Control Act, TSCA, even though the CPSC would be in a better position to handle the program under the Federal Hazardous Substances Act. Under TSCA, the EPA regulates industrial chemicals and mixtures rather than consumer products, while the CPSC regulates unsafe consumer products under a different statutory framework.

Given that the bill addresses supposedly unsafe consumer products and provides for emissions standards as well as labeling and testing requirements, the CPSC arguably is better situated than the EPA to handle this. The CPSC's more extensive experience and

expertise on issues relating to consumer product safety, sell-through, labeling, and consumer product testing suggest that we should entrust this program to the CPSC instead of handing it off to EPA.

Had the above deficiencies been resolved more satisfactorily, this bill would more likely warrant passage. Unfortunately, I cannot support the bill in its current form and urge a "no" vote.

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

Ms. MATSUI. Madam Speaker, we can all agree that harmful formaldehyde emissions need to be addressed immediately. Formaldehyde emissions from composite woods are largely the result of cheap foreign products that enter the U.S. marketplace at much lower costs. These emissions have harmed far too many Americans, and their foreign sources have and continue to place our domestic manufacturing industries at a competitive disadvantage. This legislation will level the playing field for our domestic industries and protect the health of American consumers.

Madam Speaker, today we have a strong bipartisan, bicameral bill that will boost our domestic manufacturing industries, create jobs, and protect American consumers. This bill is strongly supported by a large number of industries, public health advocates, and environmental groups. Again, this legislation is bipartisan, and I urge my colleagues to support S. 1660, to make certain that faulty foreign wood products do not enter the U.S. market.

I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentlewoman from California (Ms. MATSUI) that the House suspend the rules and pass the bill, S. 1660.

The question was taken; and (two-thirds being in the affirmative) the rules were suspended and the bill was passed.

A motion to reconsider was laid on the table.

RECOGNIZING WORLD REFUGEE DAY

Ms. WATSON. Madam Speaker, I move to suspend the rules and agree to the resolution (H. Res. 1350) recognizing June 20, 2010, as World Refugee Day, as amended.

The Clerk read the title of the resolution.

The text of the resolution is as follows:

H. RES. 1350

Whereas World Refugee Day was first observed on June 20, 2001;

Whereas tens of thousands of people around the world take time to recognize the challenges and applaud the contributions of forcibly displaced persons throughout the world;

Whereas the annual commemoration of World Refugee Day is marked by a variety of events in more than 100 countries, involving government officials, humanitarian workers

and volunteers, celebrities, and the forcibly displaced;

Whereas refugees are people who have been forced to flee their countries due to a well-founded fear of persecution based on their political opinions, religious beliefs, race, nationality, or membership in a particular social group;

Whereas internally displaced persons are those who have fled their homes or been uprooted but remain within the borders of their country;

Whereas of the 42,000,000 displaced persons worldwide, the United Nations Refugee Agency assists over 25,000,000, including 10,000,000 refugees and more than 14,000,000 internally displaced persons;

Whereas these vulnerable individuals rely on the United States, other governments, the United Nations, and numerous nongovernmental relief agencies for the protection of their basic human rights;

Whereas Somali refugees have lived in camps in Kenya since the early 1990s;

Whereas Burmese refugees have lived in camps inside Thailand since the mid-1980s;

Whereas decades of violence in Afghanistan have produced almost 3,000,000 refugees;

Whereas decades of violence caused by extremist groups forced up to 400,000 Colombians to seek refuge in other countries and produced 3,000,000 internally displaced persons within Colombia;

Whereas more than 4,000,000 Iraqis are displaced within their country and in the region, including Chaldeans and other minorities;

Whereas more than 2,000,000 people have been displaced by conflict in the Democratic Republic of the Congo;

Whereas ongoing conflict and violence in Sudan have forced more than 1,000,000 people to become internally displaced within Sudan and another 250,000 to flee to Chad;

Whereas some 150,000 Sudanese have sought protection in other countries around the world;

Whereas North Korean refugees inside China face trafficking, sexual exploitation, and forcible repatriation back to North Korea where they are tortured, imprisoned, and severely punished;

Whereas 2010 marks the 30th anniversary of the Refugee Act of 1980, the cornerstone of the United States' system of refugee protection and assistance;

Whereas the United States continues to be the single largest refugee resettlement country in the world; and

Whereas the United States is the largest single donor to the Office of the United Nations High Commissioner for Refugees: Now, therefore, be it

Resolved, That the House of Representatives—

(1) reaffirms the commitment of the United States to promote the safety, health, and well-being of the millions of refugees who flee war, famine, persecution, and torture in search of peace, nourishment, hope, and freedom;

(2) calls on the Department of State to continue to support the efforts of the United Nations High Commissioner for Refugees and to advance the work of nongovernmental organizations, especially those that also have expertise in resettlement, to protect refugees;

(3) calls on the United States Government to continue its international leadership role in response to those who have been displaced, including the most vulnerable populations who endure sexual violence, human trafficking, forced conscription, genocide, and exploitation;

(4) commends those who have risked their lives working individually and for the multitude of nongovernmental organizations,

along with the United Nations High Commissioner for Refugees, who have provided life-saving assistance and helped protect those displaced by conflict around the world; and

(5) reaffirms the goals of World Refugee Day and reiterates the strong commitment to protect the millions of refugees who live without material, social, or legal protections.

The SPEAKER pro tempore. Pursuant to the rule, the gentlewoman from California (Ms. WATSON) and the gentlewoman from Florida (Ms. ROSLEHTINEN) each will control 20 minutes.

The Chair recognizes the gentlewoman from California.

GENERAL LEAVE

Ms. WATSON. Madam Speaker, I ask unanimous consent that all Members may have 5 legislative days to revise and extend their remarks and to include extraneous material on the resolution under consideration.

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

There was no objection.

Ms. WATSON. Madam Speaker, I rise in strong support of this resolution, and I yield myself such time as I may consume.

I am grateful for the opportunity to speak today on H. Res. 1350, a resolution I introduced to recognize World Refugee Day as June 20, 2010. This special day, first marked in 2001, is held every year on June 20. Tens of thousands of people around the world take time to recognize the plight of forcibly displaced people throughout the world. The annual commemoration is marked by a variety of events in more than 100 countries involving government officials, humanitarian aid workers, celebrities, civilians, and those who were forcibly displaced themselves.

With the humanitarian efforts of the United States, other nations, and organizations like the United Nations High Commissioner for Refugees, the Red Cross, the International Rescue Committee, and Refugees International, among so many others, refugees are able to flee from persecution, violence, and war in order to seek protection. Many have fled to the United States, a safe haven with a history of aiding those seeking protection from persecution, violence, and war. America has provided more assistance to refugees seeking protection than any other country.

If you have ever met a refugee, you have encountered someone who has overcome great obstacles simply to just survive. Take the case of a Somali refugee, Abdul Samatar, a young man with a childhood full of tragedy and life-threatening experiences who eventually took refuge in the United States. Abdul was born in 1984 in Somalia, at that time a peaceful land of great beauty, promise, and resources. Now, however, Somalia is overwhelmed by famine, war and violence, leaving no persons unaffected.

In 1992, Abdul's father, a religious leader in Mogadishu, the capital, was shot and killed during the civil war.

After his death, Abdul lived the life of a nomad. He was afraid that, like his father, he would be killed by a rival tribe. He fled across the Somalia-Kenya border to Mandera, Kenya. Thanks to the generosity of the United Nations High Commissioner for Refugees, he was provided with food and assistance in Mandera for 2½ years. Fortunately, while Abdul was in Nairobi, he was introduced to a refugee coordinator at the United States Embassy who, along with two other citizens, helped Abdul move to the United States. An example of success, Abdul graduated from high school in 2004 and graduated from university in May 2010 with a degree in American studies. With this education, Abdul intends to make a difference in the lives of those less fortunate. Yes, Madam Speaker, stories like that of Abdul attest to the success of our refugee program and give merit to recognizing June 20, 2010, as World Refugee Day.

And I just want to include that on last Friday, we were at the State Department. We had Abdul and his family there. And along with our Secretary of State, we celebrated, and we commended those who were involved in World Refugee Day.

I urge my colleagues to support the bipartisan H. Res. 1350.

Madam Speaker, I reserve the balance of my time.

Ms. ROS-LEHTINEN. Madam Speaker, I yield myself such time as I may consume.

Madam Speaker, I rise today as a proud cosponsor of House Resolution 1350. And I want to thank my good friend and colleague from California, Ambassador WATSON, for introducing this worthy measure.

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This issue is important to me not just as the ranking member of the Foreign Affairs Committee or as a Member who represents one of the top 20 refugee resettlement areas in the United States, but also as a former refugee. Refugees have been a core component of our wonderful Nation since its creation. Whether they were early colonists fleeing religious persecution in Europe or families of the 20th century fleeing Communist tyranny, as mine fled the Castro regime, refugees have found in this great Nation safety, freedom, and opportunity.

From the Displaced Persons Act of 1948 to the Refugees Act of 1980 until today, I am proud of the work that Congress has done over the years to keep refugee protection a priority of our government. Traditionally, the United States has resettled more refugees on an annual basis than the rest of the world combined. But our country also lives up to its own highest ideals when we reach out overseas to help and protect those most vulnerable of the vulnerables, those forced from their home by persecution. Whether due to the ethnic, sectarian, or political conflict in Africa or the Middle East, or re-

pression by regimes like those in Burma, North Korea, or Sudan, tens of millions of children, women, and men around the world stand in need of food, shelter, and protection.

Because of this vulnerability, they are also prime targets for dehumanizing forms of exploitation and human trafficking. By supporting the work of the U.N. High Commissioner for Refugees and the many dedicated nongovernmental organizations, the people of the United States continue to show our generosity toward the displaced and the vulnerable.

World Refugee Day, observed for the 10th time this past weekend, is a fitting time for us to reflect on these dire human needs, to commend the bravery and service of those who assist refugees in insecure circumstances around the world, and to recommit ourselves to the protection of displaced populations as a humanitarian and human rights priority. For these reasons, Madam Speaker, I support Ambassador WATSON's measure, and I urge its prompt adoption.

Madam Speaker, I have no further requests for time, and I yield back the balance of my time.

Ms. WATSON. Madam Speaker, I want to thank my cosponsor. I think that her stories, too, are very compelling. We join strongly together on this piece of legislation.

Ms. JACKSON LEE of Texas. Madam Speaker, I rise in strong support of H. Res. 1350, recognizing June 20, 2010, as World Refugee Day. I thank my colleague, Ms. WATSON, for introducing this resolution that reminds us of the importance of protecting those who are vulnerable and finding a home for those who are displaced.

The theme of this year's World Refugee Day on June 20, 2010 is "Home," in recognition of the plight of more than 40 million uprooted and displaced people around the world; approximately 10 million of whom are refugees of special concern to UNHCR.

As a Member of the Bipartisan Congressional Refugee Caucus, I have continuously stood up for the rights of the world's refugees. Today, there are more than 42 million refugees, including 16 million refugees outside their countries and 26 million others displaced internally.

This year, I am especially concerned for the people of Haiti—many of whom are facing the rainy season without a suitable home. According to Refugees International, approximately 700,000 people in Port-au-Prince are without homes or proper shelter and another 600,000 people have left the capital.

I also welcome the announcement from the United Nations High Commissioner for Refugees, António Guterres, that 100,000 people having been referred for resettlement from the Middle East to third countries since 2007.

From Iraq and Afghanistan, to Sudan and the Congo, to Burma and Colombia, the United Nations Refugee Agency, with ample support from the United States, manages to support over 25 million. Indeed, these vulnerable individuals depend on the United States, other governments, the United Nations and other agencies for the protection of their basic human rights.

The United States is in fact a global leader in the protection of refugees and internally displaced persons. In the year 2010 the United States celebrates the 30th anniversary of the Refugee Act of 1980, a cornerstone of refugee protection and assistance which has brought the United States to be the single largest refugee resettlement country in the world, admitting a total of 65,722 in 2007. Moreover, the United States is the single largest donor to the Office of the United Nations High Commissioner for Refugees.

Madam Speaker, I urge every one of my fellow members of Congress to join Congresswoman WATSON and me in reaffirming the commitment of the United States to promote the safety, health, and well-being of millions of refugees, calling on the Department of State to continue to support the efforts of the U.N. High Commissioner for refugees, call on the U.S. Government to continue to strengthen its leadership role in protecting displaced persons, commending those who have risked their lives working to provide assistance to refugees, and reaffirming the goals of World Refugee Day. These are vulnerable people, people in need. Let us not forget them or our promise to find an end to their plight.

Mr. MCMAHON. Madam Speaker, I rise today in support of H. Res. 1350, recognizing June 20, 2010 as World Refugee Day. According to the United Nations, more than 40 million people worldwide have been displaced from their respective lands. It is important that we recognize the plight of those around the globe who no longer have a place to call home.

The world refugee crisis is a widespread tragedy, the result of political upheaval, war, genocide, and natural calamities. And, as much as world refugee day commends these brave individuals, it is also a tribute to those who devote their lives to relieve the suffering of refugees.

Unfortunately, the NGOs that provide much-needed services for refugees are working with a rapidly-growing population of refugees and under increasingly dangerous conditions.

Today, terrorism is one of the leading causes of families being uprooted from their homes. We see this phenomenon throughout Africa, Afghanistan and particularly in Northwest Frontier Province of Pakistan. Unfortunately, millions now live in fear as Al-Qaeda and the Taliban attempt to spread their extremism, while targeting those relief workers that work to feed and clothe these victims.

This year there is added significance on World Refugee Day because 2010 is the 30th anniversary of the Refugee Act of 1980. With this resolution, the United States will join over one hundred countries in recognizing the struggles of those who have been displaced from their homes and the NGO community that works to help them.

Alongside the United Nations, the U.S. Department of State is at the forefront of aiding nongovernmental organizations in helping refugees.

I urge the House of Representatives to keep in mind today the 40 million refugees across the world, of which 17 million of whom are children.

Madam Speaker, I encourage my colleagues to stand up and recognize World Refugee Day and to ensure that the United States continues to be an international leader in this regard.

Mr. JOHNSON of Georgia. Madam Speaker, I rise today to express my strong support of H. Res. 1350 which recognizes June 20, 2010 as World Refugee Day. I want to thank Congresswoman WATSON for her acknowledgement of this important day by introducing this resolution to Congress.

The U.N. Refugee Agency defines a refugee as a person who has fled their country of nationality and who is unable or unwilling to return to that country because of a "well-founded" fear of persecution based on race, religion, nationality, political opinion or membership in a particular social group. Hostilities across the world make refugees truly a global concern. Whether the refugees are fleeing government oppression in Sudan or Iran, or fleeing intra-communal fighting, there needs to be more attention given to these displaced and struggling individuals. I believe that this resolution is an outstanding way to recognize the severity of refugees' varying situations by celebrating World Refugee Day.

In fact, the reinstatement of many refugees from abroad has happened within the 4th District of Georgia. In 2000, Clarkston, Georgia had the highest percentage of people from Somalia in the United States who sought refuge here from this hostile region. Additionally, I am very proud that numerous national, and international organizations servicing refugees call the 4th District of Georgia and metropolitan Atlanta home.

Finally, refugees also affect our nation due to the fact that the United States is the single largest refugee resettlement country in the world. Therefore, I urge my colleagues to support H. Res. 1350 to express our support and protection for refugees internationally, as well as those now residing within our own nation's borders.

I urge my colleagues to support this important resolution.

Ms. WATSON. I have no further requests for time, Madam Speaker, and I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentlewoman from California (Ms. WATSON) that the House suspend the rules and agree to the resolution, H. Res. 1350, as amended.

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

A motion to reconsider was laid on the table.

RECOGNIZING THE 60TH ANNIVERSARY OF THE OUTBREAK OF THE KOREAN WAR

Ms. WATSON. Madam Speaker, I move to suspend the rules and pass the joint resolution (S.J. Res. 32) recognizing the 60th anniversary of the outbreak of the Korean War and reaffirming the United States-Korea alliance.

The Clerk read the title of the joint resolution.

The text of the joint resolution is as follows:

S.J. RES. 32

Whereas on June 25, 1950, communist North Korea invaded the Republic of Korea with approximately 135,000 troops, thereby initiating the Korean War;

Whereas on June 27, 1950, President Harry Truman ordered the United States Armed Forces to help the Republic of Korea defend itself against the North Korean invasion;

Whereas the hostilities ended in a cease-fire marked by the signing of the armistice at Panmunjom on July 27, 1953, and the peninsula still technically remains in a state of war;

Whereas during the Korean War, approximately 1,789,000 members of the United States Armed Forces served in theater along with the forces of the Republic of Korea and 20 other members of the United Nations to defend freedom and democracy;

Whereas casualties of the United States during the Korean War included 54,246 dead (of whom 33,739 were battle deaths), more than 103,284 wounded, and approximately 8,055 listed as missing in action or prisoners of war;

Whereas the Korean War Veterans Recognition Act (Public Law 111-41) was enacted on July 27, 2009, so that the honorable service and noble sacrifice by members of the United States Armed Forces in the Korean War will never be forgotten;

Whereas President Barack Obama issued a proclamation to designate July 27, 2009, as the National Korean War Veterans Armistice Day and called upon Americans to display flags at half-staff in memory of the Korean War veterans;

Whereas since 1975, the Republic of Korea has invited thousands of American Korean War veterans, including members of the Korean War Veterans Association, to revisit Korea in appreciation for their sacrifices;

Whereas in the 60 years since the outbreak of the Korean War, the Republic of Korea has emerged from a war-torn economy into one of the major economies in the world and one of the largest trading partners of the United States;

Whereas the Republic of Korea is among the closest allies of the United States, having contributed troops in support of United States operations during the Vietnam war, Gulf war, and operations in Iraq and Afghanistan, while also supporting numerous United Nations peacekeeping missions throughout the world;

Whereas since the end of the Korean War era, more than 28,500 members of the United States Armed Forces have served annually in the United States Forces Korea to defend the Republic of Korea against external aggression, and to promote regional peace;

Whereas North Korea's sinking of the South Korean naval ship, Cheonan, on March 26, 2010, which resulted in the killing of 46 sailors, necessitates a reaffirmation of the United States-Korea alliance in safeguarding the stability of the Korean Peninsula;

Whereas from the ashes of war and the sharing of spilled blood on the battlefield, the United States and the Republic of Korea have continuously stood shoulder-to-shoulder to promote and defend international peace and security, economic prosperity, human rights, and the rule of law both on the Korean Peninsula and beyond; and

Whereas beginning in June 2010, various ceremonies are being planned in the United States and the Republic of Korea to commemorate the 60th anniversary of the outbreak of the Korean War and to honor all Korean War veterans, including the Korean War Veterans Appreciation Ceremony in the hometown of President Harry S. Truman, which will express the commitment of the United States to remember and honor all veterans of the Korean War: Now, therefore, be it

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That Congress—

(1) recognizes the historical importance of the 60th anniversary of the outbreak of the Korean War, which began on June 25, 1950;

(2) honors the noble service and sacrifice of the United States Armed Forces and the armed forces of allied countries that served in Korea since 1950 to the present;

(3) encourages all Americans to participate in commemorative activities to pay solemn tribute to, and to never forget, the veterans of the Korean War; and

(4) reaffirms the commitment of the United States to its alliance with the Republic of Korea for the betterment of peace and prosperity on the Korean Peninsula.

The SPEAKER pro tempore. Pursuant to the rule, the gentlewoman from California (Ms. WATSON) and the gentlewoman from Florida (Ms. ROS-LEHTINEN) each will control 20 minutes. The Chair recognizes the gentlewoman from California.

GENERAL LEAVE

Ms. WATSON. Madam Speaker, I ask unanimous consent that all Members may have 5 legislative days to revise and extend their remarks and include extraneous material on the resolution under consideration.

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

There was no objection.

Ms. WATSON. Madam Speaker, I rise in strong support of this resolution, and I yield myself such time as I may consume.

Madam Speaker, last week the House passed H.J. Res. 86, a joint resolution commemorating the 60th anniversary of the Korean War. That resolution was introduced by the gentleman from New York (Mr. RANGEL) and three other distinguished veterans of the Korean War: the gentleman from Michigan (Mr. CONYERS), the gentleman from Texas (Mr. JOHNSON), and the gentleman from North Carolina (Mr. COBLE).

We had hoped that the Senate would take up and pass the House version of the joint resolution and then send it over to the President for his signature before tomorrow's Korean War commemoration in Statuary Hall. However, the other body made a number of technical corrections to their version of the joint resolution subsequent to last week's House action, and, as a result, the only viable means for us to get the joint resolution to the President in a timely fashion was for the House to take up and pass the Senate Joint Resolution, which is the legislation before us today.

Madam Speaker, I urge all of my colleagues to support this resolution, and I reserve the balance of my time.

Ms. ROS-LEHTINEN. Madam Speaker, I yield such time as he may consume to the gentleman from Indiana (Mr. BURTON), who is the ranking member on the Foreign Affairs Subcommittee on the Middle East and South Asia.

Mr. BURTON of Indiana. I thank my good friend from Florida for yielding.

I would just like to say that South Korea has been one of our greatest allies ever since the Korean War. We

worked together during the war, along with the United Nations, to stop the expansion of communism throughout that area. And ultimately, there was a resolution of the problem, although it's still kind of tenuous, when they divided Korea along the 38th parallel.

I have been over there and I have seen what's happened in Korea since the Korean War, and I have to tell you that there has never been a clearer case of freedom and democracy as opposed to a totalitarian Communist government than in Korea. In Korea, North Korea is foundering. It's under a dictator. The Communist system has created famine and a huge loss of life. The tyranny there is unbelievable. And yet you just go south of the 38th parallel and you see a blossoming country, one that has done extremely well over the past 60 years because of freedom and democracy.

I think that South Korea is one of the best allies that the United States has. And the one thing I would like to add to this little discussion today is the need for us to expand our trade relations with South Korea with a free trade agreement. That's been languishing for a long time. And I would just like to say to my colleagues that's one of the things that can enhance our relationship with South Korea, and we need to get that thing passed as quickly as possible.

With that, I would just like to say one more time, South Korea is one of our best allies in that entire region and a perfect example of where freedom and democracy really works well.

Ms. ROS-LEHTINEN. I thank my good friend from Indiana. I wholeheartedly agree with his remarks.

Madam Speaker, I yield myself such time as I may consume.

I rise in strong support of this important resolution which honors, as the inscription at the Korean War Memorial reads, our "sons and daughters who answered the call to defend a country they never knew and a people they never met."

On a predawn Sunday morning in June 1950, while the world slept and the church bells of Seoul had yet to ring, North Korea launched a sudden, unprovoked military strike on the Republic of Korea. President Harry Truman, when he received the news, immediately returned to Washington and summoned his Cabinet. Within 48 hours, the President had directed General Douglas MacArthur to undertake a vigorous defense of South Korea and her people. The rest is history, history of what has come to be known as The Forgotten War.

The conflict in Korea became the first test of the mettle of the West in confronting Communist aggression in the Cold War. Over 50,000 of the boys and young men and women of the summer of 1950 who left for Korea did not return, including over 33,000 who fell in combat. In the sweltering heat of that summer, in the monsoon rains, on the windswept expanse of the Yalu River,

and in the bloody withdrawal from the icy Chosin Reservoir the following winter, they gave, in some cases, their last full measure of devotion.

Names like Heartbreak Ridge, Pork Chop Hill, Gloucester Valley, where British, Belgian, and Philippine troops joined with their American comrades in arms, echo down to us in the slowly fading memories of aging warriors.

Were their great sacrifices worth the cost, worth the blood, sweat, and tears of the boys of summer of 1950? One only has to look at the faces of those living in freedom in South Korea. One only has to look at the gleaming towers of the bright skyline of Seoul in contrast to the darkness, the impoverishment, and the fear that lies north of the 38th parallel to say thank God for those brave men and women who risked all to save so many from Communist oppression.

□ 1320

However, we were unable to help save them all. One need only reflect on the huddled refugees, crossing the vastness of China on the underground "Seoul train."

One need only think of the young North Korean women, escaping the hopelessness of sexual bondage in China for freedom in South Korea, to know that those who answered Harry Truman's call truly made a difference.

I was a proud sponsor of the reauthorization of the North Korean Human Rights Act during the last Congress to help address some of those issues.

Today, dark clouds hang once again over the Korean peninsula. The vibrant economy and flourishing democracy of a South Korea which had risen from the ashes of war is again under the threat of the tyrannical and belligerent north.

In March, in a clear violation of the armistice agreement, North Korea launched another sudden, unprovoked attack, torpedoing a South Korean naval vessel and murdering 46 young South Korean sailors. And Pyongyang's provocation is not limited to military strikes. In actions which are clearly those of a state sponsor of terrorism, North Korea sent a hit squad of agents to Seoul to assassinate a leading dissident and attempted to ship weapons via Bangkok to designated terrorist organizations Hamas and Hezbollah.

Madam Speaker, now is the time for our President to show some of the mettle that defined our Nation 60 years ago and stand up to the North Koreans by redesignating their country as a state sponsor of terrorism. Our South Korean, Japanese, and Israeli allies are depending on us to help shield them from North Korean provocations and weapons of mass destruction.

In the crisis on the Korean peninsula, Beijing has played a cynical game, calling for denuclearization of the Korean peninsula on one hand, and shielding its North Korean cronies on the other hand. Beijing even had the au-

dacity to publicly warn South Korea not to let the aircraft carrier USS *George Washington* enter waters lying between the Korean peninsula and China for a proposed joint U.S.-South Korean naval exercise.

Well, we have news for Beijing: If you don't want the USS *George Washington* in your backyard, then you had better rein in the bullies in Pyongyang.

Another sterling legacy of the Forgotten War is the vibrant Korean American community. Immigrants from Korea over the past six decades have contributed immeasurably to the American mosaic, impacting positively this Nation's economic, educational, scientific, and cultural life. Economic and trade ties have also boomed between our two countries in the decades since the war, ties which could be greatly invigorated by prompt congressional action on the proposed free trade agreement with South Korea.

Thus, it is perfectly clear that the world is a better place because of the heroism in Korea of the Boys of Summer 60 years ago this month. The 60th anniversary of the outbreak of war in Korea is an appropriate time to demonstrate that we continue to stand with our South Korean allies. The people of South Korea should be assured that we stood with you in the summer of 1950; we stood with you during the recent Cheonan crisis; and we shall stand with you until the day of peaceful reunification with your abused and besieged brethren in the north.

Madam Speaker, I strongly and enthusiastically urge my colleagues to support this joint resolution.

I reserve the balance of my time.

Ms. WATSON. Madam Speaker, I want to thank my colleague for her strong support and giving us the background for which this resolution was introduced.

I have the largest Korean, South Korean, community in the United States in my district, all of Koreatown; and they are struggling with the challenge ahead of them. We are there behind them to support them, and I want you to know in August I will be going to Korea. I invite my colleague to go with us if she can spare the time. What we do, we spread good will and let the South Koreans know how appreciative we are with them coming here to America. And particularly in Los Angeles, with their stimulating and vigorous entrepreneurship, they have added so much to the culture, and that added value makes us a little stronger. I hope that we can return the favor to add value to South Korea.

Mr. MANZULLO. Madam Speaker, as the senior Republican on the Asia Subcommittee of the House Foreign Affairs Committee, I rise in support of recognizing the 60th anniversary of the Korean War and reaffirming the U.S.-Korea alliance. During this time of anxiety on the Korean peninsula, it is critical that Congress sends a bipartisan message of solidarity with our friends in South Korea.

The Korean War started on June 25, 1950, when communist North Korean forces crossed

the infamous 38th Parallel in the attempt to force South Korea to submit to their regime. The U.S. and other allied nations successfully stopped and reversed the invasion by pro-communist forces but at a high cost—over 54,000 American deaths. It led to a divided peninsula that is still with us today.

However, the 1953 Armistice agreement allowed a pocket of freedom to bloom. South Korea is now a fully-fledged democracy, with competitive, freely held elections. In addition, South Korea is now the world's 14th largest economy. Three years ago, I had the honor of hosting the South Korean Ambassador in northern Illinois. I was impressed with his quest to personally thank and honor as many Korean War veterans as possible for their service and sacrifice.

Unfortunately, South Korea is once again threatened with war from the North if the United Nations reprimands North Korea for sinking a South Korean warship. This is outrageous. The U.N. should not be intimidated by such bellicose rhetoric. That is why this resolution is so important to reaffirm our commitment to the alliance with the Republic of Korea for the betterment of peace and prosperity in the Korean peninsula. I urge my colleagues to support S.J. Res. 32.

Ms. ROS-LEHTINEN. Madam Speaker, I have no further requests for time, and I yield back the balance of my time.

Ms. WATSON. Madam Speaker, I have no further requests for time, and I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentlewoman from California (Ms. WATSON) that the House suspend the rules and pass the joint resolution, S.J. Res. 32.

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

A motion to reconsider was laid on the table.

RECOGNIZING 50TH ANNIVERSARY OF UNITED STATES-JAPAN TREATY OF MUTUAL COOPERATION AND SECURITY

Ms. WATSON. Madam Speaker, I move to suspend the rules and agree to the resolution (H. Res. 1464) recognizing the 50th anniversary of the conclusion of the United States-Japan Treaty of Mutual Cooperation and Security and expressing appreciation to the Government of Japan and the Japanese people for enhancing peace, prosperity, and security in the Asia-Pacific region.

The Clerk read the title of the resolution.

The text of the resolution is as follows:

H. RES. 1464

Whereas January 19, 2010, marked the 50th anniversary of the signing of the United States-Japan Treaty of Mutual Cooperation and Security which has played an indispensable role in ensuring the security and prosperity of both the United States and Japan, as well as in promoting regional peace and stability;

Whereas the United States-Japan Treaty of Mutual Cooperation and Security, a cornerstone of United States security interests in the Asia-Pacific region in general and of the United States-Japan alliance, specifically, entered into force on June 23, 1960;

Whereas the robust forward presence of the United States Armed Forces in Japan, including in Okinawa, provides the deterrence and capabilities necessary for the defense of Japan and for the maintenance of Asia-Pacific peace, prosperity, and regional stability;

Whereas the United States-Japan alliance has allowed the United States and Japan to become the world's two largest economies, with Japan occupying the position of the United States fourth-largest trading partner;

Whereas the United States-Japan alliance has encouraged Japan to play a larger role on the world stage and make important contributions to stability around the world;

Whereas the United States-Japan alliance is based upon shared values, democratic ideals, free markets, and a mutual respect for human rights, individual liberties, and the rule of law;

Whereas the hosting by Japan of approximately 36,000 members of the United States Armed Forces has been a source of stability for both Japan and the Asia-Pacific region;

Whereas, on May 1, 2006, the United States-Japan Roadmap for Realignment Implementation (hereinafter referred to as "the Roadmap") was approved in which Japan agreed to provide \$6,090,000,000 including \$2,800,000,000 in direct cash contributions, for projects to develop facilities and infrastructure on Guam for the relocation of approximately 8,000 III Marine Expeditionary Force (MEF) personnel and their approximately 9,000 dependents from Okinawa to Guam;

Whereas the Roadmap will lead to a new phase in alliance cooperation and reduce the burden on local communities, especially those on Okinawa, thereby providing the basis for enhanced public support for the United States-Japan alliance;

Whereas the Guam International Agreement, signed by Secretary of State Hillary Rodham Clinton and then-Japanese Foreign Minister Hirofumi Nakasone on February 17, 2009, reinforces the May 2006 Roadmap to realign the United States Armed Forces in Japan and strengthen the alliance;

Whereas, on May 28, 2010, the United States-Japan Security Consultative Committee (SCC) reaffirmed its commitment to the 2006 Roadmap and the February 17, 2009, Guam International Agreement for the realignment of the United States Armed Forces in Japan;

Whereas the United States-Japan security arrangements underpin cooperation on a wide range of global and regional issues as well as foster prosperity in the Asia-Pacific region;

Whereas Japan has contributed significantly to the stabilization of South Asia with a pledge in November 2009 to provide \$5,000,000,000 in economic assistance to Afghanistan over the next 5 years, becoming the second largest international contributor to Afghanistan, and with a pledge in April 2009 to provide \$1,000,000,000 to Pakistan over the next 2 years;

Whereas in 2010, Japan's Maritime Self Defense Force is sending a ship to Vietnam and Cambodia from May until July to participate in the United States Navy's Pacific Partnership, an annual medical aid mission aimed at enhancing Asia-Pacific countries' capabilities in disaster relief, extending medical support, and carrying out cultural exchanges;

Whereas the Government of Japan provided rapid and selfless humanitarian aid to the Republic of Haiti, including sending a

Japan Self Defense Force unit to carry out disaster relief activities, specifically medical activities, with regard to the earthquake of January 2010;

Whereas North Korea's escalating missile and nuclear programs present a direct and imminent threat to Japan, including long-range missiles fired over northern Japan on August 31, 1998, and April 5, 2009;

Whereas Japan has been a staunch ally in United States diplomatic efforts to denuclearize North Korea, having moved forward United Nations Security Council Resolution 1718 during Japan's Presidency of the United Nations Security Council in October 2006; and

Whereas North Korea's abduction of innocent Japanese civilians during the 1970s and 1980s represents a continuing tragedy for the victims and their family members and must remain a major human rights concern of the United States Government: Now, therefore, be it

Resolved, That the House of Representatives—

(1) recognizes Japan as an indispensable security partner of the United States in providing peace, prosperity, and stability to the Asia-Pacific region;

(2) recognizes that the broad support and understanding of the Japanese people are indispensable for the stationing of the United States Armed Forces in Japan, the core element of the United States-Japan security arrangements that protect both Japan and the Asia-Pacific region from external threats and instability;

(3) expresses its appreciation to the people of Japan, and especially on Okinawa, for their continued hosting of the United States Armed Forces;

(4) encourages Japan to continue its international engagement in humanitarian, development, and environmental issues; and

(5) anticipates another 50 years of unshakeable friendship and deepening cooperation under the auspices of the United States-Japan Treaty of Mutual Cooperation and Security.

The SPEAKER pro tempore. Pursuant to the rule, the gentlewoman from California (Ms. WATSON) and the gentlewoman from Florida (Ms. ROS-LEHTINEN) each will control 20 minutes. The Chair recognizes the gentlewoman from California.

GENERAL LEAVE

Ms. WATSON. Madam Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks and include extraneous material on the resolution under consideration.

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

There was no objection.

Ms. WATSON. Madam Speaker, I rise in strong support of this resolution, and I yield myself such time as I may consume.

This resolution commemorates the 50th anniversary of the United States-Japan Treaty of Mutual Cooperation and Security, which entered into force on June 23, 1960. This treaty formed the basis for the presence of U.S. Armed Forces in Japan, which has contributed to Japan's security and prosperity and to regional peace and stability.

Our alliance with Japan has advanced American interests by ensuring a stable balance of power in the Asia-

Pacific region, providing a platform for managing tensions on the Korean peninsula and serving as a means to enlist Japan's cooperation on regional and global security issues.

For example, Japan is the second largest international contributor to Afghanistan, pledging \$5 million in economic assistance over the next 5 years.

□ 1330

Japan sent rapid humanitarian aid to Haiti, and the Japanese Self-Defense Force provided medical relief following the earthquake there this past January.

Japan to this day remains a steadfast ally with the United States in combating the nuclear threat from North Korea and responding to the North's provocative behavior.

The success of our alliance with Japan would not have been possible without Japan's broad support and understanding, and I would like to thank the Government of Japan and the Japanese people, and especially the people of Okinawa where I taught for 2 years, for their continued hosting of American Armed Forces in Japan. I taught the children of these Armed Forces.

While Japan is an important partner and friend and we agree on many important issues, there is one important matter on which we disagree: the issue of American children taken to Japan by one parent against the wishes of the other parent. This issue is a very real and serious concern for those left-behind parents and for those of us representing them here in Congress. It is imperative that our two governments create the best possible situation for these tragic cases to be resolved, not only for the sake of those families but to ensure that U.S.-Japan relations continue on a positive trajectory.

As we commemorate this week the 50th anniversary of our alliance with Japan, we know that the importance of this alliance remains as vital as ever, even if the treaty's original Cold War backdrop has long faded from view. We only have to look at North Korea's belligerent actions over the past few years to be reminded of the relevance of the U.S.-Japan security treaty. Now is the right time to pursue an ambitious, forward-looking agenda to ensure that the fundamentals of the alliance remain in place and to expand our security cooperation to meet the many challenges of the 21st century.

I would like to thank my friend, the distinguished gentlewoman from Florida (Ms. ROS-LEHTINEN), the ranking member of the House Committee on Foreign Affairs, for introducing this resolution, and I urge all of my colleagues to support this legislation.

Madam Speaker, I reserve the balance of my time.

Ms. ROS-LEHTINEN. Madam Speaker, I yield myself such time as I may consume.

I rise in support of this resolution recognizing the mutual benefits for the United States and Japan of a treaty

which went into effect exactly 50 years ago today. The Asia Pacific region was a dangerous neighborhood a half a century ago. The United States and our allies had just fought the first hot battles of the Cold War on the Korean peninsula. Tensions were high in the Taiwan Strait, and the war in Vietnam was just then emerging on the horizon.

A half century later, Asia, while now the prosperous trading hub of the world, is still dangerous. One need only look to the recent torpedoing of a South Korean naval vessel by a reckless North Korea to recognize that the Asia Pacific region is not yet truly pacific.

Through all the perils in the Pacific, the United States-Japan Treaty of Mutual Cooperation and Security has stood as a cornerstone of a continued regional peace and prosperity. None of this would be possible without the contribution of the people of Japan, and especially those on Okinawa, through their continued hosting of our proud U.S. Armed Forces.

The smooth transition from bitter adversaries to full partners is a tribute to the resiliency and the farsightedness of two peoples on opposite sides of the Pacific: the people of the United States and the people of Japan. The recent reaffirmation of the commitment to full implementation of the 2006 Roadmap and the Guam International Agreement for realignment of U.S. Armed Forces in Japan is a concrete step forward in cementing this crucial alliance.

The mutual cooperation promised in the treaty 50 years ago, however, extends far beyond the Japanese islands. When the U.S. looked for partners in dealing with the aftermath of the devastating earthquake in Haiti earlier this year, Japan's Self-Defense Forces were there working with their American counterparts.

On the critical issue of the stabilization of the volatile situation in South Asia, Japan has been a generous contributor in economic assistance to both Afghanistan and Pakistan. And Japan has been a stalwart ally in our U.S. efforts to end the proliferation of nuclear weapons and missile technology by the reckless regime in Pyongyang.

Both within the United Nations and during the Six-Party process in Beijing, Japan has stood shoulder-to-shoulder with its American ally in opposing continued North Korean nuclear brinksmanship. North Korean threats and aggression continue. We should immediately re-list North Korea as a state sponsor of terrorism. This is both because of Pyongyang's past abductions of Japanese citizens and because of North Korea's continued links to terrorist groups like Hezbollah and Hamas. There is no greater signal that this administration can send to the Japanese people in this treaty anniversary year than acting expeditiously to hold North Korea fully accountable for such terrorist activities.

I join in the anticipation expressed in this resolution of another 50 years of

unshakable friendship and deepening cooperation with the people of Japan.

Mr. JOHNSON of Georgia. Madam Speaker, I rise today to express my support for H. Res. 1464, which recognizes the 50th anniversary of the conclusion of the United States-Japan Treaty of Mutual Cooperation and Security, and expresses appreciation to the Japanese government and people for their contribution to peace, prosperity and security in the Asia-Pacific area of the world. I am proud of the legacy of this treaty, which has enabled the U.S. and Japan to establish and maintain an alliance that has been vital to the stability of the Asia-Pacific region and the economic strength of both parties. Fifty years after the signing of the treaty, the U.S. can count Japan among its foremost allies.

Looking back at the American-Japanese relationship over the last century, the distance our nations have come from the wartime hostility of the 1940s and the tensions of the 1950s is praiseworthy and inspirational. Today, Japan is the fourth-largest trading partner of the U.S., and the security and support the U.S. has provided to Japan have enabled greater Japanese participation in humanitarian, economic, and environmental issues at home and abroad.

As the Japanese government takes commendable action toward the denuclearization of North Korea, it is important that the U.S. continue to aid Japan and its neighbor states in their stand against the North Korean regime. Japan has also shown exemplary leadership in the Asia-Pacific region, contributing generously to earthquake relief efforts in Haiti, economic programs in Afghanistan, and the U.S. Navy's Pacific Partnership.

As the world's two largest economic powerhouses and staunch military allies, Japan and the U.S. have profited immeasurably from the past 50 years of the Treaty of Mutual Cooperation and Security. I look forward to the future of the partnership of our two nations, with high hopes for what we can accomplish together.

I urge my colleagues to support this important resolution.

Ms. EDDIE BERNICE JOHNSON of Texas. Madam Speaker, I rise today in support of the resolution recognizing the 50th anniversary of the conclusion of the United States-Japan Treaty of Mutual Cooperation and Security and expressing appreciation to the Government of Japan and the Japanese people for enhancing peace, prosperity, and security in the Asia-Pacific region.

The U.S.-Japan alliance has been tremendously beneficial to our two nations. It has affirmed our shared values and bolstered peace and stability in the Asia-Pacific region. This year, on the 50th anniversary of the establishment of the United States-Japan Treaty of Mutual Cooperation and Security, we have the chance to celebrate all our two nations have achieved and all we will achieve in the future.

Since its inception, the U.S.-Japan alliance has had to deal with an increasingly unpredictable global security landscape. Throughout decades of Cold War to more recent terrorist threats, our alliance has remained strong. This lends a context of security that has allowed the Asia-Pacific region to thrive. Thanks to this important alliance, we can anticipate greater international cooperation in the future, both within Asia and between Asia and the U.S.

Another reason our alliance with Japan has been and continues to be so effective is that

it is supported by our two countries' common democratic and humanitarian values. In 2009, both Japan and the U.S. ranked among the top five nations providing foreign aid. In honoring what this alliance has done for both our great nations, we are also reiterating our commitment to provide needed humanitarian relief in the Asian-Pacific region and all over the world.

Madam Speaker, I am proud to support this resolution honoring our alliance with Japan and expressing our heartfelt thanks to the government of Japan and the Japanese people.

Mr. MCMAHON. Madam Speaker, I rise today to support H. Res. 1464, a Resolution recognizing the 50th anniversary of the United States-Japan Treaty of Mutual Cooperation and Security and expressing appreciation to the Government of Japan and the Japanese people for enhancing peace, prosperity, and security in the Asia-Pacific region.

For over 50 years, Japan has served as one of our most dependable and consistent allies. The nation has hosted over 36,000 members of the United States Armed Forces, promoting regional stability and security in the Asia-Pacific region. Japan has been a staunch supporter in our efforts to denuclearize North Korea. The nation has recently emerged as a proactive force in rebuilding third world countries in efforts to curtail the influence of terror cells. In November of 2009, Japan pledged over six billion dollars in economic assistance to Pakistan and Afghanistan in support of our missions in those countries. This special alliance has allowed Japan to establish a prominent role in the global community, further contributing to regional and global stability.

The U.S.-Japan alliance has bolstered both nations, making them two of the world's largest and most influential economies. Mutual cooperation has made Japan our fourth-largest trading partner. Apart from strengthening trade with the U.S., Japan has aided our international initiatives as well. Japan provided over six billion dollars to Guam to develop infrastructure and facilities. This valuable ally supports not only our economy, but those of our allies as well.

I am pleased with what Japan has grown to represent. Japan is a beacon of democratic thought and practice in the Asia-Pacific region. The Japanese government shares our ideals, values, and commitment to civil liberties. Despite the constant challenges facing the international community and the region, Japan has held steadfast in her commitment to egalitarian values and world peace.

Madam Speaker, I urge my colleagues in the House of Representatives to join me today in recognizing and supporting our continuing alliance by supporting this Resolution.

Mr. MANZULLO. Madam Speaker, I rise in support of recognizing the 50th anniversary of the U.S.-Japan Treaty of Mutual Cooperation and Security. This agreement laid the cornerstone for reintegrating Japan into the community of free nations and helped insure Japan's long-term security and prosperity. It also resulted in formerly establishing an alliance that facilitates the forward deployment of about 36,000 U.S. troops and other U.S. military assets in the Asia-Pacific to undergird U.S. national security strategy in the region. Too many times, we take our friends for granted. It wasn't obvious 50 years ago that this agreement would pass the Japanese Diet. But on June 19, 1960, this agreement became operational after much boisterous opposition.

Thus, it is appropriate that the House recognize and thank our Japanese friends for the role this agreement has played in advancing peace, prosperity, and security in the Pacific Rim. It allowed a country devastated by war to eventually become the fourth largest economy in the world and the fourth largest export market for U.S. products.

I deeply appreciate and value our strategic and economic relationship with Japan. Despite the change in the Japanese government, this agreement still remains as a cornerstone of our relationship. I was greatly honored that the Japanese Ambassador paid a visit to northern Illinois last April where we saw first-hand the role that Japanese foreign investment played in saving many jobs in this region, such as the Nissan forklift manufacturing facility in Marengo. We also examined possible new opportunities for trade and investment.

I want to commend my ranking Member, Representative ROS-LEHTINEN, for bringing this resolution to the floor today. I urge my colleagues to support H. Res. 1464.

Ms. ROS-LEHTINEN. Madam Speaker, I have no further requests for time, and I yield back the balance of my time.

Ms. WATSON. Madam Speaker, I have no further requests for time, and I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentlewoman from California (Ms. WATSON) that the House suspend the rules and agree to the resolution, H. Res. 1464.

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. WATSON. Madam 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.

REAFFIRMING FRIENDSHIP AND ALLIANCE BETWEEN THE UNITED STATES AND COLOMBIA

Ms. WATSON. Madam Speaker, I move to suspend the rules and agree to the resolution (H. Res. 1465) reaffirming the longstanding friendship and alliance between the United States and Colombia.

The Clerk read the title of the resolution.

The text of the resolution is as follows:

H. RES. 1465

Whereas nearly 15,000,000 Colombians participated in the first round of Colombia's presidential elections on May 30, 2010;

Whereas no candidate received an outright majority of the vote, thereby requiring a runoff election between Juan Manuel Santos and Antanas Mockus, the two candidates with the highest vote totals;

Whereas Juan Manuel Santos, of the National Unity Party, received 46.7 percent of

the votes and Antanas Mockus, of the Green Party, received 21.5 percent of the votes;

Whereas in the second round on June 20, 2010, Juan Manuel Santos received 69 percent of the votes and was thereby declared President-elect of Colombia;

Whereas Colombia has overcome tremendous challenges to build their democracy; and

Whereas Colombia remains a vital ally and friend of the United States: Now, therefore, be it

Resolved, That the House of Representatives—

(1) reaffirms the longstanding friendship and alliance between the United States and Colombia;

(2) recognizes Colombia's commitment to the democratic process as demonstrated by the free and fair nature of these multiparty, internationally recognized elections; and

(3) congratulates President-elect Juan Manuel Santos on his recent victory in Colombia's June 20, 2010, presidential election.

The SPEAKER pro tempore. Pursuant to the rule, the gentlewoman from California (Ms. WATSON) and the gentlewoman from Florida (Ms. ROS-LEHTINEN) each will control 20 minutes.

The Chair recognizes the gentlewoman from California.

GENERAL LEAVE

Ms. WATSON. Madam Speaker, I ask unanimous consent that all Members may have 5 legislative days to revise and extend their remarks and include extraneous material on the resolution under consideration.

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

There was no objection.

□ 1340

Ms. WATSON. Madam Speaker, I rise in strong support of this resolution, and I yield myself such time as I may consume.

Madam Speaker, last month, Colombia held the first round of their presidential elections. In an outcome that surprised many observers, the Green Party and the National Unity Party both failed to receive an outright majority of the votes, so a runoff was required this past Sunday. Over 13 million Colombians participated in the second round, with former Defense Minister Juan Manuel Santos receiving 69 percent of the vote and becoming the President-elect of Colombia.

With this resolution, the House of Representatives honors the Colombian people and their commitment to democracy. Since gaining its independence from Spain in 1819, Colombia has remained democratic, sometimes as an outlier in this region. We applaud the free and fair nature of these multiparty, internationally recognized elections.

Colombia is not without problems, some of them significant. The human rights situation in Colombia leaves much to be desired, and Colombia has over 3 million internally displaced people, second in the world only to Sudan as a result of its long struggles with armed groups that the United States and most of the world considers terrorists. While these issues must remain on

the front burner of our common agenda, it is important to recognize that Colombia remains an important friend and ally of the United States, and their resilience in the long hemispheric battle against narcotrafficking is worthy of respect and admiration.

As we congratulate President-elect Juan Manuel Santos on this victory in Colombia's June 20, 2010, presidential election, we have every expectation that he and his new administration will continue the tradition of a strong relationship with the United States.

Madam Speaker, I urge my colleagues to support this resolution.

I reserve the balance of my time.

Ms. ROS-LEHTINEN. Madam Speaker, I yield 3 minutes to my good friend, the gentleman from Florida (Mr. MARIO DIAZ-BALART), a member of the Budget, Science and Technology, and Transportation Committees.

Mr. MARIO DIAZ-BALART of Florida. I thank the ranking member of the Foreign Affairs Committee from my Florida delegation, Congresswoman ILEANA ROS-LEHTINEN, for yielding.

I rise to strongly support this important resolution. This past Sunday, as we have just heard, 20 million of Colombia's citizens turned out to the polls and elected former Defense Minister Juan Manuel Santos as President with a resounding 69 percent of the vote. And yet the true champion and the true winners of this presidential election were who? The Colombian people and democracy as a whole were the winners and, yes, the United States of America, because the Colombian people not only elected someone who I know will lead them with brilliance, but also a person who understands the special ties between Colombia and the United States of America.

Madam Speaker, words are important, but so are actions. It is now also time—yes, we have to pass this important resolution, but we also have to bring forward to this House the free trade deal with Colombia that has been lingering and just waiting for congressional action.

Colombia is a strong ally, they've done everything right. The people have once again spoken—with huge numbers—and supported a person who again has been pushing for the free trade deal just like his predecessor, the current President of Colombia, President Uribe, who again has demonstrated great leadership.

It's time that we bring up the free trade deal, it's time that we passed the free trade deal, it's time that not only do we shower Colombia with kind words, but that we show with our action, this Congress, that we do care for democracy, that we understand that we have to support our allies, none more important than Colombia. It's time to pass the free trade deal with Colombia, and in the meantime, I urge your support of this important resolution.

Ms. WATSON. Madam Speaker, I have no further requests for time, and I reserve the balance of my time.

Ms. ROS-LEHTINEN. Madam Speaker, I am pleased to yield 2 minutes to the gentleman from Kansas (Mr. MORAN), the ranking member on the Agriculture Subcommittee on General Farm Commodities and Risk Management.

Mr. MORAN of Kansas. I thank the gentlewoman from Florida for yielding.

I traveled to Colombia in April of 2008 to see our U.S.-Colombia partnership at work. Colombia has overcome many, many challenges and more remain, and it's essential that the United States continue a positive relationship with this critical ally in South America.

While it's good we're here today to discuss and pass this nonbinding resolution in support of Colombia, the better way to show our support for the Colombian people is to approve a still pending—4 years now—trade agreement. It has been nearly 4 years since the FTA, the free trade agreement, was signed, and yet Congress has failed to act. The longer we wait to approve the free trade agreement, the more we alienate this important ally and harm the American economy.

Currently, over 90 percent of Colombian goods enter our country duty free, but U.S. goods, including wheat and other agriculture commodities, are assessed at significant tariffs upon their entry to Colombia. If the Colombian Free Trade Agreement was approved, duties on U.S. wheat would immediately be eliminated, creating new opportunities for wheat exports.

It's harvest time in Kansas, and new market access is critical for Kansas wheat farmers who are encountering growing wheat supplies and declining prices. Unable to move wheat on the world market, grain elevators are dropping cash prices paid to our local farmers.

I support this resolution, but it is not a substitute for what we ought to be doing, approving the U.S.-Colombia Free Trade Agreement.

Ms. ROS-LEHTINEN. Madam Speaker, I am so honored to yield 2 minutes to the gentleman from Texas (Mr. BRADY), the ranking member on the House Ways and Means Subcommittee on Trade who has been a proud proponent of passing the U.S.-Colombia Free Trade Agreement.

Mr. BRADY of Texas. I thank the gentlelady for her leadership and for yielding.

I want to congratulate the Colombian people and President-elect Santos on a successful and democratic election. Madam Speaker, I would like to enter into the RECORD this editorial from The Washington Post calling on the administration and congressional Democrats to support the incoming Santos administration by acting on the U.S.-Colombia Trade Promotion Agreement.

President-elect Santos will continue the great work done by President Uribe to strengthen the rule of law and improve the lives of all Colombians. Co-

lombian workers are safer now than ever before. Despite this progress, Colombia faces real challenges. Venezuela has imposed a trade embargo because of Colombia's strong support for the United States, severely damaging the Colombian economy. We have a powerful tool to help Colombia weather the embargo, the U.S. Free Trade Agreement with Colombia. With this agreement, the United States would provide both economic and political support for a truly democratic government and a longstanding ally. Unfortunately, Democrats in Congress have denied us even the opportunity for a simple up-or-down vote on the agreement. But other countries aren't standing still. They are reaching agreements with Colombia, racing ahead to put their workers and their businesses ahead of ours. Just yesterday, the Canadian Legislature ratified the Canada-Colombian Trade Agreement. That agreement could go into effect in just a few months. Colombia is negotiating agreements with Europe, Panama, and South Korea, as a result, American workers are falling behind.

There is no credible reason to oppose the U.S.-Colombia Trade Agreement. It levels the playing field for American workers, creating over \$1 billion in new U.S. sales to Colombia. The bill imposes stronger labor protections for Colombian workers, which is why thousands of union workers in Colombia support the agreement. And it demonstrates America's commitment to a valuable and longstanding ally.

The administration says it wants to increase U.S. exports, create jobs, and ensure strong U.S. foreign policy, but none of this is credible while it ignores the U.S.-Colombia Trade Promotion Agreement and does not make it ready for a vote in Congress.

[From the Washington Post, Tuesday, June 22, 2010]

WILL WASHINGTON TREAT COLOMBIA'S SANTOS AS AN ALLY?

Juan Manuel Santos has demonstrated that pro-American, pro-free-market politicians still have life in Latin America. Mr. Santos, who romped to victory in Colombia's presidential runoff on Sunday, has no interest in courting Iran, unlike Brazil's Luiz Ignácio Lula da Silva. He has rejected the authoritarian socialism of Venezuela's Hugo Chávez. A former journalist with degrees from the University of Kansas and Harvard, he values free media and independent courts. His biggest priority may be ratifying and implementing a free-trade agreement between Colombia and the United States.

So the question raised by Mr. Santos's election is whether the Obama administration and Democratic congressional leaders will greet this strong and needed U.S. ally with open arms—or with the arms-length disdain and protectionist stonewalling to which they subjected his predecessor, Alvaro Uribe.

Mr. Uribe will leave office in August as one of the most successful presidents in modern Latin American history, though you would never know it from listening to his critics in Washington. He beefed up Colombia's army and economy, and smashed the terrorist FARC movement; murders have fallen by 45 percent and kidnappings by 90 percent during

his eight years in office. Though most Colombians wanted him to remain in power, he bowed to a Supreme Court ruling against a referendum on a third term—which means that unlike Mr. Chávez, he will leave behind a strong democratic system.

Colombia has nevertheless been treated more as an enemy than friend by congressional Democrats, who have steadily reduced U.S. military aid and worked assiduously to block the free-trade agreement Mr. Uribe negotiated with the Bush administration. The Obama administration, which has courted Mr. Lula and sought to improve relations with Venezuela and Cuba, has been cool to Colombia, recommending another 11 percent reduction in aid for next year and keeping the trade agreement on ice.

Mr. Santos's election offers an opportunity to revitalize the relationship. As defense minister, he demonstrated a commitment to addressing the human rights concerns that troubled some in Congress. He has pledged to seek better relations with both Venezuela and Ecuador, despite the material support those countries have provided to the FARC.

Ratification of the free-trade agreement would serve the administration's stated goal of boosting U.S. exports while bolstering a nation that could be an anchor for democracy and political moderation in the region. It would also allow the administration and Congress to demonstrate that friends of the United States will be supported and not scorned in Washington.

Ms. ROS-LEHTINEN. Madam Speaker, I yield myself such time as I may consume.

Madam Speaker, I rise today as the proud author of the resolution before us, House Resolution 1465, which reaffirms the longstanding friendship and the deep alliance between the United States and Colombia.

□ 1350

Furthermore, it recognizes our shared commitment to democracy, and it congratulates Juan Manuel Santos as President-elect of Colombia.

In Colombia, we have seen the impossible become possible. Once under siege by extremist groups and drug cartels, the people of Colombia and its government have transformed a dark past into a promising bright future. The recent Presidential elections in Colombia are a testament to this progress and demonstrate the confidence that the people of Colombia have in President-elect Santos. Receiving 69 percent of the vote, President-elect Santos has a clear mandate to continue much of the progress seen under President Uribe.

Following his victory on Sunday, President-elect Santos said, "Colombia is leaving its nightmare. The FARC's time has run out. No more useless confrontations, no more divisions. The time has arrived for union. The time has arrived for work, employment and entrepreneurialism."

Juan Manuel Santos' professed commitment to the values of freedom and demonstrated ability to stand up to extremists stands in stark contrast to the tyrannical and destabilizing agendas of dictators in the region. Further, the free and fair nature of the multiparty, internationally recognized Presidential election in Colombia serves as an important reminder to

some in the region of what a real and genuine democratic electoral process really looks like.

With elections scheduled soon in Venezuela and Nicaragua, we have already seen both Hugo Chavez and Daniel Ortega pulling out all the stops to question their opposition. From the media to the courts, Chavez and Ortega have no shame in their abject dismissal of the democratic processes in their countries. However, as critical as it is to call out those who affront the principles of a democratic society, it is equally important to recognize those who embrace them, which is why we are here today, Madam Speaker, standing in support of House Resolution 1465.

Colombia represents to many the light at the end of the tunnel. Colombia shows that, with hard work, determination and a commitment to fundamental freedoms, a democracy can flourish no matter what the odds. Instead of falling into a deep division, Colombia is ascending the peak of freedom and democracy. I have no doubt that the vital alliance between our country and Colombia is poised to become ever closer and more successful than ever under the leadership of President-elect Santos, and I remain ever hopeful that this alliance will soon include the passage of the U.S.-Colombia Free Trade Agreement.

Colombia has enormous potential for U.S. businesses, especially in my home State of Florida. Miami had nearly \$6 billion in total trade with Colombia last year alone. Signed nearly 4 years ago, the FTA is one of the easiest, most obvious steps that Congress can take to expand these important economic ties.

We can ask for no better partner or trusted ally than the people of Colombia. Its commitment to the democratic process, as demonstrated by this weekend's free, fair, and transparent election, shows what can be accomplished when the basic tenets of liberty are afforded to the people of a nation.

In closing, Madam Speaker, I would like to congratulate President-elect Santos on this momentous occasion, and once again, I would like to recognize the unbreakable ties between the people of the United States and Colombia.

I am so pleased to yield 2 minutes to the gentleman from Texas—they only come that way in Texas—Judge POE, an esteemed member of our Committee on Foreign Affairs.

Mr. POE of Texas. I thank the gentleman from Florida for yielding some time.

Madam Speaker, this is an important resolution. It puts the United States on record as to where we stand in our part of the world when it comes to democracy and in supporting our allies. Colombia is an ally of the United States.

When I was in Colombia in April, down in the jungle with the narcotics police—with General Patino—helping and watching how they fight the cartels and FARC, I learned from the Co-

lombians that they like Americans, not just their government but the people of Colombia. Yet that is not universally true in South America. There are a lot of folks who don't care much for the United States, but the Colombian people are our allies, not only politically, but also, they like Americans for who we are. They support us, and we should support them.

It was a good day for democracy when President Santos was elected this past weekend. We should show Colombia and the rest of the world that we support this democracy in South America. We should also support the Colombian-American Free Trade Agreement. This is an important agreement to show that we mean business in supporting another democracy. Rather than talking about trading with the Chinese, we ought to talk about trading with democracies. This is one of those democracies, and it is being stalled for political reasons.

We need to support this. We need to pass it through this House and to make sure that the Colombians know that we mean, in word and deed, that they are our ally, especially our ally in free trade. So I commend this resolution. We must make sure that we support democracy anywhere it occurs in the world, and we must support freedom as well. Let's move a step forward, and let's move forward with the free trade agreement with our friends, our allies, and our neighbors in Colombia.

Ms. ROS-LEHTINEN. Madam Speaker, I thank my good friend from Texas.

I have no further requests for time, Madam Speaker, and I yield back the balance of my time.

Ms. WATSON. Madam Speaker, I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from California (Ms. WATSON) that the House suspend the rules and agree to the resolution, H. Res. 1465.

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.

CALLING FOR RELEASE OF ISRAELI SOLDIER BY HAMAS

Mr. ACKERMAN. Madam Speaker, I move to suspend the rules and agree to the resolution (H. Res. 1359) calling for the immediate and unconditional release of Israeli soldier Gilad Shalit held captive by Hamas, and for other purposes, as amended.

The Clerk read the title of the resolution.

The text of the resolution is as follows:

H. RES. 1359

Whereas Congress previously expressed its concern for missing Israeli soldiers in Public Law 106-89 (113 Stat. 1305; November 8, 1999), which required the Secretary of State to raise the status of missing Israeli soldiers

with appropriate government officials of Syria, Lebanon, the Palestinian Authority, and other governments in the region, and to submit to Congress reports on those efforts and any subsequent discovery of relevant information;

Whereas the House of Representatives passed H. Res. 107 on March 13, 2007, regarding Gilad Shalit and other Israeli soldiers attacked and captured by terrorists;

Whereas Israel completed its withdrawal from Gaza on September 12, 2005;

Whereas on June 25, 2006, contrary to international humanitarian standards and the most basic standards of humanitarian conduct, the Foreign Terrorist Organization Hamas, together with allied terrorists, crossed into Israel to attack a military post, killing two soldiers and wounding and kidnapping a third, Gilad Shalit, in a blatantly extortionate effort to coerce the Government of Israel;

Whereas Hamas, contrary to international humanitarian standards and the most basic standards of humanitarian conduct, has prevented access to Gilad Shalit by competent medical personnel and representatives of the International Committee of the Red Cross;

Whereas Hamas, contrary to international humanitarian standards and the most basic standards of humanitarian conduct, has failed to provide Gilad Shalit the humane treatment to which all captives are entitled as a fundamental human right;

Whereas Hamas, contrary to international humanitarian standards and the most basic standards of humanitarian conduct, has refused to provide Gilad Shalit with regular contact with his family or any other party, or to allow his family to know where he is being held;

Whereas Hamas, contrary to international humanitarian standards and the most basic standards of humanitarian conduct, has compelled Gilad Shalit to appear in video and voice recordings intended to extort and coerce the Government of Israel;

Whereas Hamas, contrary to the most basic standards of humanitarian conduct, has staged plays and produced cartoons and animated movies that have mocked Shalit, his captivity, and his family, and have promised further kidnappings of Israeli soldiers; and

Whereas Gilad Shalit has been held in captivity by Hamas for almost 4 years: Now, therefore, be it

Resolved, That the House of Representatives—

(1) demands that—

(A) Hamas immediately and unconditionally release Israeli soldier Gilad Shalit; and

(B) Hamas accede to international humanitarian standards and the most basic standards of humanitarian conduct by—

(i) allowing prompt access to Gilad Shalit by competent medical personnel and representatives of the International Committee of the Red Cross;

(ii) providing Gilad Shalit the humane treatment all captives are entitled to as a fundamental human right;

(iii) facilitating regular communication by Gilad Shalit with his family and allowing his family to know where he is being held; and

(iv) ceasing to compel Gilad Shalit to appear in video and voice recordings intended to extort and coerce the Government of Israel;

(2) expresses—

(A) its vigorous support and unwavering commitment to the welfare, security, and survival of the State of Israel as a Jewish and democratic state within recognized and secure borders;

(B) its strong support and deep interest in achieving a resolution of the Israeli-Palestinian conflict through the creation of a

democratic, viable, and independent Palestinian state living in peace alongside of the State of Israel;

(C) its ongoing concern and sympathy for the family of Gilad Shalit and the families of all other missing Israeli soldiers; and

(D) its full commitment to continue to seek the immediate and unconditional release of Gilad Shalit and other missing Israeli soldiers;

(3) recalls—

(A) the barbaric attack on and kidnapping of the bodies of Ehud Goldwasser and Eldad Regev on July 12, 2006, by the Iran-supported terrorist group Hezbollah; and

(B) the missing Israeli soldiers Zecharya Baumel, Zvi Feldman, and Yehuda Katz, missing since June 11, 1982, Ron Arad, who was captured on October 16, 1986, Guy Hever, last seen on August 17, 1997, and Majdy Halabi, last seen on May 24, 2005; and

(4) condemns—

(A) Hamas for the grossly immoral cross-border attack and kidnapping of Gilad Shalit; and

(B) Iran and Syria, the primary state sponsors and patrons of Hamas, for their ongoing support for international terrorism.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from New York (Mr. ACKERMAN) and the gentlewoman from Florida (Ms. ROSELEHTINEN) each will control 20 minutes.

The Chair recognizes the gentleman from New York.

Mr. ACKERMAN. I yield myself such time as I may consume.

I want to thank my good friend, the chairman of the Foreign Affairs Committee, for his support for this resolution and for its consideration by the House today.

Madam Speaker, Gilad Shalit is not an American. He is an Israeli soldier who has been held captive by Hamas for 4 years.

□ 1400

His parents are not Americans. I don't know that he's ever even been to the United States. But I would contend that, nonetheless, he's one of us. Why? Most simply, because he is a soldier serving in the army of a fellow democracy, a long-standing ally that is fighting a war of survival against an Iranian-backed radical Islamist terror organization explicitly committed to the destruction of the Jewish State and the annihilation of all Jews in Israel.

Some may doubt that such shocking, vicious bigotry is really possible in the year 2010. It's not merely possible, and it's not an overstatement. It's reality. On June 11, not even 2 weeks ago, Hamas authorities in Gaza broadcast the following ceremony—and this is a quote directly from that sermon: “Whoever believes that our battle with the Jews and the crusaders has subsided or is dormant is living in delusions. The Jews are convinced that their annihilation and the destruction of their State will never be accomplished by secular, reactionary, Pan-Arabic, or Baathist regimes. Their annihilation and the destruction of their State will only be achieved through Islam.” It goes on. But that was the basis of the Hamas sermon. That's the Hamas world view. And they're not

ashamed of it. We shouldn't hesitate to believe them when they say they hate Jews and they're trying to destroy Israel and they want to create an Islamic theocracy in Palestine. Just look at what they've done in Gaza.

For those who believe in universal human rights and religious rights and freedom, Hamas is your enemy. If you believe in peace and two states for two peoples, these are your foes. If you believe kidnapping and extortion are inexcusable and detonating a bomb full of nails and ball bearings inside a city bus or restaurant is barbaric, these are your adversaries. If you believe that firing rockets at homes and kindergartens filled with young kids is absolutely indefensible, and that teaching hate to children is monstrous, these are your opponents. If you support the Palestinian Authority and President Abbas and Prime Minister Fayad are Palestinian's best chance of statehood, Hamas is the opposition. If you support a democratic Jewish State of Israel and want to see Prime Minister Netanyahu take chances for peace, Hamas is the enemy desperate to ensure that he never will. If you want the United States to be active in helping Israelis and Palestinians to make peace, Hamas are the people working against our every effort.

Gilad Shalit is just one soldier, but his captivity tells you everything you need to know about Hamas. As the resolution makes clear, contrary to both international humanitarian law and the most basic standards of human conduct, Hamas has prevented all access to Gilad Shalit by competent medical personnel and the representatives of the International Committee of the Red Cross. They've done this time and time again. And, Madam Speaker, they've just done it again today. They've denied him the humane treatment to which any captive is entitled; they've barred any communication by him with his family; and they've compelled him to appear on propaganda videos. Each of these unconscionable choices demonstrates the amoral and depraved character of Hamas.

These allegedly religious militants are nothing but thugs. Nothing more. They hold up all kinds of banners, and they champion all kinds of causes, and they claim all kinds of mandates. But their real goal is power and their true intention is a disruption of the State of Israel.

Against their enterprise of darkness and hatred and bloodshed, we need to stand up with both Palestinians and Israelis for a different vision and a different future—one where Israelis and Palestinians live side by side in peace; where the City of Jerusalem is a city of coexistence and tolerance; where the lost and the missing—all of them—all of them—are returned to their families and their people. It is this vision that motivates us, that mobilizes us to work so hard to achieve peace for others. And it is within this vision of a better future that we keep faith with

our allies in the State of Israel and with the Shalit family as they wait for the return of their lost son.

I reserve the balance of my time.

Ms. ROS-LEHTINEN. Madam Speaker, I yield myself such time as I may consume.

Since its creation over 6 decades ago, our ally Israel has been under siege from those who seek its destruction. Israel's enemies, refusing to accept the existence of the Jewish State, have invaded Israel's borders and sought to wipe it off the map. They have launched missiles at Israeli civilians. They have sent homicide bombers to massacre innocent Israelis on buses, in schools, in synagogues, in restaurants, in hotels. They have desecrated wedding celebrations and Passover seders with acts of mass murder, turning days of joy into days of mourning. And they have killed or kidnapped Israeli soldiers.

These bloody acts were taken not to build a better life for the future of the Palestinians, but to wipe out any future for the Israelis and to destroy the Jewish State. Of course, at present, the greatest threats to Israel's security and its very existence are posed by the rogue regimes of Iran and Syria, as well as by their violent extremist proxies, such as Hamas and Hezbollah. This is the context for this important resolution before us today.

On June 25, 2006, as part of its long-standing war against the Jewish State, Hamas crossed into Israel and attacked an Israeli military post, killing two soldiers and kidnapping Gilad Shalit, who was then just 19 years old. For the last 4 years, Hamas has held Staff Sergeant Shalit hostage, denying him access to his family, access by competent medical personnel, as well as representatives of the International Committee of the Red Cross. Hamas has forced young Shalit to appear in audio recordings and video recordings used to put pressure on Israel, and has mocked Shalit, mocked his family and his captivity in plays and cartoons and animated movies. Reports indicate that Shalit's health has declined as the result of his captivity.

Madam Speaker, Hamas, its fellow violent extremist group, Hezbollah, and their state sponsors not only are at war with Israel; they seek the destruction of the United States as well. Ahmadinejad has spoken of "a world without America or Zionism," stating that "you should know that this slogan, this goal, can certainly be achieved." And the Iranian regime is no stranger to taking hostages, including the 52 American hostages that Tehran held captive for 444 days. So when we consider Hamas's holding of Gilad Shalit in captivity, we must recognize this situation is part of the broader threat posed to both the United States and to Israel.

Madam Speaker, I have met with Staff Sergeant Shalit's father, who gave me his son's dog tags. And as a parent, I can only imagine the agony

that the Shalit family is enduring. Indeed, anguish over Gilad Shalit's plight is felt by millions of Israelis who have parents, siblings, spouses, or children who are serving in the Israeli Defense Forces and who have spent many anxious nights hoping and praying for the safe return of their loved one. It resonates directly with many of us who have had children and other family members and friends who, in the service of our Nation, have been in harm's way.

As Israel continues to seek Gilad Shalit's freedom, we in the United States must continue to stand with our indispensable ally. For all of these reasons, Madam Speaker, I rise today in strong support of House Resolution 1359, which reaffirms our demand for Gilad Shalit's immediate and unconditional release.

I would like to thank the chairman and the ranking member of the Subcommittee on the Middle East and South Asia, Mr. ACKERMAN and Mr. BURTON, for introducing this resolution. I ask that the House join us in voting in favor of this resolution and in support of further measures to address the comprehensive threat posed on our Nation and to our ally Israel by Iran, by Syria, and by their militant proxies.

□ 1410

Among the steps the United States should take is to stop the failed policies of engagement with the Syrian and Iranian regimes which have not advanced our interests but has lent those dictatorships undeserved legitimacy. We should also continue to stand unequivocally with our ally Israel and oppose all efforts to deny Israel its sovereign right to self-defense—the very right that Staff Sergeant Gilad Shalit was exercising when he was kidnapped by Hamas.

Madam Speaker, I reserve the balance of my time.

Mr. ACKERMAN. I want to thank the gentlewoman from Florida, the distinguished ranking member of the committee, for her statement and for her support.

Madam Speaker, now it's my pleasure to yield such time as she may consume to the gentlewoman from Nevada, SHELLEY BERKLEY, a distinguished and respected member of our committee.

Ms. BERKLEY. Madam Speaker, I want to thank my very good and dear and cherished friend from New York for yielding and for bringing much-needed attention to this issue by introducing this resolution which I proudly cosponsored.

Madam Speaker, I rise today along with my colleagues to mark a very sad occasion: The fourth anniversary of the kidnapping of Israeli soldier Gilad Shalit. If the world needs evidence of Hamas' cruelty, they need look no further than the kidnapping of this young soldier serving on the Israeli side of the Gaza border. Defying any standards of human decency and international law, Hamas has held him prisoner without

access to a doctor or to the Red Cross. They have denied him contact with any outside party or even his family, who have no idea where this young man is being held. Hamas has even forced him to appear in a video that was used to pressure the Israeli Government into making concessions in exchange for his release.

The conditions of his detainment are illegal, they are deplorable, and they are immoral. For some reason, though, the world bombards Israel with criticism for the simple act of defending its citizens, while Hamas continues to violate human rights day after day. It is unjust, and it ultimately puts all peace-loving people at risk. Where is the U.N. with its outrage? Where is the Arab world? Where are our European allies? The world leaps to condemn Israel whenever it is put in the untenable situation of defending itself against terrorism. Where is the outrage against the continuous inhuman behavior of Hamas, a recognized terrorist organization? Where is the outrage against Hamas as it continues to hold Gilad Shalit, a young man just doing his duty? Just this week, Israel took enormous risks by easing their necessary and legal blockade of Gaza. It is time—indeed, Madam Speaker, it is well past time—for Hamas to show some human decency and release Gilad Shalit back to his family.

I am the mother of a son named Sam who is the exact same age as Gilad Shalit. I can only imagine what that mother goes through day after day, week after week, month after month, year after year as she has absolutely no contact and no idea how her son is being treated, where he's being held, and what his condition is. Shame. The shame of it all. It's disgusting. I urge support for this resolution.

GENERAL LEAVE

Mr. ACKERMAN. Madam Speaker, I ask unanimous consent that all Members may have 5 legislative days to revise and extend their remarks and to include extraneous material on the resolution that is now under consideration.

The SPEAKER pro tempore (Ms. RICHARDSON). Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. JOHNSON of Georgia. Madam Speaker, I rise today to express my support for H. Res. 1359, which calls for the immediate and unconditional release of Gilad Shalit, the Israeli soldier held captive by Hamas since June 25, 2006. Today, 4 years later, Shalit remains a prisoner and Hamas has denied him medical treatment and access to his family. I agree with the resolution's sponsors that his imprisonment is not only a violation of international law and an affront to the international community, but has also impeded the peace process between Israel and Palestine.

The Israeli-Palestinian conflict has caused tragedy and loss of enormous proportions on both sides. I know that all of my colleagues oppose further loss of life and will support a lasting peace in this region. I am hopeful for

the day when two states—an Israeli and a Palestinian state—can peacefully exist side by side. Until that day, both sides must work towards peace and must refrain from aggressive actions. The kidnapping and ongoing inhumane treatment of Gilad Shalit has exacerbated tensions in the region, causing heartache for Sgt. Shalit's family and country, and making peace negotiations more difficult.

I stand for peace and human rights and am proud to support this resolution. I can see no justification for Sgt. Shalit's continued imprisonment and urge Hamas to release Sgt. Shalit. I urge my colleagues to join me in supporting peace and human rights by supporting this important resolution.

Mr. GRAYSON. Madam Speaker, I rise today to call for the immediate and unconditional release of Israeli soldier Gilad Shalit. On June 25, 2006, exactly 4 years ago this Friday, Gilad was kidnapped by Hamas terrorists within Israeli territory, near the Karem Shalom crossing. This kidnapping was a part of an unprovoked and organized military operation by Hamas terrorists who continue to hold Gilad captive in Gaza.

Throughout Gilad's captivity, the International Red Cross has requested to send representatives to assess his conditions of detention and treatment, as well as to provide medical attention to Gilad. Just recently, Hamas once again refused to give the Red Cross access to check on Gilad's well being in accordance with international law. Pierre Dorbes, deputy head of the International Committee of the Red Cross in Israel and the Territories stated that, ". . . we have been able to visit nearly everyone detained in connection to this conflict, with the exception of Gilad Shalit."

As negotiations for his release continue, it is important to recognize the efforts of Gilad Shalit's family and friends, particularly his mother Aviva and his father Noam to secure his release. I can only imagine the heartache and frustration that they feel as they work to help secure their son's freedom.

Madam Speaker, I along with my colleagues continue to call for the unconditional release of Gilad Shalit. I urge President Obama to continue to make Gilad's release a priority for his administration as he works with all parties to resolve the ongoing conflict in the region.

Mr. MCMAHON. Madam Speaker, I rise today to support H. Res. 1359, a resolution calling for the immediate and unconditional release of Israeli soldier Gilad Shalit held captive by Hamas.

On June 25, 2006, Hamas captured 19-year-old Israeli corporal Gilad Shalit on the southern Israeli side of the Gaza Strip. This inherent and blatant disrespect for standards of international conduct was a deliberate form of extortion meant to coerce the Israeli government to release Palestinian prisoners.

Hamas has furthered the injustice by denying Shalit access to medical care from the International Red Cross or treatment as a prisoner of war. Shalit has been explicitly denied the most basic humane treatment, and we cannot allow for this abhorrent conduct to persist.

Hamas has continually utilized terrorist cells to attack Israeli soldiers even though Israel unilaterally withdrew from Gaza in 2005. This callous disregard for international humanitarian law is deeply troubling.

I am unwavering in my support for the security and welfare of the democratic nation of

Israel, and the creation of a mutually acceptable two state solution. This cannot happen unless Hamas immediately and unconditionally releases Shalit and accepts the right for Israel to exist and lays down their arms for good.

Madam Speaker, I urge my colleagues in the House of Representatives to join me today in recognizing our dedication to the release of Shalit and the prospect of peace and democracy in the region by supporting this resolution.

Mr. KLEIN of Florida. Madam Speaker, I rise today to support H. Res. 1359 and mark the 4-year anniversary of the capture of IDF soldier Gilad Shalit. On June 25, 2006, Shalit was taken in a cross-border raid, remains held in Gaza, and for the past 4 years, he has been denied virtually all contact with the outside world.

When he was kidnapped, he was only 19 years old, the age of an average American college student. But instead of being able to serve his country and continue with his bright future, he has been held a prisoner for 4 years.

The plight of this soldier must not be forgotten. I want to honor the sacrifice of this young man and his family who wait every day for news of their son's circumstances. I have met the Shalit family and I have seen the pain in their eyes and the pleading in their voices. The Shalit family has also met with many communities across the United States, urging people to remember their son and speak out on his behalf. Today, I join the communities in Palm Beach and Broward County in sending a message to Gilad Shalit's captors: Let Gilad Shalit go.

As Israel faces dangerous threats from throughout the region and still makes unprecedented sacrifices for peace, America stands with Israel in its hope for the release of Gilad Shalit. American families and Israeli families are united in the hope that the Shalit family should suffer no longer.

Ms. SCHAKOWSKY. Madam Speaker, I rise today in strong support of H. Res. 1359, a resolution calling for the immediate and unconditional release of Israeli soldier Gilad Shalit.

I would like to thank Congressman ACKERMAN for introducing this important resolution, of which I am a cosponsor, and to commend him and Chairman BERMAN for their leadership on this critical issue.

On Friday, Israeli soldier Gilad Shalit will have spent 4 years in captivity. Since June 2006, Shalit has been held by Hamas and denied the humane treatment mandated by international law, including regular communication with his family and visits by the International Red Cross. He has been forced to appear in Hamas propaganda, intended to extort the Israeli government. Shalit was 19 years old at the time of his abduction.

Human beings should not be used as bargaining chips. Gilad Shalit must be immediately and unconditionally released, and all prisoners must be afforded the basic protections of international humanitarian law.

I am also proud to support this resolution because it expresses Congressional support for both the Jewish state of Israel, which must have recognized and secure borders, and a democratic, viable, and independent Palestinian state. I strongly believe that a negotiated, two-state solution offers Israelis and Palestinians alike the best prospect for long-term security and stability.

I strongly urge my colleagues to join me in supporting this resolution calling for the immediate and unconditional release of Gilad Shalit.

Ms. ROS-LEHTINEN. Madam Speaker, I yield back the balance of my time.

Mr. ACKERMAN. I have no further requests for time, and I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from New York (Mr. ACKERMAN) that the House suspend the rules and agree to the resolution, H. Res. 1359, 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.

Mr. ACKERMAN. Madam 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.

EXPRESSING SENSE OF HOUSE REGARDING ANNIVERSARY OF DISPUTED IRANIAN ELECTIONS

Mr. COSTA. Madam Speaker, I move to suspend the rules and agree to the resolution (H. Res. 1457) expressing the sense of the House of Representatives on the one-year anniversary of the Government of Iran's fraudulent manipulation of Iranian elections, the Government of Iran's continued denial of human rights and democracy to the people of Iran, and the Government of Iran's continued pursuit of a nuclear weapons capability.

The Clerk read the title of the resolution.

The text of the resolution is as follows:

H. RES. 1457

Whereas Iran's authoritarian system of government violates numerous international norms and principles of democratic governance;

Whereas June 12, 2009, was the date scheduled for Iranian presidential elections, in which only candidates approved by the Government of Iran's Guardian Council were allowed to compete;

Whereas the ensuing announcement by Iranian authorities of an "overwhelming victory" for Mahmoud Ahmadinejad was made suspiciously early;

Whereas reported vote counts in the June 12, 2009, election were inconsistent with Iranian demographics and political trends, including provinces in which more votes were allegedly cast than the number of registered voters and vote counts that indicated unusual pro-Ahmadinejad voting patterns by traditionally anti-Ahmadinejad constituencies;

Whereas the Government of Iran's unrealistic vote count and fraudulent announcement of election results prompted millions of Iranians to rush into the streets in protest and prompted unprecedented public criticism by Iranians of the authoritarian rulers of the Government of Iran;

Whereas the Government of Iran, Iranian riot police, members of the Revolutionary Guard Corps, and Basij militias engaged in a brutal crackdown on the Iranian people in the aftermath of the disputed presidential election of June 12, 2009, killing, injuring, or imprisoning many Iranians, stifling freedom of speech, press, and assembly and violating fundamental human rights;

Whereas, on June 19, 2009, the House of Representatives overwhelmingly adopted H. Res. 560 which “(1) expresses its support for all Iranian citizens who embrace the values of freedom, human rights, civil liberties, and rule of law; (2) condemns the ongoing violence against demonstrators by the Government of Iran and pro-government militias, as well as the ongoing government suppression of independent electronic communication through interference with the Internet and cellphones; and (3) affirms the universality of individual rights and the importance of democratic and fair elections”;

Whereas, on June 23, 2009, President Barack Obama denounced the Government of Iran’s crackdown on the Iranian people, stating that “The United States and the international community have been appalled and outraged by the threats, the beatings and imprisonments of the last few days”, that “I strongly condemn these unjust actions, and I join with the American people in mourning each and every innocent life that is lost”, and that the United States must “bear witness to the courage and dignity of the Iranian people, and to a remarkable opening within Iranian society”;

Whereas, on December 27, 2009, the Shiite Muslim holiday of Ashura was observed and at least eight Iranian civilians were killed and hundreds arrested in confrontations with the Iranian authorities;

Whereas the Government of Iran is violating its international and constitutional obligations to respect the human rights and fundamental freedoms of its citizens by—

(1) using arbitrary or unlawful killings, beatings, rape, torture, and cruel, inhuman, or degrading treatment or punishment, including flogging and amputations;

(2) carrying out an increasingly high rate of executions in the absence of internationally recognized safeguards, including public executions and executions of juvenile offenders;

(3) using stoning as a method of execution and maintaining a high number of persons in prison who continue to face sentences of execution by stoning;

(4) carrying out arrests, violent repression, and sentencing of women exercising their right to peaceful assembly, a campaign of intimidation against women defenders of human rights, and continuing discrimination against women and girls;

(5) permitting or carrying out increasing discrimination and other human rights violations against persons belonging to religious, ethnic, linguistic, or other minority communities;

(6) imposing ongoing, systematic, and serious restrictions of freedom of peaceful assembly and association and freedom of opinion and expression, including the continuing closures of media outlets, arrests of journalists, the censorship of expression and of the press in newspapers and online forums such as blogs and websites, as well as blockage or disruption of Internet-based communications and of mobile phone and text messaging networks; and

(7) imposing severe limitations and restrictions on freedom of religion and belief by carrying out arbitrary arrests, indefinite detentions, and lengthy jail sentences for those exercising their rights to freedom of religion or belief and by proposing a mandatory death sentence for apostasy, the abandoning of one’s faith;

Whereas according to the Department of State’s Country Reports on Human Rights Practices for 2009, Iran’s “poor human rights record degenerated during the year . . . the government severely limited citizens’ right to change their government peacefully through free and fair elections . . . authorities held political prisoners and intensified a crackdown against women’s rights reformers, ethnic minority rights activists, student activists, and religious minorities”;

Whereas hundreds of political prisoners remain imprisoned by the Government of Iran;

Whereas Ahmad Jannati, who heads the Government of Iran’s powerful Guardian Council, has called for the execution of more dissidents and protestors, and a senior official of the Iranian “judiciary” has stated that the Government of Iran will soon execute further dissidents;

Whereas thousands of Iranian citizens have continued to peacefully and courageously assemble and protest against the Government of Iran’s denial of human rights and democracy to the people of Iran;

Whereas article 21 of the Universal Declaration of Human Rights recognizes that “(1) Everyone has the right to take part in the government of his country, directly or through freely chosen representatives; (2) Everyone has the right of equal access to public service in his country; (3) The will of the people shall be the basis of the authority of government; this will shall be expressed in periodic and genuine elections which shall be by universal and equal suffrage and shall be held by secret vote or by equivalent free voting procedures”;

Whereas the United States supports the right of the citizens of Iran to freedom and democratic governance, including the right to select their political leaders in free, democratic, and independent elections;

Whereas the Government of Iran is pursuing a nuclear weapons capability which, if obtained, would usher in a dangerous new era of instability in the Gulf and the Middle East, and allow the Government of Iran to act with impunity in the face of international pressure to cease its dangerous international behavior and its horrific human rights abuses;

Whereas Iran continues to enrich uranium and carry out other nuclear activities in violation of United Nations Security Council Resolutions 1696 (2006), 1737 (2006), 1747 (2007), 1803 (2008), 1835 (2008), and 1929 (2010);

Whereas Iran has failed to cooperate with International Atomic Energy Agency inspectors looking into the possible military nature of the Iranian nuclear program, including by denying inspectors access to facilities, people, and documents; and

Whereas according to the Department of State’s Country Reports on Terrorism, Iran remains “the most active state sponsor of terrorism”, continues to provide arms, financing, training, and other support to Hamas, Hezbollah, and other groups designated by the United States as foreign terrorist organizations, in addition to providing lethal support to violent militants in Iraq and Afghanistan: Now, therefore, be it

Resolved, That the House of Representatives—

(1) reaffirms its support for all Iranian citizens who courageously struggle for freedom, human rights, civil liberties, and the protection of the rule of law;

(2) condemns the ongoing violence and human rights abuses against the people of Iran by the Government of Iran and pro-government militias, as well as the ongoing government suppression of independent electronic communication through interference with the Internet and cell phones;

(3) condemns the Government of Iran’s continued pursuit of a nuclear weapons capa-

bility and unconventional weapons and ballistic missile capabilities, and its use of its nuclear program to distract attention from its horrific abuses of the human rights of the Iranian people;

(4) urges the immediate release of all political prisoners detained by the Government of Iran and the immediate end of all harassment and violence against the people of Iran by the Government of Iran and pro-government militias;

(5) reaffirms the universality of individual human and political rights; and

(6) calls for freedom and democracy for the people of Iran, including fair, democratic, and independent elections in Iran.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from California (Mr. COSTA) and the gentlewoman from Florida (Ms. ROSELEHTINEN) each will control 20 minutes.

The Chair recognizes the gentleman from California.

GENERAL LEAVE

Mr. COSTA. Madam Speaker, I ask unanimous consent that all Members may have 5 legislative days to revise and extend their remarks and include any extraneous materials on this resolution under consideration.

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

There was no objection.

Mr. COSTA. Madam Speaker, I rise in strong support of this resolution today, and I yield myself such time as I may consume.

House Resolution 1457 expresses the sense of the House of Representatives on the 1-year anniversary of the Government of Iran’s manipulation of the Iranian elections, the continued denial of human rights, and their continued pursuit of a nuclear weapons capability. And I would like to thank my friend, Congressman Judge POE of Texas, for joining me in the introduction of this important resolution.

Madam Speaker, just over a year ago, on June 12, 2009, the world watched as Iran’s rulers manipulated and stole an election for their chosen candidate, Mahmoud Ahmadinejad. Thousands of Iranians took to the streets following that sham presidential election that had been orchestrated for the regime. Following that, we all know what happened. So we speak in this resolution on the anniversary of that disputed election result because I believe, and those who are supporting this resolution believe, that Congress must reaffirm its commitment to supporting democracy and freedom around the world, including in Iran.

We know that as the street protest continued against the fraudulent election and it intensified, the Government of Iran, its riot police, and members of the Revolutionary Guard Corps engaged in a brutal crackdown on the Iranian people. Sadly, many Iranians were injured, imprisoned, or killed.

Human rights in Iran, we know, have deteriorated precipitously over the years since the first election of President Ahmadinejad. But since that disputed presidential election last year,

Iran's slide into what is clearly a brutal dictatorship has sharply accelerated. Iran's Revolutionary Guard, its militia, and its police arbitrarily arrest thousands of peaceful protesters and dissidents, including students, women's rights activists, lawyers, and journalists, in a clear effort to intimidate their critics and stifle dissent. This regime obviously cannot withstand these critics.

□ 1420

But as champions of freedom and democracy, the United States must, must condemn these abuses of this Iranian regime whenever possible as we witness such actions around the world. It is in our Constitution, and it is one of the reasons why we still remain a beacon of light around the world as we stand up for human rights, human rights that have sadly been abused in Iran by this regime.

But it's not just in our Constitution. In the Koran it states: Help one another in a righteousness and goodness way. Help not one another when in sin and aggression.

Clearly, this despotic regime in Iran is engaged in full-time sin and aggression of its own people. But this quote, of course, is from the Koran, which is the book of the major religion of the people of Iran. Yet they violate their own faith in this way.

Madam Speaker, the people of the United States stand behind the people of Iran, who simply want to live their lives in peace and freedom, free of the brutal oppression of their government. Let us be clear: At the end of the day, Mahmoud Ahmadinejad is nothing more than a bully and a dictator. His regime uses every tactic they can to subdue and terrorize their own people.

And we need to recognize this phony regime for what it is. It's a killer of freedom of speech, freedom of religion, and freedom of press. And I believe that when history is written, that the record of this terrorism regime in the 21st century will compare, sadly, to those same brutal dictatorships that we witnessed in the 20th century. I am talking about Hitler, Stalin, Tojo, and Mussolini. That is the level of despotic dictatorship that we are witnessing today in Iran.

So, therefore, this resolution before us confirms Congress's support for all Iranian citizens who struggle for freedom, human rights, and civil liberties. It condemns the ongoing violence and human rights abuses against the people of Iran by their government, and it urges immediate release of all political prisoners detained by this regime.

House Resolution 1457 also calls for freedom and democracy for the people of Iran, including fair, democratic, and independent elections, unlike the ones that were held a year ago. Finally, this resolution condemns the Government of Iran's continued pursuit of nuclear weapons capability and a ballistic missiles program, for clearly we know what they are intended for.

This is especially timely, Madam Speaker, since later this week the House is expected to vote on the conference committee report H.R. 2194. We hope by the end of this week, certainly by next week. The Iran Sanctions, Accountability, and Divestment Act of 2010 is an important measure. I am proud to be a conferee on the conference committee. This piece of legislation represents, I think, a monumental step toward our fight against Iran's nuclear proliferation. These sanctions reinforce and go far beyond the enacted United Nations sanctions aimed at persuading Iran to change its conduct that was voted on over a week ago.

These tough new petroleum and financial sanctions will restrict the ability of Iran's regime and its thugs to continue their nuclear aspirations and their oppression of the Iranian people. The legislation also increases penalties for sanction violations and bolsters the U.S. trade embargo against Iran. These sanctions will send a strong signal that our Nation will not stand for the escalation of this regime's aims at a nuclear arms program, especially with violent threats against our strategic ally Israel, and the threat of that ally and its impact throughout the regions of Europe and Southeast Asia, along with the Middle East.

Clearly, their medium-range missiles are capable of reaching all of those countries within that area, and, therefore, we stand with Israel and our allies. These sanctions are a powerful step forward. We must continue to take all necessary actions and to keep every option on the table to prevent nuclear arms races in that region.

Madam Speaker, I encourage my colleagues to support this important resolution and to send a strong message to Iran and the entire world that America will not stand by while these human rights abuses continue and they continue to pursue nuclear weapons capabilities.

I reserve the balance of my time.

Ms. ROS-LEHTINEN. Madam Speaker, I am pleased to yield 5 minutes to the gentleman from Texas, Judge POE, an esteemed member of our Committee on Foreign Affairs and the coauthor of this resolution before us.

Mr. POE of Texas. Madam Speaker, I thank the gentlelady from Florida for yielding. I also want to thank my friend from California (Mr. COSTA) for introducing this Resolution 1457, and I am proud to be a cosponsor of this important resolution.

The people of Iran are under the oppression of the little fellow from the desert, Ahmadinejad. And the little fella claimed that he won the election last year, but the whole world knows, including he, that he stole the election in Iran. The people of Iran want democracy, they want freedom, and so they took to the streets opposing the little fella. And what did he do? He retaliated. He used his henchmen, his goon squad to come out and brutalize his

own people, who were unarmed but yet taking to the streets wanting freedom and a legitimate election. He injured them; he beat them; he hung them, and he shot them, peaceful Iranians wanting freedom and democracy.

But the folks of Iran were not going to be intimidated by the crimes committed against them in their pursuit for freedom and a free election, so they have continued to speak out. By continuing to speak out, of course, more of them get arrested. As my friend from California mentioned, it includes everybody: Women and children, lawyers and journalists. They are all arrested, brutalized, and some are killed in the name of keeping the little fella, Ahmadinejad, in power in Iran.

This past week in Paris, France, 100,000 people, mainly Iranians, marched in support of freedom and democracy for their homeland in Iran. And it's important that we in America let everybody know where we stand when it comes to freedom versus tyranny, freedom versus a dictatorship, that we stand by the people of the nation who want self-determination and freedom.

The Iranians kind of wonder where we stand as a Nation. They are concerned because, you see, they get their government-controlled media and it tells them one thing, that the United States is not supportive. So we need to make it clear to them that we do support them. And they don't want weapons. They don't want armament. They don't want even money. They just want to know that this country, the center and hope for the world when it comes to human rights and democracy, stands with the people, the people of Iran in their quest to control their own destiny and control their own government.

There is no freedom in Iran as long as this regime is in power and Ahmadinejad continues to be the dictator, the tyrant of the desert who threatens to destroy not only our ally Israel, but destroy the West as soon as he can get his hands on those nuclear weapons.

He needs to go. His time has come. It needs to go. And the way that that can happen is when the people of Iran take control of their own country. The best hope for the Iranians, the best hope for the world, Madam Speaker, is for a regime change in Iran by the people of Iran. So we should support that endeavor. We should tell those freedom-loving folks, those sons of liberty, those daughters of democracy, that we in America, halfway around the world, who believe in liberty and believe in democracy and believe in freedom, we stand with them. We support them morally, and we support them because they have the right to determine their own destiny.

Our quarrel as a Nation is not with the people of Iran. Our quarrel is with this dictator, this tyrant, the little fellow from the desert who wants to destroy his own nation and the rest of the world as well.

□ 1430

So I support this resolution and I want to compliment the gentleman from California (Mr. COSTA) for bringing this to the floor.

And that's just the way it is.

Mr. COSTA. Madam Speaker, I thank the gentleman from Texas (Mr. POE) for his good remarks, as always.

I yield such time as she may consume to the gentlewoman from Nevada (Ms. BERKLEY).

Ms. BERKLEY. Madam Speaker, I want to thank the gentleman from California (Mr. COSTA). We have worked on many issues, this being one of the most important, and I thank him for yielding some time to me.

It has been 1 year since Ahmadinejad and his thugs stole the election in Iran. The world watched with shock as 1 million Iranians took to the streets of Tehran to protest the so-called results of the sham election, and dismay as the protesters were cruelly squelched. The world was horrified as we watched a beautiful Iranian woman killed in the prime of her life as she peacefully protested the election results.

I stand with the people of Iran as they protest the continued denial of human rights and democracy by their illegal government. Iran's government is on a very dangerous path. They are the state sponsors of terrorism across the planet. They are the main sponsors of Hamas, and we watch Hamas cruelly treat the Palestinian people in the Gaza like animals more than people. We know that the Iranians are supporting Hezbollah in Lebanon and transporting weapons to them that could be used against Israel. We watch as they infiltrate South America through Venezuela, trying to spread their tentacles of hate and terrorism across the planet. We have a very serious problem with Iran. They will not join the family of civilized countries that are trying to improve this world. Quite the contrary. They are the main obstacle to peace everywhere.

In addition to their exporting of terrorism and supporting of terrorist organizations, the threat to wipe Israel off the map, what is this dangerous country doing? It is attempting to acquire nuclear weapons with all deliberate speed. When there is a president of a rogue nation that is supporting terrorism and terrorists across the planet, that is calling for the destruction of the State of Israel, that talks with great disparagement about western civilization, particularly the United States of America, when a country like this is attempting to acquire nuclear weapons, it is time for the world to wake up and recognize that they say what they mean, they mean what they say, and the Iranian Government must be stopped at all costs.

I stand with the Iranian people. I support them and I thank them for having the courage to stand up to their own government. It is not easy to do when you know if you stand up,

chances are you will be killed. I thank them very much for doing that, and I thank the gentleman from California (Mr. COSTA) for bringing this to our attention through this resolution.

Ms. ROS-LEHTINEN. Madam Speaker, I yield myself such time as I may consume.

Madam Speaker, in discussions about the Iranian regime's pursuit of a nuclear weapons program, or its state sponsorship of violent extremists, the persecution that the thugs in Tehran inflict on ordinary Iranians, that is sometimes overlooked. This is particularly true on the international stage.

The United Nations Human Rights Council has condemned the democratic Jewish State of Israel over and over again for defending herself, but has not once condemned the Iranian regime's brutality against the Iranian people.

Iran, a regime that stones women to death, was elected by acclamation to the U.N. Commission on the Status of Women. Let me repeat that again; it is so absurd, it is almost incomprehensible. It is incomprehensible. Iran, a regime that stones women to death, was elected by acclamation to the U.N. Commission on the Status of Women. This is a Kafkaesque scenario.

So it is all the more important that we in this House stand in solidarity with the Iranian people and with all of those who support and defend human rights, support and defend democracy, support and defend freedom. We must also be clear and steadfast in describing and condemning the Iranian regime's human rights abuses, of which there are many.

Those in power in Tehran practice torture, flogging, rape, amputation, and murder. The regime conducts systematic, official discrimination against women, Baha'is, Christians, Jews, dissident Muslims, and many others. No one is exempt.

All seven members of the national Baha'i leadership in Iran remain in prison, where they have been held unjustly for 2 years and are on trial for trumped-up charges that potentially carry the death penalty. Gay people are hanged from cranes, even as their very existence in Iran is denied by Ahmadinejad.

Since the sham "elections"—using the term loosely—1 year ago, the regime has intensified its repression, increasing restrictions on the freedom of religion, expression, association, assembly and the press.

What is left?

Thousands of protesters, dissidents, journalists have been arbitrarily detained or killed, with innocent people shot on the street, and the Stalinesque show-trials continue.

Even Iranians who succeed in fleeing their country are reportedly still in danger as agents of the Iranian regime threaten with death if they continue to speak out and protest human rights violations by Tehran.

Despite this repression, the people of Tehran continue to put their lives on

the line in pursuit of freedom, and the United States and other responsible nations must stand with them. There are many further steps we can take to help at this critical time. Above all, we must do no harm. Negotiation with the regime legitimizes its illegitimate leaders and distracts attention from their repressive acts.

We must hit the regime where it hurts by fully implementing sanctions targeting the regime's vulnerabilities, both existing sanctions and the new ones that Congress will soon enact. The same refined petroleum products and other petro-dollars that bankrolled the regime's weapons program also bankrolled its repression of human rights. Requiring the immediate implementation and enforcement of comprehensive sanctions can help stop both of these threats.

We must also support those who seek human rights for Iran and monitor abuses, such as the Iran Human Rights Documentation Center, which has actually seen its funding cut. And as the beacon of liberty and democracy to the entire world, the United States must do our duty to name and shame the guilty. Because we must take an all-of-the-above approach to this issue, I introduced H.R. 4649, the bipartisan Iran Human Rights Sanctions Act which was introduced in the Senate by JOHN MCCAIN and JOE LIEBERMAN. That legislation requires the President to designate and sanction those who violate the human rights of Iranians. I am gratified that some versions of this bill will be included in the Iran sanctions conference report that Congress will soon consider.

And given the importance of human rights for the Iranian people and worldwide, I am proud to strongly support the resolution before us today, H. Res. 1457. This resolution marks the 1-year anniversary of the Iranian people's mass uprising against the regime's fraud, manipulation, and repression; and it also condemns the regime's brutality.

Furthermore, the resolution reaffirms our support for all Iranians who courageously struggle for freedom. It urges the immediate release of all political prisoners and calls for freedom and democracy for the people of Iran, including fair, democratic and independent elections.

I would like to thank the authors of this resolution, distinguished members of our Foreign Affairs Committee, the gentleman from California (Mr. COSTA) and the gentleman from Texas (Mr. POE). This legislation builds on a resolution that Judge POE introduced 6 months ago, as well as a resolution introduced by the distinguished gentleman from Texas (Mr. MCCAUL). I appreciate the long-standing efforts of all of these Members on this important issue.

Ultimately, the purpose of this resolution reflects the words of Holocaust survivor and Nobel Peace Prize winner Elie Wiesel, words that are salient to

any discussion on the status of human rights in Iran under that brutal regime: "We must always take sides. Neutrality helps the oppressor, never the victim. Silence encourages the tormentor, never the tormented."

□ 1440

With these words in mind, we must take sides. We must act together in support of the people of Iran. I urge my colleagues to support this important resolution.

I yield back the balance of my time.

Mr. COSTA. Madam Speaker, I, too, want to thank my friend and colleague, the gentlewoman from Florida, ILEANA ROS-LEHTINEN, for her strong bipartisan comments on a resolution that there is strong bipartisan support for, as witnessed by the statements here this afternoon.

Make no mistake about it, Madam Speaker, and to those who are listening. This resolution is about human rights violations in Iran. This resolution is about the despotic, sham regime that is currently governing in Iran that is oppressing the people of that country. This resolution speaks to the higher values and goals that are enshrined in our country's Constitution and Bill of Rights, those freedoms that we hold most dear, that are at the end of the day the basis for all human rights, not just in our country but throughout the world.

Therefore, today, the Congress must speak to these human rights violations that are existing in Iran. Today, the Congress must voice its opinion on the despotic rule of this regime, and by passing this resolution in a bipartisan fashion, we will not only put the House of Representatives firmly on record as to the year anniversary of the sham election that took place in Iran, but we will also reiterate our strong support for sanctions against this country that, in fact, is violating these human rights and that is turning its back on the rest of the world.

Make no mistake about it. The Iranian Government today, not its people but the Iranian Government today, is, in my view, the largest concern not only in the Middle East but throughout the world in terms of achieving peace that we all hold most dear. The goals of peace in the Middle East and throughout the world are at greatest risk by the actions and the activities and the supports of terrorist activities by this Iranian regime, whether it be to Hezbollah, whether it be to Hamas, or whether it be to other terrorist groups that it supports in so many different ways because they know at the end of the day they cannot support the family of nations throughout the world in expressing freedoms that we hold most dear.

So I ask my colleagues to support this bipartisan resolution.

Mr. ACKERMAN. Madam Speaker, I rise in strong support of the resolution. I want to thank the Chairman and commend Mr. COSTA and Mr. POE for their work on the resolution.

The anniversary of the uprising of the Iranian people to secure their democratic rights is a solemn occasion. The images from last year of ordinary Iranians showing unbelievable courage in challenging the ruthless and vicious theocracy that controls Iran resonated powerfully with Americans. Recalling the late 1980s and the collapse of Communism, many have begun to hope that this wholly indigenous movement, by virtue of its own success, and entirely for its own reasons, will throw on to the ash-heap of history the brutal, irresponsible, and vicious regime of the mullahs.

I don't think any one believes the current leadership of the Islamic Republic of Iran will go quietly or easily into retirement. And I think it would be foolish to assume that a reformed Iranian government would automatically be very friendly to the United States, or be less committed to the pursuit of its own national interests. But there is good reason to think that a different Iranian government, one that was truly answerable to the aspirations of the Iranian people, would transform the politics of the Middle East, dramatically change the global struggle against violent Islamic extremism and, potentially, salvage the global non-proliferation regime.

But as we think about how we can aid the Green Movement, I believe we need to be especially careful and thoughtful. There is, unfortunately, a painful history of American intervention in Iranian affairs, and we should, at the very least, have some humility about our ability to competently shape highly politicized and dynamic events in other nations.

Iran is a sovereign state whose people are struggling bravely for their own freedom. It is natural and right for us to want to support their struggle. The question is how? It seems to me that our first obligation is "to do no harm." And our second obligation is to recognize that we are not a doctor, and Iran is not a patient.

With these caveats, I believe there are some important things that we can and should do; all of which can be done publicly and outside of Iran. First, as we are doing today, we must continue to let the people of Iran know that we have not forgotten them or their struggle for freedom. Second, we must continue to bear witness to vicious crimes the Iranian regime is perpetrating against its own citizens. A government at war with its own citizens is illegitimate by definition. Third, we and other nations truly committed to universal human rights must continue to highlight Iran's absolutely illegitimate and immoral behavior in international forums and in the United Nations. The Iranian regime's behavior can not be denied and it can not be excused.

Finally, and most critically, we absolutely must prevent Iran from acquiring the capability to produce nuclear weapons. For the sake of the people in Iran, for the sake of the people in the Middle East, for the sake of our allies in Israel, and for our own vital national security interests, Iran's nuclear ambitions absolutely must not be allowed to succeed.

Mr. JOHNSON of Georgia. Madam Speaker, I rise today to express my support for H.R. 1457, which recognizes the one-year anniversary of the Government of Iran's deceitful manipulation of Iranian elections and the Government's continued violation of Iranian citizens' democracy and their human rights.

One year ago, Mahmoud Ahmadinejad was re-elected to become the President of Iran in an unfair and manipulated election. Since

then, this date, the Iranian regime, run by Mahmoud Ahmadinejad, has continually violated the human rights of innocent Iranian citizens, brutally beating back popular demonstrations against Mr. Ahmadinejad's election. This resolution is necessary and desperately important to show the world that the United States does not condone oppression and supports the Iranian people in their quest for freedom and democracy.

Our country has always prided itself on the human rights our own citizens enjoy. I believe we should strive to protect and champion the freedoms of people the world over. Unrestricted arrests of innocent individuals, killing of citizens who oppose the government, and extreme oppression of women, all common acts by the Iranian regime, that must be stopped. There needs to be a continued strong disapproving stance taken by our nation towards the destructive and unfair way that the Iranian regime treats its people.

As a member of the Armed Services committee, I take this matter very seriously and see the continued reign of the Iranian regime as a national security threat not only to our nation at home, but also to our armed forces abroad. I urge my colleagues to stand with the Iranian people to support this important resolution.

Mr. McMAHON. Madam Speaker, I rise today in support of, H. Res 1457, the Resolution on the one-year anniversary of the June 12, 2009 Iranian Elections. Though one year has passed since the widely contested elections, the stain of Iran's government and its callous disregard for human rights continues to run through the streets of its cities. Although the protests of courageous voters have been violently crushed by the regime, the Iranian people remain proud and steadfast in their belief that this electoral atrocity will one day transition to dying authoritarianism and the birth of a democratic Iran.

The Iranian electoral system does not reflect the ideals of democracy held by the vast majority of other nations in the world, but rather demonstrates the desperation of a despotic regime clinging to power under the guise of fair elections.

For the June 12, 2009 elections, candidates had to be pre-approved by the Government of Iran's Guardian Council, Mahmoud Ahmadinejad's victory announcement was made prematurely, and the final vote tallies were inconsistent with the demographics of the nation, the number of registered voters, and common sense.

Those who protested the elections had their rights of free speech brutally denied, and were beaten, jailed, injured, and killed. The Iranian regime has spilled the blood of its own citizens in the streets to maintain its illegitimate hold on power. We were all heartstruck to see the death of Neda Agha-Soltan broadcast across the globe. It is now up to the nations who stand for democracy and freedom to support the courageous protesters in Iran.

Furthermore, following the failed Iranian elections in June, the Iranian regime has had its legitimacy wounded and its paranoia increased. The regime has taken a posture of increased repression at home and antagonism abroad. In that dangerous environment, Israel's leaders have every right to be concerned for their country's safety. While hope still exists for a free Iran, Europe, Israel and the United States must undoubtedly prepare

for a more dangerous Iranian regime in the near-term.

We must be ready for the possibility that Iran will intensify its pursuit of nuclear weapons to overcome the embarrassment of the recent elections.

For this reason, I applaud the House Foreign Affairs Committee and the Senate Banking Committee on yesterday's announcement that they had reached an agreement on the Iran sanctions conference report agreement. This long-awaited sanctions package is absolutely necessary to persuade Iran to change its conduct and its course on its nuclear program.

Madam Speaker, I urge the House of Representatives to condemn the authoritarian Iranian regime and to stand with the millions of Iranians who rushed to the streets not only to defend their right to vote, but also to defend the very ideals of democracy and free and fair societies. I call on my colleagues to support this resolution.

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

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from California (Mr. COSTA) that the House suspend the rules and agree to the resolution, H. Res. 1457.

The question was taken.

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

Mr. COSTA. Madam 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.

GRANTING SUBPOENA POWER TO COMMISSION INVESTIGATING BP DEEPWATER OIL SPILL

Mr. RAHALL. Madam Speaker, I move to suspend the rules and pass the bill (H.R. 5481) to give subpoena power to the National Commission on the BP Deepwater Horizon Oil Spill and Offshore Drilling, as amended.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 5481

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

SECTION 1. SUBPOENA POWER OF THE NATIONAL COMMISSION ON THE BP "DEEPWATER HORIZON" OIL SPILL AND OFFSHORE DRILLING.

(a) SUBPOENA POWER.—The National Commission on the BP Deepwater Horizon Oil Spill and Offshore Drilling established by Executive Order No. 13543 of May 21, 2010 (in this section referred to as the "Commission"), may issue subpoenas to compel the attendance and testimony of witnesses and the production of books, records, correspondence, memoranda, and other documents.

(b) ISSUANCE.—

(1) AUTHORIZATION.—A subpoena may be issued under this section only by—

(A) agreement of the Co-Chairs of the Commission; or

(B) the affirmative vote of a majority of the members of the Commission.

(2) JUSTICE DEPARTMENT COORDINATION.—

(A) NOTIFICATION.—The Commission shall notify the Attorney General or his or her designee of the Commission's intent to issue a subpoena under this section, the identity of the witness, and the nature of the testimony sought before issuing such a subpoena. The form and content of such notice shall be set forth in the guidelines to be issued under subparagraph (D).

(B) CONDITIONS FOR OBJECTION TO ISSUANCE.—The Commission may not issue a subpoena under authority of this Act if the Attorney General objects to the issuance of the subpoena on the basis that the taking of the testimony is likely to interfere with any—

(i) Federal or State criminal investigation or prosecution; or

(ii) pending investigation under sections 3729 through 3732 of title 31, United States Code (commonly known as the "Civil False Claims Act") or other Federal statute providing for civil remedies, or any civil litigation to which the United States or any of its agencies is or is likely to be a party.

(C) NOTIFICATION OF OBJECTION.—The Attorney General or relevant United States Attorney shall notify the Commission of an objection raised under this paragraph without unnecessary delay and as set forth in the guidelines to be issued under subparagraph (D).

(D) GUIDELINES.—As soon as practicable, but no later than 30 days after the date of the enactment of this Act, the Attorney General, after consultation with the Commission, shall issue guidelines to carry out this subsection.

(3) SIGNATURE AND SERVICE.—A subpoena issued under this section may be—

(A) issued under the signature of either Co-Chair or any member designated by a majority of the Commission; and

(B) served by any person designated by the Co-Chairs or a member designated by a majority of the Commission.

(c) ENFORCEMENT.—

(1) REQUIRED PROCEDURES.—In the case of contumacy of any person issued a subpoena under this section or refusal by such person to comply with the subpoena, the Commission shall request the Attorney General to seek enforcement of the subpoena. Upon such request the Attorney General shall seek enforcement of the subpoena in a court described in paragraph (2). The court in which the Attorney General seeks enforcement of the subpoena shall issue an order requiring the subpoenaed person to appear at any designated place to testify or to produce documentary or other evidence, and may punish any failure to obey the order as a contempt of that court.

(2) JURISDICTION FOR ENFORCEMENT.—Any United States district court for a judicial district in which a person issued a subpoena under this section resides, is served, or may be found, or where the subpoena is returnable, shall have jurisdiction to enforce the subpoena as provided in paragraph (1).

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from West Virginia (Mr. RAHALL) and the gentleman from Washington (Mr. HASTINGS) each will control 20 minutes. The Chair recognizes the gentleman from West Virginia.

GENERAL LEAVE

Mr. RAHALL. Madam Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks and in-

clude extraneous material on the bill under consideration.

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

There was no objection.

Mr. RAHALL. Madam Speaker, I yield myself such time as I may consume.

Madam Speaker, last month President Obama issued Executive Order 13543 establishing the National Commission on the BP Deepwater Horizon Oil Spill and Offshore Drilling. The measure we are considering today, introduced by our colleague, Representative LOIS CAPPs, would authorize the commission to issue subpoenas, if necessary, to gather information and compel testimony.

With it, we are giving the commission some teeth. The commission should be demanding and receiving a full and fair accounting to carry out its important mission. Without subpoena power, the commission runs the risk of allowing BP to write its own history of what happened in the gulf.

As amended, H.R. 5481 includes language worked out with the Justice Department to ensure that any commission subpoena does not interfere with any present or future criminal investigation or prosecution or civil litigation involving the United States.

I want to commend the bill's sponsor and a valued member of our Committee on Natural Resources, Representative LOIS CAPPs, a valued member not only on our Resources Committee but in this body who has experienced oil spills in her history as many of our colleagues are today. Having lived through the Santa Barbara oil spill which was in her congressional district in 1969, Representative CAPPs has a deep understanding and a commitment to oil spill prevention and mitigation.

Madam Speaker, H.R. 5481 is just one of a number of actions that this Congress will need to take to help gather information on the causes of the BP Deepwater Horizon disaster and develop safety and environmental measures to prevent such a disaster from occurring again.

I urge my colleagues to support the passage of H.R. 5481, a commonsense bill that will help shed some light on what happened the night of this tragic explosion.

I reserve the balance of my time.

Mr. HASTINGS of Washington. Madam Speaker, I yield myself such time as I may consume.

Madam Speaker, at this very moment, oil continues to flow into the Gulf of Mexico, and the urgency to address this crisis should not be forgotten or dismissed. It is important that we get to the bottom of the causes of this terrible tragedy. We need to know what went wrong and who did precisely what wrong. At the same time, we should not lose sight of the most immediate priorities.

Those priorities are, first, the leak must be stopped. Second, the oil must

be cleaned up because the livelihood of families and communities all along the gulf coast need help and support, and the well-being of wildlife and the environment must be cared for. And third, BP must be held 100 percent accountable and pay all the costs associated with this disaster.

This bill, as the distinguished chairman said, simply grants subpoena authority to the seven-member commission established and appointed by the President to look into the causes of the Deepwater Horizon accident, the resulting spill, and the response.

I support this bill and the commission having subpoena power to compel the disclosure of documents and the testimony of witnesses. Congress has passed laws to give subpoena power to similar commissions in the past, and it is fully appropriate to do so here.

To be clear, the authority granted in this bill allowing the commission to issue subpoenas covers BP and the companies involved in the drilling of this well, but it also fully covers the agencies and departments of the Federal Government. Not only must we get to the bottom of what these companies did and the failures that occurred, but we also must know what failures occurred by the government in their regulatory oversight and in responding to this spill.

□ 1450

But there is one concern with the wording of this bill, Madam Speaker, and the impact that it could have in prolonging the work of the commission beyond its 6-month timeframe set out by the President.

The bill allows the Attorney General to object to the commission issuing subpoenas for certain specified situations. Those situations are when criminal investigations and certain civil litigation may be harmed by the taking of testimony. That's understandable, Madam Speaker. Under the wording of the bill, however, the Attorney General must act to make known such an objection to a commission's subpoena "without unnecessary delay." This vague term places no real time frame on the Attorney General to act.

When the commission itself is supposed to complete its work within 180 days of its first meeting, an open-ended delay that could occur due to the inaction of the Attorney General must be highlighted. This is particularly important, Madam Speaker, because the administration has partly justified its deepwater drilling moratorium upon allowing the commission to complete its investigation.

Under the way this bill is drafted, the moratorium—which I might add suffered a serious legal blow yesterday by a Federal judge in Louisiana—could drag on much longer than publicly promised by the President. The economic toll that a prolonged commission and a prolonged deepwater moratorium could have on the economy of the gulf and the jobs of tens of thou-

sands is very, very real. A stricter timeline for the Attorney General to review subpoenas could have prevented such a scenario. This was not done, and there is no opportunity, obviously, to offer amendments to this suspension bill. So Madam Speaker, I raise this as an issue because the Commission and the Attorney General need to be diligent to avoid such a scenario.

This oil spill has unleashed a tragedy on the people and the environment in the gulf, but the Federal Government must not take actions that exacerbate this tragedy by not completing their work in a timely manner. The power to issue subpoenas is necessary to the commission's technical abilities to do their investigative work, but I must point out that questions are being raised about the seven persons selected and appointed by the President to his commission. So Madam Speaker, I would like to enter into the RECORD a selection of three pieces covering the commission.

The first is an Associated Press article entitled, "Obama Spill Panel Big on Policy, Not Engineering." Another news article from The Times-Picayune entitled, "Oil Spill Commission Coordinator Has Represented Environmental Groups." And third, a Wall Street Journal editorial entitled, "The Antidrilling Commission: The White House choices seem to have made up their minds."

The questions posed in these pieces and in other venues include: Do the past statements made and positions taken by several commission members in opposition to expanded offshore drilling affect their ability to act fairly and impartially? Will the general lack of engineering expertise among the commission members hinder their ability to fully grasp and get to the bottom of what happened in this accident? Will the absence of any drilling expertise among all seven commission members affect their pace of work or understanding of the matters they are charged with investigating? Will the pro cap-and-trade positions of several commission members transform this from an investigation into what went wrong with this incident into a pitch for a national energy tax? Will the commission's report ultimately be credible to all or be compromised due to the personal perspective of the members that the President appointed? Madam Speaker, only time will answer these questions.

I hope the commission is able to fully and fairly conduct its investigation into this incident and the government's response to it. We do need to know what went wrong so that reforms can be made to ensure American drilling is the safest in the world. We've got to have the facts in order to develop informed, effective solutions to make certain an accident like this never happens again.

So, Madam Speaker, the President's commission isn't the only entity looking into these questions. Congress too

has a responsibility, and Congress should act when the facts are known. As subpoena power is necessary for this commission to undertake its work, I encourage my colleagues to support this bill.

[From the Associated Press]

OBAMA SPILL PANEL BIG ON POLICY, NOT ENGINEERING

(By Seth Borenstein)

WASHINGTON.—The panel appointed by President Barack Obama to investigate the Gulf of Mexico oil spill is short on technical expertise but long on talking publicly about "America's addiction to oil." One member has blogged about it regularly.

Only one of the seven commissioners, the dean of Harvard's engineering and applied sciences school, has a prominent engineering background—but it's in optics and physics. Another is an environmental scientist with expertise in coastal areas and the after-effects of oil spills. Both are praised by other scientists.

The five other commissioners are experts in policy and management.

The White House said the commission will focus on the government's "too cozy" relationship with the oil industry. A presidential spokesman said panel members will "consult the best minds and subject matter experts" as they do their work.

The commission has yet to meet, yet some panel members had made their views known.

Environmental activist Frances Beinecke on May 27 blogged: "We can blame BP for the disaster and we should. We can blame lack of adequate government oversight for the disaster and we should. But in the end, we also must place the blame where it originated: America's addiction to oil." And on June 3, May 27, May 22, May 18, May 4, she called for bans on drilling offshore and the Arctic.

"Even as questions persist, there is one thing I know for certain: the Gulf oil spill isn't just an accident. It's the result of a failed energy policy," Beinecke wrote on May 20.

Two other commissioners also have gone public to urge bans on drilling.

Co-chairman Bob Graham, a Democrat who was Florida governor and later a senator, led efforts to prevent drilling off his state's coast. Commissioner Donald Boesch of the University of Maryland wrote in a Washington Post blog that the federal government had planned to allow oil drilling off the Virginia coast and "that probably will and should be delayed."

Boesch, who has made scientific assessments of oil spills' effects on the ecosystem, said usually oil spills are small. But he added, "The impacts of the oil and gas extraction industry (both coastal and offshore) on Gulf Coast wetlands represent an environmental catastrophe of massive and underappreciated proportions."

An expert not on the commission, Granger Morgan, head of the engineering and public policy department at Carnegie Mellon University and an Obama campaign contributor, said the panel should have included more technical expertise and "folks who aren't sort of already staked out" on oil issues.

Jerry Taylor of the libertarian Cato Institute described the investigation as "an exercise in political theater where the findings are preordained by the people put on the commission."

When the White House announced the commission, Interior Secretary Ken Salazar and others made compared it with the one that investigated the 1986 Challenger accident. This one, however, doesn't have as many technical experts.

The 13-member board that looked into the first shuttle accident had seven engineering

and aviation experts and three other scientists. The 2003 board that looked into the Columbia shuttle disaster also had more than half of the panel with expertise in engineering and aviation.

Iraj Ersahaghi, who heads the petroleum engineering program the University of Southern California, reviewed the names of oil spill commissioners and asked, "What do they know about petroleum?"

Ersahaghi said the panel needed to include someone like Bob Bea, a prominent petroleum engineering professor at the University of California, Berkeley, who's an expert in offshore drilling and the management causes of manmade disasters.

Bea, who's conducting his own investigation into the spill, told The Associated Press that his 66-member expert group will serve as a consultant to the commission, at the request of the panel's co-chairman, William K. Reilly, Environmental Protection Agency chief under President George H.W. Bush.

Adm. Hal Gehman, who oversaw the Columbia accident panel, said his advice to future commissions is to include subject matter experts. His own expertise was management and policy but said his engineering-oriented colleagues were critical to sorting through official testimony.

"Don't believe the first story; it's always more complicated than they (the people testifying) would like you to believe," Gehman said. "Complex accidents have complex causes."

The oil spill commission will not be at a loss for technical help, White House spokesman Ben LaBolt said.

For one, he said the panel will draw on a technical analysis that the National Association of Engineering is performing. Also, members will "consult the best minds and subject matter experts in the Gulf, in the private sector, in think tanks and in the federal government as they conduct their research."

That makes sense, said John Marburger, who was science adviser to President George W. Bush.

"It's not really a technical commission," Marburger said. "It's a commission that's more oriented to understanding the regulatory and organizational framework, which clearly has a major bearing on the incident."

[From Times-Picayune, Tuesday, June 22, 2010]

OIL SPILL COMMISSION COORDINATOR HAS REPRESENTED ENVIRONMENTAL GROUPS
(By Bruce Alpert)

The commission created by President Barack Obama to investigate the Gulf of Mexico oil spill appointed a Georgetown University environmental law professor Tuesday as its executive staff director.

Bob Graham, a Democrat, and William Reilly, a Republican, lead the seven-member commission to investigate the Gulf of Mexico oil spill.

Richard Lazarus, a graduate of Harvard University Law School where he was the roommate of Supreme Court Chief Justice John Roberts, has been given the task of coordinating the National Commission on the BP Deepwater Horizon Oil Spill and Offshore Drilling, which will determine what new regulations will govern future deepwater drilling operations.

The appointment was announced by the commission's co-chairs Bob Graham, a former Democratic governor and U.S. senator from Florida, and Republican William Reilly, a former Environmental Protection Agency Administrator.

The Obama administration established a six-month moratorium on deepwater drilling to give the seven-member commission time

to make recommendations, although a federal judge in New Orleans issued a temporary injunction Tuesday to block the order, saying it lacked justification and was doing economic harm to businesses and workers.

Reilly told the New York Times Monday that the panel won't meet until mid-July and probably won't complete its recommendations until early next year, signaling that, if an appeals court reverses the temporary injunction, the moratorium will be extended past the six-month deadline.

Lazarus, a former associate solicitor general, has represented the United States, state and local governments and environmental groups in 37 cases before the U.S. Supreme Court.

His primary areas of legal scholarship are environmental and natural resources law. For the past three summers, he has taught a course on Supreme Court history with his old roommate, Chief Justice Roberts.

"As staff director I would expect him to be exceedingly thorough, ask a lot of questions, seek probative answers, and reduce the chaos of the unknown to manageable proportions," said Oliver Houck, who teaches environmental law at Tulane University and co-authored a book with Lazarus. "I also expect him, as a lawyer and former associate solicitor, to be quite aware that he is a staff member and aide and not a decision-maker."

His appointment, though, led some to question whether the commission is too heavily weighted with those who favor strong environmental regulation and have been critical of the oil industry.

"The vast majority of those on the oil spill commission, as well as the staff, appear to have a predisposed bias against drilling, and it appears their conclusions will be based more on politics than on safety, which is disappointing," Rep. Steve Scalise, R-Jefferson, said.

But White House spokeswoman Moira Mack said the commission has "broad and diverse representation," including environmentalists, academics, scientists, a former EPA administrator and former governor and senator.

"The National Association of Engineering is conducting a technical analysis that the commission will draw upon," she said. "The commission will consult with the best minds and subject matter experts in the Gulf, in the private sector, in think tanks and in the federal government as they conduct their research."

The oil and gas industry needs a thorough examination, Mack said.

"There's no doubt that Minerals Management Service has been too cozy with the oil and gas industry and there are many instances in which it has allowed the industry to dictate regulations," Mack said. "No more. The commission will bring a set of fresh eyes to conduct a top to bottom review of offshore drilling regulation and the assumptions that have guided it, to ensure that the BP Deepwater Horizon Spill will never be repeated."

Obama has asked Congress to provide \$15 million to finance the commission's work.

Sen. Mary Landrieu, D-La., said she wasn't surprised when Reilly said the commission won't be able to meet the six-month deadline established by Obama. She said that federal commissions "often extend their timeline, and their jurisdiction," though she said it's important the panel complete its work fairly and expeditiously.

[From the Wall Street Journal, June 22, 2010]
THE ANTIDRILLING COMMISSION

The President has appointed a seven-person commission to take what he says will be an objective look at what caused the Gulf

spill and the steps to make offshore drilling safe. But judging from the pedigree of his commissioners, we're beginning to wonder if his real goal is to turn drilling into a partisan election issue.

Mr. Obama filled out his commission last week, and the news is that there's neither an oil nor drilling expert in the bunch. Instead, he's loaded up on politicians and environmental activists.

One co-chair is former Democratic Senator Bob Graham, who fought drilling off Florida throughout his career. The other is William Reilly, who ran the Environmental Protection Agency under President George H.W. Bush but is best known as a former president and former chairman of the World Wildlife Fund, one of the big environmental lobbies. The others:

Donald Boesch, a University of Maryland "biological oceanographer," who has opposed drilling off the Virginia coast and who argued that "the impacts of the oil and gas extraction industry . . . on Gulf Coast wetlands represent an environmental catastrophe of massive and underappreciated proportions."

Terry Garcia, an executive vice president at the National Geographic Society, who directed coastal programs in the Clinton Administration, in particular "recovery of endangered species, habitat conservation planning," and "Clean Water Act implementation," according to the White House press release.

Fran Ulmer, Chancellor of the University of Alaska Anchorage, who is a member of the Aspen Institute's Commission on Arctic Climate Change. She's also on the board of the Union of Concerned Scientists, which opposes nuclear power and more offshore drilling and wants government policies "that reduce vehicle miles traveled" (i.e., driving in cars).

Frances Beinecke, president of the Natural Resources Defense Council, who prior to her appointment blogged about the spill this way: "We can blame BP for the disaster and we should. We can blame lack of adequate government oversight for the disaster and we should. But in the end, we also must place blame where it originated: America's addiction to oil."

On at least five occasions since the accident, Ms. Beinecke has called for bans on offshore and Arctic drilling.

Rounding out the panel is its lone member with an engineering background, Harvard's Cherry A. Murray, though her specialties are physics and optics.

Whatever their other expertise, none of these worthies knows much if anything about petroleum engineering. Where is the expert on modern drilling techniques, or rig safety, or even blowout preventers?

The choice of men and women who are long opposed to more drilling suggests not a fair technical inquiry but an antidrilling political agenda. With the elections approaching and Democrats down in the polls, the White House is looking to change the subject from health care, the lack of jobs and runaway deficits. Could the plan be to try to wrap drilling around the necks of Republicans, arguing that it was years of GOP coziness with Big Oil that led to the spill?

White House Chief of Staff Rahm Emanuel took this theme for a test drive on Sunday when he said that Republicans think "the aggrieved party here is BP, not the fisherman." He added that this ought to remind Americans "what Republican governance is like." The antidrilling commission could feed into this campaign narrative with a mid-September, pre-election report that blames the disaster on the industry and Bush-era regulators and recommends a ban on most offshore exploration. The media

would duly salute, while Democrats could then take the handoff and force antidrilling votes on Capitol Hill.

Even as this commission moves forward, engineering experts across the country have agreed that there is no scientific reason for a blanket drilling ban. The Interior Department invited experts to consult on drilling practices, but as we wrote last week eight of them have since said their advice was distorted to justify the Administration's six-month drilling moratorium.

Judging from that decision and now from Mr. Obama's drilling commission, the days of "science taking a back seat to ideology" are very much with us.

Madam Speaker, I reserve the balance of my time.

Mr. RAHALL. Madam Speaker, I yield myself 30 seconds.

I appreciate the gentleman's listing and submitting for the RECORD the backgrounds of this commission appointed by the President. I will not at this time, although I almost feel compelled to, ask for submission into the RECORD the financial and political background of the Federal judge that just issued a decision against the administration's moratoria this week, but I won't do that; nor the fact that the commission had some 150 scientists at their disposal as well, but I won't submit their backgrounds and history at this time.

Instead, I will yield 5 minutes to the gentlewoman from California (Mrs. CAPPs).

Mrs. CAPPs. Madam Speaker, I rise in strong support of this legislation to give the National Commission on the BP Oil Spill the power to issue subpoenas.

I want to thank three chairmen—Chairman RAHALL, Chairman OBERSTAR and Chairman CONYERS—for expediting the consideration of my bill, and I really appreciate the tireless effort of Chairman MARKEY, who has worked with me on this bill and our earlier bill which was the basis for the President's order to set up the commission in the first place. I also appreciate the Speaker and the majority leader for bringing H.R. 5481 before us today.

As we witness the continued destruction affecting the livelihood of gulf residents and the environment, a full and thorough investigation must be conducted. The American people want answers from those responsible for the devastating gulf oil spill. Providing subpoena power to the commission will ensure that no stone goes unturned, and it will enable the American people to get the truth about how and why this disaster occurred.

While the President has committed the full cooperation of the Federal Government to the commission, he does not have the authority to give it subpoena power; congressional action is required. With the investigation expected to start soon, it's vital the commission has the tools and the resources it needs to get the job done.

As I've said repeatedly on the House floor, oil drilling is never without risk, but if we're going to make it as safe as possible, we need to provide the com-

mission with every means available to find out exactly what caused the BP disaster so we can do everything possible to prevent such a disaster from ever happening again. Arming the commission with subpoena power will help us accomplish these goals and will help the affected communities to recover.

Madam Speaker, the need for subpoena power is certainly indicated by BP's wholly unsatisfactory response to this crisis. Unlike the gush of oil, BP has tightly controlled the flow of information following its spill. It has regularly stonewalled requests by Members of Congress, independent researchers, and the public to provide accurate and timely information.

BP has failed to tell us the amount of oil it's spilling into the gulf waters every day. BP has failed to provide health and safety data to the public, to the scientists, and the Federal Government. And BP has failed to prepare for the capture of all the oil being siphoned up from the well. Simply put, BP's behavior raises major doubts about its willingness to provide a full accounting of what went wrong when they appear before the commission.

The only way to get the information we all need from BP, Transocean, Halliburton and other private entities is for the commission to have the power to compel its disclosure. The commission just won't be able to do its work without complete access to the information it needs. So passing this bill is the appropriate and responsible thing to do. It's also consistent with Federal commission investigations that followed previous disasters, such as that on Three Mile Island.

Madam Speaker, the people of the Gulf of Mexico and the Nation deserve an explanation for all the circumstances and the decisions that led up to this disaster. Only a comprehensive, independent review with subpoena power will ensure the necessary lessons to be learned, practices changed, and future disasters averted.

So I urge my colleagues to join me in supporting this important legislation. Subpoena power is critical to hold all the parties accountable, protect taxpayers, and successfully clean up the disaster in the gulf.

□ 1500

Mr. HASTINGS of Washington. Madam Speaker, how much time remains on both sides?

The SPEAKER pro tempore. The gentleman from Washington has 13 minutes remaining, and the gentleman from West Virginia has 14 minutes remaining.

Mr. HASTINGS of Washington. At this time, Madam Speaker, I am very pleased to yield 5 minutes to a member of the Natural Resources Committee, the gentleman from Louisiana (Mr. FLEMING).

Mr. FLEMING. I thank the gentleman from Washington for the time.

Madam Speaker, I stand in favor of H.R. 5481, which gives subpoena power

to the National Commission on the BP Deepwater Horizon Oil Spill and Offshore Drilling.

As we stand here today, oil is still pouring into the Gulf of Mexico off the coast of Louisiana, and 242 miles of Louisiana shoreline are impacted by this oil. The highest priority for us must be to stop this leak and to get this mess cleaned up. BP must be held 100 percent accountable for their actions, and the administration must be accountable for their role in the response and oversight. Many questions are still without answers, the most pressing being what went wrong.

The bill we have before us today would provide subpoena power to the National Commission on the BP Deepwater Horizon Oil Spill and Offshore Drilling. This commission has been tasked by the President with providing recommendations on how we can prevent and mitigate the impact of any future spills that result from offshore drilling. Future tragedies that we are currently experiencing can only be prevented if we know what went wrong. We must find out who made the mistakes, who made the erroneous judgment, what failed, and just exactly what went wrong.

I will also interject, Madam Speaker, that, in operations like this, there are many backup systems; there are many redundancies. So, for a tragedy and a disaster like this to happen, there had to be gross error and gross negligence. This sort of thing just doesn't happen out of whole cloth.

I will support the bill today, but I share the concerns raised by my colleagues on the scope of the subpoena authority. I will voice my own concern and will urge Congress, this commission, and the administration to keep their eye on the ball to resolve the crisis affecting my State and our country and not to use this as an opportunity to advance an agenda, to shut down offshore drilling, or to impose a national energy tax.

The people of Louisiana have been hurt enough by BP's failures and by the inability of the administration to timely and effectively deal with this disaster. The last thing we need is the Federal Government's adding to this disaster by crippling one of the largest economic drivers in my State of Louisiana. The moratorium imposed by the administration would do just that. A Federal judge recently temporarily stayed the moratorium, affirming that it would cause irreparable harm. Any action by the administration, by this commission, and by this Congress must be based on science and not politics. Let's get the answers to what happened in order to stop the oil, to clean up the gulf, and to help Louisiana.

Also, I want to point out a couple of things on this bill about the actors in this situation. First of all, I want to say that I condemn BP and its actions. It is very clear that BP was negligent, if not criminal, in its actions by putting profits ahead of safety.

Let's talk about the administration for a moment. The administration failed to address well-known problems with the Minerals Management Service even well into the first 18 months of the administration. It held off high-volume skimmers from other countries that were offered within 3 days of the disaster. They barely acknowledged the spill for 9 days. They did not give permission for berm construction for almost 60 days in my home State of Louisiana. They repeatedly stopped emergency cleanup operations for trivial or unknown reasons, and that is happening even today. They repeatedly slapped moratoria, as I mentioned before, on offshore drilling that is over 500 feet, which is not, truly, deep water, and when all of the experts on this panel said that it was perfectly safe to do so.

I would like to say there is one silver lining in this entire situation, and that is my own Governor, Governor Jindal. Governor Jindal has been standing point each day in this process, doing everything that a Governor should do and must do while our President is on the golf course and while, of course, the CEO of BP is out on a yacht.

So I just want to say, in summary, Madam Speaker, that I do support H.R. 5481. This is one step in many toward finding out what happened here. We do need subpoena power to find out every bit of this, which will be going on for years, but so will the cleanup and so will the impact on my State of Louisiana, which at this point means that our tourism industry and our fisheries will be devastated, and now that the moratorium is shutting down 33 rigs, it is devastating our economy and our jobs.

Mr. RAHALL. Madam Speaker, I yield 5 minutes to the gentleman from Massachusetts (Mr. MARKEY).

Mr. MARKEY of Massachusetts. I thank the chairman very much. I thank him for his excellent work and for his timely hearings on this catastrophic event.

I thank the gentlewoman from California (Mrs. CAPP) for her excellent work on this indispensable piece of legislation and for working together in a bipartisan fashion with the minority to ensure that we have an historically accurate assessment of what has happened in the Gulf of Mexico.

Madam Speaker, President Obama established a bipartisan National Commission to investigate the causes of the BP disaster through Executive order. However, the President does not have the authority to give the commission subpoena power. That requires the Congress to act.

BP's response continues to be marked by catastrophic failures. Just today, an accident with an underwater recovery at the bottom of the sea has forced BP to remove the containment cap, and oil is now gushing into the ocean at a rate of 25,000 to 50,000 barrels per day. BP's mistakes seem to be without end.

BP said the rig couldn't sink. It did. BP said they could respond to an Exxon Valdez-sized spill every day. They couldn't. BP initially claimed that the oil spill was 1,000 barrels a day. It wasn't. BP knew it. Internal BP documents show that, in the first week of the disaster, BP estimated the size of the spill could be as high as 14,000 barrels per day. It took BP 23 days to finally agree to release video footage of the oil spill. Even then, BP initially only released video of one of the 12 remote operating vehicles on the ocean floor.

All along, it seems that BP has been much more concerned about its own liability—they pay a fine per barrel of oil per day—than they have been with the livability of the Gulf of Mexico and with the livelihoods of the people who are dependent upon the Gulf of Mexico for their livings.

BP's actions raise significant concerns about whether it will fully cooperate with the commission. We need to ensure that neither BP, Halliburton, Transocean nor any other party could prevent the commission from getting to the bottom of what went wrong at the bottom of the ocean on April 20, 2010, when the Deepwater Horizon exploded.

Congress has granted subpoena power to Presidential commissions investigating national crises in the past, including the Kemeny Commission, which investigated the disaster at Three Mile Island, and the 9/11 Commission.

As the worst environmental disaster in our Nation's history continues to unfold in the gulf, the American people and the people of the gulf coast deserve answers so that we can prevent similar disasters in the future. This legislation will ensure that the National Commission has the power it needs to get those answers for the American people.

We have to make sure that this never happens again. We have to make sure that the lessons learned are implemented. If the oil industry is going to drill in ultradeep waters, we have to ensure that it is ultrasafe and that there is an ultrafast response that can, in fact, ensure that there is a minimization of the harm done to the residents of the gulf. Every oil company now says they have no capacity to respond ultrafast to a catastrophic event the size of what is happening in the gulf right now. We have to make sure that none of this occurs again. Only with the subpoena power can we understand everything that happened—only with the passage of that today.

Again, I urge all Members to cast an "aye" vote.

Mr. HASTINGS of Washington. Madam Speaker, may I inquire again as to how much time remains on both sides?

The SPEAKER pro tempore. The gentleman from Washington has 8 minutes remaining, and the gentleman from West Virginia has 9½ minutes remaining.

□ 1510

Mr. HASTINGS of Washington. Madam Speaker, I am pleased to yield 4 minutes to the gentleman from Louisiana (Mr. CASSIDY), a member of the Natural Resources Committee.

Mr. CASSIDY. Madam Speaker, it's been 64 days since the Deepwater Horizon exploded, sank, killed 11 rig workers, and began spilling oil into the Gulf of Mexico. So I think we all agree that, first and foremost, we must stop the leak, clean up the spill, protect our coast, and hold BP accountable for damages.

Next, though, we've got to get to the bottom of what happened. And like my colleague just said, if we're going to go ultra-deep, make sure that it's ultrasafe. Now, for that to happen, we have to know the facts—a detailed account informed by understanding of what did take place, and then put in these ultrasafe safety and enforcement measures to make the United States the safest place to drill to get the resources to power our economy.

Now this was supposed to be the purpose of the National Oil Spill Commission. Instead, the members of this do not appear to be up to the challenge. Instead of appointing independent experts with knowledge and expertise of deepwater drilling, the President has packed the commission with people who lack expertise in the issues we're confronting.

First, let me say, Madam Speaker, I am for this commission having subpoena power. I am for them learning as much as they can learn. My concern is they do not have the members capable of understanding what they need to understand. There are no petroleum engineers in this commission, nor anyone else with experience in deepwater drilling.

Now, if you're going to have a commission to figure out what went wrong in a petroleum engineering circumstance in deepwater drilling, you need members who have expertise in those issues. And if we don't learn from this, if we don't figure out how not to repeat these mistakes, then we're dooming ourselves to either repeat these accidents or to have an energy future which is far less secure.

Now, Candidate Obama pledged to put science before politics, but it appears the President is rejecting science and professional expertise in responding to this. He recently imposed a moratorium that his handpicked experts said should not be put in place. These experts stated this moratorium "will have a lasting impact on the Nation's economy which may be greater than that of the oil spill." They specifically said that the moratorium should not be blanket, but rather targeted to those rigs at risk.

Madam Speaker, I speak as someone from Louisiana. We have over 150,000 jobs at stake here. These are jobs in the energy production field, fisheries, wetlands, and our ecosystem. At stake is not only these jobs, though, but the

ability of our country to provide the energy we need to power our vehicles and our businesses, to provide jobs, in a sense, to make our economy go.

Now, this spill is a disaster for the gulf coast and especially for my State. The citizens have had their lives and livelihoods upended by this spill, but the commission we're debating here today is a disappointment. To get to the bottom of what happened, we need people who are up to the task. We need to put science before politics for the sake of the gulf, our Nation, and for those whose jobs are at risk.

Mr. RAHALL. Madam Speaker, I yield 2 minutes to the gentleman from New Jersey (Mr. HOLT), a member of our Committee on Natural Resources.

Mr. HOLT. I thank the chair of our committee for yielding.

Madam Speaker, I rise in support of H.R. 5481, which Mrs. CAPPS has brought before us, that would grant subpoena powers to the Presidential Commission on the BP Deepwater Horizon Oil Spill. Our Nation is in the midst of a great environmental disaster of historic scale—tens of thousands of barrels gushing into the gulf, hundreds of miles of coast line contaminated, thousands of people suffering from the economic impact. With today's news that the cap has been removed, this environmental catastrophe continues only to get worse.

BP has not been forthcoming over the past months—not forthcoming in what they were doing or how it was done or how much oil was gushing out and on and on and on. We owe it to the American people that they have an answer for what has happened; why it has happened; how it will be brought under control; what actions are being taken to prevent future spills. We can't let corporate prevarication and delay and feigned ignorance stand in the way.

I support the President's action in creating a commission to determine the answers to these questions. And as the commission begins to investigate the spill in the coming weeks, we must ensure that it has the tools necessary to succeed. Granting the commission subpoena powers will ensure that they undertake a complete inquiry on the causes of the spill and make meaningful recommendations on how to prevent similar disasters. I urge support.

I also want to point out that we need to ensure that the responsible parties are held accountable for the economic damages they've caused. The Big Oil Bailout Prevention Act, which has the support of nearly a fifth of this body, would raise the liability limit for economic damages from the laughably small \$75 million. It's my hope that Congress will also act on this important legislation in the near future.

Mr. HASTINGS of Washington. Madam Speaker, I am pleased to yield 3 minutes to the gentleman from Louisiana (Mr. SCALISE), a member of the Energy and Commerce Committee.

Mr. SCALISE. I thank the gentleman for yielding.

Madam Speaker, I rise in support of the legislation to give subpoena powers to the commission. I would hope the commission would be an objective commission that actually looks into and helps us find out just what went wrong because I think we all need to know what went wrong on that rig to lead to the explosion that, unfortunately, took the lives of 11 people and has led to not only this human loss but this environmental loss.

I would hope that they would be objective in their deliberations. I think I do have concerns that some of the members appear to maybe come to this with a predisposed outcome. And they would be well served and the country would be well served if they put their political agendas on the side and actually focused on finding out what went wrong and coming up with real recommendations.

Now, if we look at the legislation not only here before us but also some of the problems we're dealing with on the ground, we continue to have problems and we seem to be spending more of our time fighting against this administration rather than fighting the oil because we're not getting the leadership we need from the President. Just yesterday, the sand barrier plan brought forward by our Governor that the President himself bragged about helping approve last week was stopped, halted by the Federal Government. Yet again, this kind of administrative red tape is something that's holding us back from properly responding to this disaster.

But if you look at what's happening with this ban on drilling in general, Secretary Salazar had initially put a commission together to come up with recommendations. They had a 30-day report that they issued. And these were scientists that were put together on recommendation by the National Academy of Engineers, and they came up with some solid recommendations to improve safety; but they opposed a ban on drilling. Unfortunately, Secretary Salazar set that ruling on the side, set that report on the side, and ignored the reports of scientists and put politics over safety and science and went forward with the ban that yesterday a judge ruled was not legal, not proper.

And so as this commission moves forward, I would hope that they would actually follow the rule of law and come up with objective decisions. But I think the Secretary would be well served and the President would be well served to go back to the report that was issued by his own scientific panel that came up with suggestions to improve safety on rigs without shutting down an entire industry.

Unfortunately, the President and the Secretary continue to set those kinds of scientific recommendations on the side and allow politics to trump the science by continuing to pursue this ban, even though the judge said that their decision was arbitrary and capricious; that they did not have the legal

authority to have a complete ban on drilling. In fact, the scientists recommended and suggested that a complete ban, as this moratorium that's in effect would currently have, would actually decrease safety on rigs.

So, again, I would urge the President and the Secretary to go back and read that report and follow the recommendations of his own scientists.

Mr. RAHALL. Madam Speaker, I yield 2 minutes to the gentlewoman from California (Mrs. CAPPS), the sponsor of the pending resolution.

□ 1520

Mrs. CAPPS. I thank the chairman for recognizing me.

I just want to give some information about the nature of the commission for the RECORD and to clear up some misinformation that apparently is being circulated. The truth is that the commission is not designed to be technical in nature. It is more oriented to understanding the regulatory and organizational framework, which clearly has a major bearing on the incident.

The commission is going to consult the very best minds and subject matter experts as they do their work. The commission members bring expertise in a range of relevant fields, from oil drilling to engineering to environmental science. The appointment of the commission is another step from the Obama administration to hold the oil industry accountable by ensuring that independent experts review the facts of the spill and recommend necessary environmental and safety precautions to address this disaster and to prevent future disasters. At the request of co-chair William Riley, there is a 66-member expert panel led by Robert Bea that will serve as a consultant to the commission. These technical experts are critical to sorting through all of the information that's presented, and the commission is required to draw on the technical analysis that the National Association of Engineering is currently performing.

I just want to add that Congress is also providing oversight on efforts to contain the spill and to mitigate the devastation. There are thorough investigations into what led to this tragedy, with dozens of House hearings in the past 2 weeks alone in order to hold responsible parties accountable, as well as to inform what changes must be made so that it never happens again. Although Republican leaders have scoffed at these efforts, Democrats will continue to provide the necessary oversight to hold responsible parties accountable and to ensure that every measure is taken to ensure that a disaster like this never occurs again.

Mr. HASTINGS of Washington. Madam Speaker, I am pleased to yield 1 minute to the gentleman from California (Mr. ROHRBACHER).

Mr. ROHRBACHER. Madam Speaker, let us note that this catastrophe could well have been avoided in a number of ways. What we are talking about

now is the fact that standards that already are in place were not followed, and we had best practices that, of course, are required of the industry that were not being followed. And I think we're going to find that out. So the last thing we want to do is cripple the United States' production of domestic energy in order to find out and hold a certain group of people accountable for the fact that they did not follow the practices or the standards.

But let's put it this way: Congress has not done its job as well. We have spent billions of dollars on research and development for the Department of Energy. That money has been channeled into nonsense, like proving global warming rather than spending some money—which we have—spending money on research and development to make the technology that we need to have safe oil and gas production, which our country currently depends upon for our standard of living.

So we haven't done our job here. We haven't set our priorities here. And on top of that, we did not develop the technology necessary to deal with a spill of this magnitude. Kevin Costner came to our office and testified at a hearing. He's put his own money into this. So we need to set our own priorities. We need to deal with this crisis.

Mr. RAHALL. Madam Speaker, I reserve the balance of my time.

Mr. HASTINGS of Washington. I yield myself the balance of my time.

Madam Speaker, this commission is necessary so the commission has subpoena power. I think everybody understands that and supports that. But we need to do the three things that I had mentioned earlier. And that is to cap the well, to clean up all of the oil that has spilled out, and to hold BP accountable. Those things I think have very, very strong bipartisan support.

The only issue is what has been addressed a few times at least from my perspective and in print about the objectivity of this commission. And of course, Madam Speaker, we all know that only time will tell when that judgment will be made. But if they work in an objective way, look at the facts, and come to a decision based on the facts rather than a political point of view, I think we'll all be better served by that.

And with that, I urge support of this legislation.

Mr. OBERSTAR. Madam Speaker, I rise today in strong support of H.R. 5481, as amended, to give subpoena power to the National Commission on the BP Deepwater Horizon Oil Spill and Offshore Drilling.

On April 20, 2010, the Deepwater Horizon, a mobile offshore drilling unit (MODU) operating in the Gulf of Mexico off Louisiana, suffered a blowout and an uncontrollable release of gas and oil. This touched off an explosion and fire that claimed the lives of 11 men, injured many others, and resulted in the loss of the rig.

This casualty has also resulted in the release of millions of gallons of gas and oil into the Gulf of Mexico, the destruction of critical shoreline and ocean habitats, impacts to the

health of potentially hundreds of workers engaged in the clean up, and catastrophic economic losses that will not be known for some time for the people of the Gulf Coast region. Gas and oil continue to gush out of control from the well nearly 65 days since the explosion.

On May 22, President Obama issued Executive Order 13543 to establish the BP Deepwater Horizon Oil Spill and Offshore Drilling Commission. The Commission's mission is to:

1. examine the facts and circumstances concerning the Deepwater Horizon oil spill disaster;

2. develop options for preventing and mitigating the impact of oil spills associated with offshore drilling including: improvements to Federal laws, regulations, and industry practices and reforms to federal agencies; and

3. submit a public report to the President with findings and options for consideration within six months of the Commission's first meeting.

There are many serious questions that need to be answered surrounding this catastrophe. The President's Executive Order establishes a framework for pursuing these questions and providing needed policy improvements regarding offshore oil drilling. However, the Commission lacks a critical tool: subpoena power.

Unfortunately, it is in the interests of certain parties to withhold important information, rather than to provide it voluntarily. I know from our own oversight work on the Committee that subpoena power is absolutely necessary to identify and to get the information required to make better policies and to protect public health, the environment, and to prevent the mistakes of the past. For the Commission to fulfill its critical mission, it must have the power to compel parties to provide it with information. Congress has provided similar powers to prior commissions and provided this same investigatory power to the Offices of Inspector General pursuant to the Inspector General Act of 1978.

The gentlewoman from California (Mrs. CAPPS) has introduced legislation (H.R. 5481) to ensure that the BP Deepwater Horizon Commission has the ability to pursue critical questions and lines of inquiry wherever they may lead. The bill allows the Commission to issue subpoenas to compel the attendance and testimony of witnesses, and produce records and correspondence, among other items.

Passage of this legislation will give the BP Deep Horizon Oil Spill and Offshore Drilling Commission a central tool that it needs to get to the truth.

I thank the gentlewoman from California (Mrs. CAPPS) for introducing this important bill and for her unwavering commitment to this issue.

I urge my colleagues to join me in supporting H.R. 5481.

Mr. HASTINGS of Washington. I yield back the balance of my time.

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

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from West Virginia (Mr. RAHALL) that the House suspend the rules and pass the bill, H.R. 5481, 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.

Mr. RAHALL. Madam Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

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.

PRIVILEGED REPORT ON RESOLUTION OF INQUIRY TO SECRETARY OF THE INTERIOR

Mr. RAHALL, from the Committee on Natural Resources, submitted a privileged report (Rept. No. 111-510) on the resolution (H. Res. 1406) directing the Secretary of the Interior to transmit to the House of Representatives certain information relating to the potential designation of National Monuments, which was referred to the House Calendar and ordered to be printed.

RECESS

The SPEAKER pro tempore. Pursuant to clause 12(a) of rule I, the Chair declares the House in recess subject to the call of the Chair.

Accordingly (at 3 o'clock and 25 minutes p.m.), the House stood in recess subject to the call of the Chair.

□ 1617

AFTER RECESS

The recess having expired, the House was called to order by the Speaker pro tempore (Ms. RICHARDSON) at 4 o'clock and 17 minutes p.m.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, proceedings will resume on motions to suspend the rules previously postponed.

Votes will be taken in the following order:

H.R. 5481, by the yeas and nays;

H.R. 3993, by the yeas and nays;

H. Res. 1388, de novo.

The first electronic vote will be conducted as a 15-minute vote. Remaining electronic votes will be conducted as 5-minute votes.

GRANTING SUBPOENA POWER TO COMMISSION INVESTIGATING BP DEEPWATER OIL SPILL

The SPEAKER pro tempore. The unfinished business is the vote on the motion to suspend the rules and pass the bill (H.R. 5481) to give subpoena power to the National Commission on the BP Deepwater Horizon Oil Spill and Offshore Drilling, as amended, on which the yeas and nays were ordered.

The Clerk read the title of the bill.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from West Virginia (Mr. RAHALL) that the House suspend the rules and pass the bill, as amended.

The vote was taken by electronic device, and there were—yeas 420, nays 1, answered “present” 2, not voting 9, as follows:

[Roll No. 382]

YEAS—420

Ackerman	Crowley	Holt
Aderholt	Cuellar	Honda
Adler (NJ)	Culberson	Hoyer
Akin	Cummings	Hunter
Alexander	Dahlkemper	Inglis
Altmire	Davis (AL)	Inslee
Andrews	Davis (CA)	Israel
Arcuri	Davis (IL)	Issa
Austria	Davis (KY)	Jackson (IL)
Baca	Davis (TN)	Jackson Lee
Bachmann	DeFazio	(TX)
Bachus	DeGette	Jenkins
Baird	DeLauro	Johnson (GA)
Baldwin	Dent	Johnson (IL)
Barrow	Deutch	Johnson, E. B.
Bartlett	Diaz-Balart, L.	Johnson, Sam
Barton (TX)	Diaz-Balart, M.	Jones
Bean	Dicks	Jordan (OH)
Becerra	Dingell	Kagen
Berkley	Djou	Kanjorski
Berman	Doggett	Kaptur
Berry	Donnelly (IN)	Kennedy
Biggert	Doyle	Kildee
Bilbray	Dreier	Kilpatrick (MI)
Bilirakis	Driehaus	Kilroy
Bishop (GA)	Duncan	Kind
Bishop (NY)	Edwards (MD)	King (IA)
Bishop (UT)	Edwards (TX)	King (NY)
Blackburn	Ehlers	Kingston
Blumenauer	Ellison	Kirkpatrick (AZ)
Blunt	Ellsworth	Kissell
Bocchieri	Emerson	Klein (FL)
Boehner	Engel	Kline (MN)
Bonner	Eshoo	Kosmas
Bono Mack	Etheridge	Kratovich
Boozman	Fallin	Kucinich
Boren	Farr	Lamborn
Boswell	Fattah	Lance
Boucher	Filner	Langevin
Boustany	Flake	Larsen (WA)
Boyd	Fleming	Larson (CT)
Brady (PA)	Forbes	Latham
Brady (TX)	Fortenberry	LaTourette
Bralley (IA)	Foster	Latta
Bright	Fox	Lee (CA)
Brown (GA)	Frank (MA)	Lee (NY)
Brown, Corrine	Franks (AZ)	Levin
Brown-Waite,	Frelinghuysen	Lewis (CA)
Ginny	Fudge	Lewis (GA)
Buchanan	Gallely	Linder
Burgess	Garamendi	Lipinski
Burton (IN)	Garrett (NJ)	LoBiondo
Butterfield	Gerlach	Loebsack
Buyer	Giffords	Lofgren, Zoe
Calvert	Gingrey (GA)	Lowey
Camp	Gohmert	Lucas
Campbell	Gonzalez	Luetkemeyer
Cantor	Goodlatte	Lujan
Cao	Gordon (TN)	Lummis
Capito	Granger	Lungren, Daniel
Capps	Graves (GA)	E.
Capuano	Graves (MO)	Lynch
Cardoza	Grayson	Mack
Carnahan	Green, Al	Maffei
Carney	Green, Gene	Maloney
Carson (IN)	Griffith	Manzullo
Carter	Grijalva	Marchant
Cassidy	Guthrie	Markey (CO)
Castle	Gutierrez	Markey (MA)
Castor (FL)	Hall (NY)	Marshall
Chaffetz	Hall (TX)	Matheson
Chandler	Halvorson	Matsui
Childers	Hare	McCarthy (CA)
Chu	Harman	McCarthy (NY)
Clarke	Harper	McCaul
Clay	Hastings (FL)	McClintock
Cleaver	Hastings (WA)	McCollum
Clyburn	Heinrich	McCotter
Coble	Heller	McDermott
Coffman (CO)	Hensarling	McGovern
Cohen	Herger	McHenry
Cole	Herseth Sandlin	McIntyre
Conaway	Higgins	McKeon
Cannolly (VA)	Hill	McMahon
Conyers	Himes	McMorris
Cooper	Hinches	Rodgers
Costa	Hinojosa	McNerney
Costello	Hirono	Meek (FL)
Courtney	Hodes	Meeks (NY)
Crenshaw	Hoekstra	Melancon
Critz	Holden	Mica

Michaud	Rangel	Smith (TX)
Miller (FL)	Rehberg	Smith (WA)
Miller (MI)	Reichert	Snyder
Miller (NC)	Reyes	Space
Miller, George	Richardson	Speier
Minnick	Rodriguez	Spratt
Mitchell	Roe (TN)	Stark
Mollohan	Rogers (AL)	Stearns
Moore (KS)	Rogers (KY)	Stupak
Moore (WI)	Rogers (MI)	Sullivan
Moran (KS)	Rohrabacher	Sutton
Moran (VA)	Rooney	Tanner
Murphy (CT)	Ros-Lehtinen	Taylor
Murphy (NY)	Roskam	Teague
Murphy, Patrick	Ross	Terry
Murphy, Tim	Rothman (NJ)	Thompson (CA)
Myrick	Roybal-Allard	Thompson (MS)
Nadler (NY)	Royce	Thompson (PA)
Napolitano	Ruppersberger	Thornberry
Neal (MA)	Rush	Tiahrt
Neugebauer	Ryan (OH)	Tiberi
Nye	Ryan (WI)	Tierney
Oberstar	Salazar	Titus
Obey	Sanchez, Linda	Tonko
Olson	T.	Towns
Oliver	Sanchez, Loretta	Tsongas
Ortiz	Sarbanes	Turner
Owens	Scalise	Upton
Pallone	Schakowsky	Van Hollen
Pascarell	Schauer	Velázquez
Pastor (AZ)	Schiff	Walden
Paulsen	Schmidt	Walz
Payne	Schock	Wasserman
Pence	Schrader	Schultz
Perlmutter	Schwartz	Waters
Perriello	Scott (GA)	Watson
Peters	Scott (VA)	Watt
Peterson	Sensenbrenner	Waxman
Petri	Serrano	Weiner
Pingree (ME)	Sessions	Welch
Pitts	Shadegg	Westmoreland
Poe (TX)	Shea-Porter	Whitfield
Polis (CO)	Sherman	Wilson (OH)
Pomeroy	Shimkus	Wilson (SC)
Posey	Shuler	Wittman
Price (GA)	Shuster	Wolf
Price (NC)	Simpson	Woolsey
Putnam	Sires	Wu
Quigley	Skelton	Yarmuth
Radanovich	Slaughter	Young (AK)
Rahall	Smith (NE)	Young (FL)

NAYS—1

Paul

ANSWERED “PRESENT”—2

Miller, Gary

NOT VOTING—9

Barrett (SC)

Brown (SC)

Delahunt

Kirk

Platts

Sestak

Smith (NJ)

Visclosky

Wamp

□ 1648

Messrs. WU, SCHRADER, POE of Texas, PETERS, SHADEGG, and GUTIERREZ changed their vote from “nay” to “yea.”

So (two-thirds being in the affirmative) the rules were suspended and the bill, as amended, was passed.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

MOMENT OF SILENCE HONORING THE PASSING OF FORMER REPRESENTATIVE THOMAS LUDLOW ASHLEY

(Ms. KAPTUR asked and was given permission to address the House for 1 minute.)

Ms. KAPTUR. Madam Speaker, it is with a sad but grateful heart that I rise today on behalf of my Ohio colleagues to inform the House that Congressman Thomas Ludlow Ashley of Toledo, Ohio, passed from this life on June 15, 2010.

Lud ably served in our Congress from 1955 to 1981, a career that spanned a quarter century, after he returned home as a corporal in the Army during World War II, serving in the Pacific theater.

As the Toledo Blade editorial reminds us, “The late Senator Edward Kennedy once said: ‘Americans sleep in better housing today because of Lud Ashley.’” As chair of the House Subcommittee on Housing and Community Development, Lud led America in urban and small town revitalization, improving our condition as a society a home and block at a time. He voted for the Civil Rights Act of 1964 and authored many pieces of legislation to rebuild America following the civil rights movement of that period.

In 1977, Mr. Ashley was selected by his beloved friend and Speaker, Thomas “Tip” O’Neill, to lead the House in the first ad hoc Energy Committee after the first Middle East oil embargo threw America into a deep recession. As Speaker O’Neill said at the time, “Lud has a toughness and a never-say-die attitude, and who, when he was put on the first team, could run with the ball.”

Born on January 11, 1923, in Toledo, Lud was raised on Robinwood Avenue. He has been laid to rest nearby at Woodlawn Cemetery. He was the great grandson of James Mitchell Ashley of Ohio, who served before him from 1859–1869 and coauthored the 13th Amendment to the U.S. Constitution outlawing slavery. In that tradition, Lud Ashley’s legacy was his abiding spirit of equal justice that moved civil rights forward in the post-World War II era.

It is appropriate this Congress has honored both Congressmen in passing legislation that named the Federal courthouse at Toledo forever in their memory.

Our prayers go out to the Ashley family: to his daughter Lisa and sons Meredith and his wife Monica, to Mark, brother Charles, sister-in-law Gerry, and many nieces and nephews. He was preceded in death by his wife, Kathleen.

Our citizenry in the 9th Congressional District shall miss his great intellect, dogged nature, and incredible sense of humor that lifted us all to carry forward.

Thank you, Thomas Ludlow Ashley.

[From toledoBlade.com, June 16, 2010]

CONGRESSMAN KNOWN FOR AIDING HOUSING, CIVIL RIGHTS DIES AT 87

(By Mark Zaborney)

Thomas Ludlow “Lud” Ashley, a liberal Democrat who played key roles in passing landmark civil rights, housing, and anti-poverty legislation while representing Toledo in Congress for more than a quarter century, died yesterday of melanoma at his home in Leland, Mich. He was 87.

Mr. Ashley cut a large figure on national and local stages, a genial good companion with a ready wit. He was colorful at times but also a thoughtful, skilled legislator capable of reconciling diverse interests to produce bills that would win floor approval.

While a student at Yale University in the 1940s, he befriended George H.W. Bush, and

the two remained close for more than 60 years. Yesterday, former President Bush said in a statement that he and his wife, Barbara, "mourn the loss of a very close friend" and said Mr. Ashley "might well have been my very best friend in life."

During Mr. Ashley's congressional tenure from 1955 to 1980, he brought millions of dollars home to northwest Ohio.

On Capitol Hill, he was known as "Mr. Housing," shepherding America's public-housing programs through Congress in the 1960s and 1970s—including more than \$15 million in public-housing units across Lucas County.

Through his efforts, Toledo was one of the first 30 cities in which food stamps were distributed to the poor.

With more than \$11 million he secured, the Port of Toledo was dredged and improved, creating one of the nation's leading ports.

"It seemed like when the city needed the money, Lud would come through," Harry Kessler, Toledo's mayor from 1971-77 and now deceased, told *The Blade* in 1997.

Mr. Ashley's son Meredith, of Ho-Ho-Kus, N.J., said yesterday that of all his father's Washington achievements, the lawmaker was proudest of what he did to help Toledo.

"There was a lot of national legislation that Dad was really proud of, but there was nothing he was more proud of than scoring that \$11 million grant for downtown Toledo," he said.

Known universally as "Lud," Mr. Ashley was the 26th man to represent the 9th Congressional District in the House. Until his defeat in 1980, he served the district longer than anyone before him.

His great-grandfather James M. Ashley represented Toledo in Congress from 1859-69 as a Republican, having left the Democratic Party because of his anti-slavery beliefs.

The federal courthouse in downtown Toledo was named the James M. and Thomas W. Ludlow Ashley United States Courthouse by an act of Congress two years ago. President George W. Bush signed the measure, which had been sponsored by U.S. Rep. Marcy Kaptur (D., Toledo), in a private White House ceremony, and the official renaming was held in Toledo on June 3, less than two weeks ago.

Miss Kaptur, who with her re-election in 2008 surpassed Lud Ashley's record for representing Toledo the longest in Congress, said yesterday that "Lud Ashley gave true meaning to the term 'public servant.' He followed admirably in the footsteps of his abolitionist great-grandfather, James, putting his genius to work in another tumultuous time and helping pass the momentous 1964 Civil Rights Act."

James Ashley's co-authorship of the 13th Amendment, which abolished slavery, and his great-grandson's work on the Housing and Community Development Acts of 1974 and 1977 "reflect the Ashley family's place in history on the scales of justice and equality for all people," Miss Kaptur said.

Mr. Ashley had been a resident in recent years of Leland, Mich., near Traverse City, but noted in 2008 that his great-grandfather chose to settle in Toledo.

"It's where he was buried, and where I'm going to be buried," Mr. Ashley told *The Blade*. "Toledo's home."

Mr. Ashley was first elected to Congress in 1954, defeating incumbent Frazier Reams, Sr., an independent, in a three-way race. He proved a redoubtable vote-getter over the years, dispatching some of the best opponents the Republican Party could muster.

He rose to a position of leadership in the House of Representatives, becoming a close ally and personal friend of House Speaker Thomas P. "Tip" O'Neill, Jr.

In 1977, Mr. O'Neill named Mr. Ashley chairman of a special committee created to

handle a package of bills submitted by President Jimmy Carter to deal with the energy crisis.

When energy legislation cleared Congress more than a year later, Mr. O'Neill sent Mr. Ashley a letter of praise.

"Somebody said that it couldn't be done, but they didn't know that Tip O'Neill had a friend who had knowledge, ability, toughness, and a never-say-die attitude, and who, when he was put on the first team, could run with the ball," the House Speaker wrote.

There were other instances of political courage.

In 1959, more than a decade before President Richard Nixon's landmark visit to the People's Republic of China, Mr. Ashley was one of two House members to openly support that nation's admission to the United Nations.

In 1961, he was one of only six congressmen who voted to cut off funds for the House Un-American Activities Committee.

Mr. Ashley also became a senior and influential member of three permanent House committees: budget; banking, finance, and urban affairs; and merchant marine and fisheries, serving briefly in 1980 as chairman of the latter panel.

Mr. Ashley was known especially for his expertise in housing and community development legislation.

He was chairman of the housing and community development subcommittee of the House banking, finance, and urban affairs committee, and much of the legislation dealing with urban housing and development problems that was passed in the 1970s bore his imprint.

In October, 1979, President Carter, at a White House ceremony marking the anniversary of a community development program, praised Mr. Ashley's legislative abilities.

"He cares about people, and he is superb in his ability to conceive legislative programs and have them passed by Congress," President Carter said.

Mr. Ashley loyally supported Democratic presidents, but he had good relations with President Gerald Ford, a Republican, and many Republican members of Congress.

While Mr. Ashley and President George H.W. Bush were Yale undergraduates, the two were tapped to be members of the elite secret student society Skull and Bones. In an old stone building owned by the society and known as the Tomb, the members confessed deep secrets to one another as part of their initiation.

"It allowed us to come to know more about one another," Mr. Ashley told *The Blade* in 1997. And from that sprang a lifelong friendship.

After Mr. Bush was elected president, Mr. Ashley spent many days with him at Camp David and the White House, especially in times of crisis.

In 1990, he went to Camp David to buck up the president after his budget was spurned by Congress, leading to a temporary shutdown of the federal government.

"I have a lifetime of memories of friendship between those two that stretch back to my youngest days," Meredith Ashley said yesterday. "We'd go up to Kennebunkport [Maine] during the summer, well before he became vice president and president, and nothing ever changed in their friendship after he became vice president. If anything, their friendship got stronger."

Mr. Ashley joined Mr. Bush at the opening of the Bush Presidential Library and Museum in Texas, where the Toledo congressman's name appears prominently in biographies and videos of the 41st president.

Mr. Ashley, born Jan. 11, 1923, to Alida and William Ashley, was raised on Robinwood Avenue in the Old West End and attended Glenwood Elementary School.

His father owned a small steel manufacturing firm on Tracy Road and nearly lost his business during the Great Depression. The business rebounded, and the family moved to Front Street in Perrysburg. His parents sent their son to Kent School in Kent, Conn., from 1939 to 1942.

His older brother William, the heir apparent to the Ashley political legacy, was killed at age 22 in May, 1944, when his Army bomber exploded during a training mission over Massachusetts. All 10 aboard died.

Decades later, Mr. Ashley said he was greatly affected by the loss. "We were inseparable friends," Mr. Ashley said.

Mr. Ashley was a corporal in the Army during World War II, serving in the Pacific Theater.

He graduated from Yale in 1948 and was associated with the Toledo Publicity and Efficiency Commission that year.

Michael DiSalle, then mayor of Toledo and later governor of Ohio, encouraged him to study law, and Mr. Ashley enrolled in the University of Toledo law school. He later transferred to Ohio State University, from which he received a law degree in 1951.

Mr. Ashley was hired to be a special projects coordinator for Radio Free Europe and was stationed briefly in New York City.

In 1954, Mr. DiSalle was looking for a candidate to challenge Mr. Reams, the independent 9th District incumbent. Mr. DiSalle provided Mr. Ashley with considerable advice and aid. Mr. Ashley provided the energy and image in what was the first local campaign to make extensive use of television. Mr. Reams was defeated by 4,000 votes.

In 1980, when he was defeated by Republican challenger Ed Weber, some political analysts linked it to the landslide presidential victory of Ronald Reagan. But Mr. Ashley told *The Blade* in 1997 that it was his own fault, saying it was "tough to get enthusiastic about another campaign. And that's when you get beaten. I just didn't get the job done."

Miss Kaptur defeated Mr. Weber in 1982. Mr. Ashley was married twice. He and the former Margaret Mary Sherman of Toledo married in August, 1956, in Manassas, Va., but separated that fall.

In 1967, he married Kathleen Lucey, a graduate of Georgetown University law school who'd begun working as an assistant in his office in 1962.

Mr. Ashley was a student of history and politics with a personal library that testified to those passions. He also loved opera and gardening.

His decision to make Leland, Mich., his home came a few years after the death of Kathleen in 1997.

Mr. Ashley was a member of the George H.W. Bush Presidential Library Foundation at the time of his death and earlier served on numerous other boards including those of Fannie Mae and Freddie Mac, the nation's two largest mortgage lenders.

He is survived by sons Meredith (Monica) Ashley of Ho-Ho-Kus, N.J., and Mark Ashley of Washington; daughter, Lise Murphy of Washington; brother, Charles S. Ashley, and sister-in-law Gerry Ashley, of Leland, and many nieces and nephews.

A reception for family and friends will be held from 3-6 p.m. Sunday in the Ashley home, 402 Mill St., Leland. A memorial service will be held later in Washington and interment will be in Toledo's Historic Woodlawn Cemetery.

The family requests that any donations be to the Leland Township Library. Martinson Funeral Home is handling arrangements.

ASHLEYS SERVED WITH HONOR, VIGOR
(By James M. Ashley IV)

This Thursday, Toledo's new federal courthouse will be dedicated to two men—both

past congressmen from our city, both named Ashley. I am proud to claim kinship with both men.

James M. Ashley and Thomas Ludlow Ashley served their constituencies and their country with vigor, honesty, and a firm resolution to achieve what they saw as the best courses of action for the people. They served our state for more than 16 percent of the time from when Ohio was admitted to the United States in 1803 to the present day.

James Ashley served in Congress during the most difficult period of our history, from 1859 through 1869—the era of John Brown, the Civil War, and the impeachment of President Andrew Johnson. He saw slavery firsthand while he worked on riverboats in the South during his youth. He became a passionate and dedicated abolitionist, working within the Underground Railroad.

The turmoil of the decade before the Civil War led to the formation of the Republican Party. Like Abraham Lincoln, James Ashley was stirred into action by the growing national emergency and ran for public office as a Republican. Both men put their strongly held beliefs into action.

In Congress, James Ashley adamantly opposed secession and any compromise on slavery. He worked zealously and skillfully to make the emancipation of America's slaves a reality. Expressing his hard-line outlook and frontier upbringing, he proposed that a congressman who favored a slavery compromise should be "kicked by a steam Jackass from Washington to Illinois."

Such no-nonsense dedication was useful to Lincoln in his efforts at emancipation. As president, Lincoln could not express or overtly back anything that might weaken support from border states or moderates within the Union. James Ashley became Lincoln's go-to man in Congress.

When Lincoln issued the Emancipation Proclamation during the Civil War, it immediately freed only a few thousand slaves. But it turned the war from a sectional struggle into a crusade to free the millions of African-Americans who were still held in bondage.

The stage was set for the Constitutional amendment that would finally outlaw chattel slavery throughout the country, forever. James Ashley focused on the complexities of achieving necessary harmony within Congress to pass this monumental amendment.

With help from the president, James Ashley garnered the necessary votes and support. To those who wavered, Lincoln stated that "whatever Ashley had promised should be performed."

The Thirteenth Amendment, authored by James Ashley, became the law of the land in 1865. "Neither slavery nor involuntary servitude" without due process for crimes committed would ever again stain America.

Thomas Ludlow Ashley, the abolitionist's great-grandson, represented Toledo in Congress as a Democrat from 1955 through 1981. During that time, his influence and impact on both Congress and this community grew immensely.

Toledo's ethnic blue-collar voters provided Lud Ashley's power base during the latter part of the industrial heyday the city enjoyed during the mid-20th century. But instead of riding that wave of prosperity to become part of the industrial establishment, he pursued a congressional career noted for liberal causes.

"I think probably one of the most lasting contributions was my role in housing," Thomas Ashley said in retirement. Sen. Edward Kennedy concurred: "Americans sleep in better homes today because of Lud Ashley."

Thomas Ashley fought urban sprawl with legislation. He warned his colleagues about

the tremendous flight of Americans to suburbs from the inner cities—a crushing fact of national life in the 21st century.

Thomas Ashley's stance on civil rights, community block grants, and enterprise tax zones contributed to his image as an urban liberal. But the late Judge William Skow, a former aide to the congressman, noted that he was a moderate on fiscal issues.

Whatever the label, Thomas Ashley's career centered on fighting racism and poverty. It was a natural extension of his family legacy. Like James Ashley, he fought the good fight.

James M. Ashley IV, of Maumee, is a senior lecturer in sociology and anthropology at the University of Toledo. He is a great-grandson of James M. Ashley and first cousin of Thomas L. Ashley.

THOMAS LUDLOW ASHLEY

The late Sen. Edward Kennedy once said: "Americans sleep in better homes today because of Lud Ashley." He was right.

Mr. Ashley, the longtime Toledo congressman who died this week at age 87, chaired a House committee on housing and community development. For years, he worked hard to provide federal grants to improve low and moderate-income housing nationally, as well as close to home.

Thomas Ludlow Ashley also was important to and instrumental in the development of the city where he was born, which he represented in Congress from 1955 until 1981.

"Lud" Ashley was the great-grandson of James Ashley, who settled in frontier Toledo, changed political parties because of his opposition to slavery, and represented Toledo in Congress during the Civil War. James Ashley was a co-author of the 13th Amendment, which outlawed slavery. In that tradition, his great-grandson sought to free Americans from the squalor of terrible housing.

Lud Ashley served in the Pacific during World War II before he attended Yale University. He and George H.W. Bush, who would become President decades later, were classmates and fellow members of the ultra-elite secret society Skull and Bones. Though they were of different political parties, the men remained longtime friends.

Mr. Ashley earned a law degree at Ohio State University and worked for Radio Free Europe before he returned home in 1954 to campaign for Congress. He ousted independent Rep. Frazier Reams, in part because of the support of the late Paul Block, Jr., publisher of *The Blade*, who felt Toledo's interests would be best represented by a member of Congress with ties to a major political party.

During his career, Mr. Ashley landed millions of dollars for public housing in Lucas County. He got a crucial \$11 million to improve Toledo's port.

Late in his career, during the energy crisis of the 1970s, Mr. Ashley was chairman of a special committee that successfully steered through Congress a controversial package of bills proposed by President Jimmy Carter that were designed to reduce oil consumption.

That assignment won him some enemies in the auto industry but high praise from then-House Speaker Thomas "Tip" O'Neill, who counted Mr. Ashley as a personal friend.

In 1980, Mr. Ashley was defeated for reelection by Republican Ed Weber in a stunning upset. Mr. Ashley fell victim to Ronald Reagan's landslide victory and huge negative feeling against the Carter administration.

His death came days after the federal courthouse in Toledo was renamed in both his and his great-grandfather's honor. That tribute is appropriate.

When the energy bills were passed, Rep. Ashley knew the legislation was unpopular with Jeep. But he responded: "My view is that my district elected me to represent, when called upon, a wider national interest."

That is who Thomas Ludlow Ashley was. As he is laid to rest in his hometown, that is how Toledo's congressman should be remembered.

'GRACIOUS' RIGHT LABEL FOR ASHLEY

It always saddens me when a great warrior dies, and among other things Lud Ashley was a warrior ("Congressman known for aiding housing, civil rights dies at 87," June 16).

In the 1980 campaign, we debated at least six times. Although an incumbent's strategy would usually be to deny the opponent the public forum of a debate, Lud never failed to accept any challenge.

Of course, he was well informed, and I believe our joint appearances led to a clarification of the issues and opposing viewpoints in an intelligent and civil manner that we don't always see at election time.

Lud Ashley's name is etched in the history of Toledo and Lucas County. For 26 years, he was an important member of the liberal Democratic wing that controlled the House of Representatives. Always a strong advocate of Toledo, he brought millions of dollars to Toledo and the area during his tenure in office.

He was a likable person, with good friends on both sides of the aisle. At the time of his defeat, he was very gracious to me. Two years later, at the time of my defeat, he was equally gracious and considerate.

It is very fitting that the federal courthouse here is now named for Lud Ashley and his great-grandfather James Ashley, the Republican abolitionist congressman during the Civil War.

ED WEBER.

[From the Washington Post, June 16, 2010]
OHIO CONGRESSMAN AND PUBLIC HOUSING SUPPORTER THOMAS W. LUDLOW ASHLEY DIES AT 87

(By T. Rees Shapiro)

Thomas W. Ludlow Ashley, 87, a 13-term Ohio Democrat in the U.S. House of Representatives who was chiefly known for his work on housing and addressing the energy crisis of the 1970s, died of melanoma June 15 at his home in Leland, Mich.

Mr. Ashley—known colloquially as "Lud"—served Ohio's 9th District, which includes Lucas County and the city of Toledo, from 1955 to 1981.

As chairman of a House subcommittee on housing and community development, Mr. Ashley was a key supporter of legislation to provide federal grants to cities and counties to improve low- and moderate-income housing.

"Americans sleep in better homes today because of Lud Ashley," Sen. Edward M. Kennedy (D-Mass.) once said of Mr. Ashley's extensive work on low-income housing legislation.

In 1977, Mr. Ashley was appointed to an ad hoc energy committee by House Speaker Thomas P. "Tip" O'Neill Jr. (D-Mass.), who said he picked Mr. Ashley because he had "toughness, and a never-say-die attitude, and who, when he was put on the first team, could run with the ball."

A year later, Mr. Ashley helped the 40-member bipartisan group pass a series of energy bills aimed at reducing the nation's use of oil and increasing the budget for research into alternative energy sources.

Upon his appointment to the position, Mr. Ashley assured critics that he would not be close to the automobile industry. At the time, Toledo housed the headquarters of

many car-parts manufacturers and an American Motors plant that produced Jeeps.

“That district is a part of me.” Mr. Ludlow told the New York Times in 1977. “It is responsible for the perspective I bring with me. But my view is that my district elected me to represent, when called upon, a larger national interest.”

Thomas William Ludlow Ashley was born Jan. 11, 1923, in Toledo. His great-grandfather, James Mitchell Ashley, served Ohio’s 9th District from 1859 to 1869 as a Republican, having switched from the Democratic Party because he was vehemently opposed to slavery.

The elder Ashley co-authored the 13th Amendment abolishing slavery and led the campaign to impeach President Andrew Johnson, who he claimed had conspired to assassinate Abraham Lincoln in order to assume the presidency. He was also chairman of a committee on territories and helped choose the names for Wyoming and Montana.

After Army service in the Pacific during World War II, the younger Mr. Ashley graduated from Yale University in 1948. At Yale, he became close friends with George H.W. Bush when they were members of the Skull and Bones secret society.

He received a law degree from Ohio State University in 1951 and practiced law for a short time with his father before moving to New York to work for Radio Free Europe.

Before losing his House seat in the Reagan landslide of 1980, the only time Mr. Ashley had come close to being defeated was in 1974. The race occurred only months after he’d been convicted of drunken driving and resisting arrest in Toledo, and Mr. Ashley eked out a victory over his Republican opponent by a margin of 3,500 votes.

Mr. Ashley directed federal funds toward his district, including more than \$15 million for public housing units and \$11 million for the improvement of the Port of Toledo. By an act of Congress in recent years, the city’s federal courthouse was named in his and his great-grandfather’s honor.

His marriage to Margaret Mary Sherman ended in divorce. His second wife, Kathleen Lucey Ashley, died in 1997.

He had two children from his first marriage; two children from his second marriage; and a brother.

Mr. BOEHNER. Madam Speaker, Thomas “Lud” Ashley was a tireless public servant who ably served Ohio and our nation for more than a quarter century.

A World War II veteran, Lud was raised in Toledo in a family with deep Ohio roots and a strong sense of patriotism. Lud’s brother William was killed in an army training accident in 1944. His great grandfather, James Ashley, represented Toledo and Ohio’s 9th Congressional District as a Republican during the Civil War era, co-authoring the 13th Amendment to abolish slavery.

As a member of Congress, Lud added to his great-grandfather’s legacy, helping pass the landmark Civil Rights Act of 1964, along with fellow Ohio Republican Congressman Bill McCulloch. Lud was also a strong advocate for the Toledo area. To this day he is remembered for his role in securing federal support to build the Port of Toledo into one of the nation’s key hubs for trade and industry.

Though an unabashed Democrat, Lud was well-liked and respected on both sides of the aisle. That George H.W. Bush would count him among his best life-long friends certainly speaks to Lud’s character. Lud will be missed, and my thoughts and prayers go out to his family and friends.

Mr. RYAN of Ohio. Madam Speaker, I rise today to commemorate the life and public

service of former Congressman Thomas Ludlow Ashley. Representing Ohio’s 9th District, “Lud” Ashley served in the House of Representatives for 26 years. Throughout his tenure, Congressman Ashley successfully balanced his loyalty towards his home city of Toledo and his responsibility to the country at large.

As Chairman of the House Subcommittee on Housing and Community Development, Lud was an important figure in passing legislation which provided federal grants that improved low and moderate-income housing nationwide. During the 1970’s oil crisis, he was appointed to an Ad Hoc energy committee that passed a series of bills which reduced the nation’s oil use and increased the budget for researching alternative energy sources. Among his many other accomplishments, Lud secured millions of dollars in federal grants to improve the Port of Toledo and maintain this vital Midwestern economic pathway.

His achievements were products of his tenacity. Former Speaker of the House Tip O’Neill praised Ashley for his “toughness, and a never-say-die attitude, and who, when he was put on the first team, could run with the ball.” Furthermore, Lud did not hesitate to work with Republican lawmakers. He was a lifelong friend of President George H.W. Bush, had a good relationship with President Gerald Ford, and made countless other alliances with members across the aisle. I will remember his commitment to public service and helping the American people.

Ms. KAPTUR. I ask that my colleagues now do rise and remember him and his service with a moment of silence.

The SPEAKER pro tempore. The House will observe a moment of silence.

□ 1650

CALLING CARD CONSUMER PROTECTION ACT

The SPEAKER pro tempore. Without objection, 5-minute voting will continue.

There was no objection.

The SPEAKER pro tempore. The unfinished business is the vote on the motion to suspend the rules and pass the bill (H.R. 3993) to require accurate and reasonable disclosure of the terms and conditions of prepaid telephone calling cards and services, as amended, on which the yeas and nays were ordered.

The Clerk read the title of the bill.

The SPEAKER pro tempore. The question is on the motion offered by the gentlewoman from California (Ms. MATSUI) that the House suspend the rules and pass the bill, as amended.

This will be a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 381, nays 41, not voting 10, as follows:

[Roll No. 383]
YEAS—381

Ackerman
Aderholt
Adler (NJ)
Alexander
Altmire
Andrews

Arcuri
Austria
Baca
Bachmann
Bachus
Baird

Baldwin
Barrow
Bartlett
Barton (TX)
Bean
Becerra

Berkley
Berman
Berry
Biggert
Billbray
Bilirakis
Bishop (GA)
Bishop (NY)
Blackburn
Blumenauer
Blunt
Bocieri
Boehner
Bonner
Bono Mack
Boozman
Boren
Boswell
Boucher
Boustany
Boyd
Brady (PA)
Brady (TX)
Braley (IA)
Bright
Brown, Corrine
Brown-Waite,
Ginny
Buchanan
Burton (IN)
Butterfield
Buyer
Calvert
Camp
Cao
Capito
Capps
Capuano
Cardoza
Carnahan
Carney
Carson (IN)
Carter
Cassidy
Castle
Chandler
Childers
Chu
Clarke
Clay
Cleaver
Clyburn
Coffman (CO)
Cohen
Cole
Connolly (VA)
Conyers
Cooper
Costa
Costello
Courtney
Crenshaw
Critz
Crowley
Cuellar
Culberson
Cummings
Dahlkemper
Davis (AL)
Davis (CA)
Davis (IL)
Davis (KY)
Davis (TN)
DeFazio
DeGette
DeLauro
Dent
Deutch
Diaz-Balart, L.
Diaz-Balart, M.
Dicks
Dingell
Djou
Doggett
Donnelly (IN)
Doyle
Dreier
Driehaus
Duncan
Edwards (MD)
Edwards (TX)
Ehlers
Ellison
Ellsworth
Emerson
Engel
Eshoo
Etheridge
Fallin

Farr
Fattah
Filner
Fleming
Forbes
Fortenberry
Foster
Frank (MA)
Frelinghuysen
Fudge
Gallegly
Garamendi
Gerlach
Giffords
Gingrey (GA)
Gohmert
Gonzalez
Gordon (TN)
Granger
Graves (MO)
Grayson
Green, Al
Green, Gene
Griffith
Grijalva
Guthrie
Gutierrez
Hall (NY)
Hall (TX)
Halvorson
Hare
Harman
Harper
Hastings (FL)
Hastings (WA)
Heinrich
Heller
Herseht Sandlin
Higgins
Hill
Himes
Hinchev
Hinojosa
Hirono
Hodes
Hoekstra
Holden
Holt
Honda
Hoyer
Hunter
Inglis
Inslee
Israel
Jackson (IL)
Jackson Lee
Jenkins
Johnson (GA)
Johnson, E. B.
Jones
Kagen
Kanjorski
Kaptur
Kildee
Kilpatrick (MI)
Kilroy
Kind
King (IA)
King (NY)
Kirk
Kirkpatrick (AZ)
Kissell
Klein (FL)
Kline (MN)
Kosmas
Kratovil
Kucinich
Lance
Larsen (WA)
Larson (CT)
Latham
LaTourette
Latta
Lee (CA)
Lee (NY)
Levin
Lewis (CA)
Lewis (GA)
Linder
Lipinski
LoBiondo
Loeb sack
Lofgren, Zoe
Lowey
Lucas
Luetkemeyer
Lujan
Lummis

Lungren, Daniel
E.
Lynch
Maffei
Maloney
Manzullo
Markey (CO)
Markey (MA)
Marshall
Matheson
Matsui
McCarthy (CA)
McCarthy (NY)
McCaul
McCollum
McCotter
McDermott
McGovern
McHenry
McIntyre
McKeon
McMahon
McMorris
Rodgers
McNerney
Meek (FL)
Meeks (NY)
Melancon
Mica
Michaud
Miller (MI)
Miller (NC)
Miller, Gary
Miller, George
Minnick
Mitchell
Mollohan
Moore (KS)
Moore (WI)
Moran (KS)
Moran (VA)
Murphy (CT)
Murphy (NY)
Murphy, Patrick
Murphy, Tim
Myrick
Nadler (NY)
Napolitano
Neal (MA)
Nye
Oberstar
Obey
Olson
Olver
Ortiz
Owens
Pallone
Pascarell
Pastor (AZ)
Paulsen
Payne
Pence
Perlmutter
Perriello
Peters
Peterson
Pingree (ME)
Pitts
Polis (CO)
Pomeroy
Posey
Price (NC)
Putnam
Quigley
Radanovich
Rahall
Rangel
Rehberg
Reichert
Reyes
Richardson
Rodriguez
Roe (TN)
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rogers-Lehtinen
Roskam
Ross
Rothman (NJ)
Roybal-Allard
Ruppersberger
Rush
Ryan (OH)
Ryan (WI)
Salazar
Sanchez, Linda
T.
Sanchez, Loretta

Sarbanes
Scalise
Schakowsky
Schauer
Schiff
Schmidt
Schrader
Schwartz
Scott (GA)
Scott (VA)
Serrano
Sessions
Shea-Porter
Sherman
Shimkus
Shuler
Shuster
Simpson
Sires
Skelton
Slaughter
Smith (NE)
Smith (NJ)
Smith (TX)

Smith (WA)
Snyder
Space
Speier
Spratt
Stark
Stearns
Stupak
Sullivan
Sutton
Tanner
Taylor
Teague
Terry
Thompson (CA)
Thompson (MS)
Thompson (PA)
Thornberry
Tiahrt
Tiberi
Tierney
Titus
Tonko
Towns

Tsongas
Turner
Upton
Van Hollen
Velázquez
Walden
Walz
Wasserman
Schultz
Waters
Watson
Watt
Waxman
Weiner
Welch
Whitfield
Wilson (OH)
Wilson (SC)
Wittman
Wolf
Woolsey
Wu
Yarmuth
Young (FL)

The vote was taken by electronic device, and there were—ayes 419, noes 0, not voting 13, as follows:

[Roll No. 384]

AYES—419

Akin
Bishop (UT)
Broun (GA)
Burgess
Campbell
Cantor
Chaffetz
Coble
Conaway
Flake
Foxx
Franks (AZ)
Garrett (NJ)
Goodlatte

NAYS—41

Graves (GA)
Hensarling
Herger
Issa
Johnson (IL)
Johnson, Sam
Jordan (OH)
Kingston
Lamborn
Mack
Marchant
McClintock
Miller (FL)
Neugebauer

Nunes
Paul
Petri
Poe (TX)
Price (GA)
Rohrabacher
Rooney
Royce
Schock
Sensenbrenner
Shadegg
Westmoreland
Young (AK)

NOT VOTING—10

Barrett (SC)
Brown (SC)
Castor (FL)
Delahunt

Kennedy
Langevin
Platts
Sestak
Visclosky
Wamp

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (during the vote). Members have 2 minutes remaining in this vote.

□ 1659

Mr. FRANKS of Arizona changed his vote from “yea” to “nay.”

So (two-thirds being in the affirmative) the rules were suspended and the bill, as amended, was passed.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

SUPPORTING NATIONAL HURRICANE PREPAREDNESS WEEK

The SPEAKER pro tempore. The unfinished business is the question on suspending the rules and agreeing to the resolution (H. Res. 1388) supporting the goals and ideals of National Hurricane Preparedness Week.

The Clerk read the title of the resolution.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Missouri (Mr. CARNAHAN) that the House suspend the rules and agree to the resolution.

The question was taken.

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

RECORDED VOTE

Mr. CONNOLLY of Virginia. Madam Speaker, I demand a recorded vote.

A recorded vote was ordered.

The SPEAKER pro tempore. This is a 5-minute vote.

Ackerman
Aderholt
Adler (NJ)
Akin
Alexander
Altmire
Andrews
Arcuri
Austria
Baca
Bachmann
Bachus
Baird
Baldwin
Barrow
Bartlett
Barton (TX)
Bean
Becerra
Berkley
Berman
Berry
Biggert
Bilbray
Bilirakis
Bishop (GA)
Bishop (NY)
Bishop (UT)
Blackburn
Blumenauer
Blunt
Boccheri
Boehner
Bonner
Bono Mack
Boozman
Boren
Boswell
Boucher
Boustany
Brady (PA)
Brady (TX)
Braley (IA)
Bright
Broun (GA)
Brown, Corrine
Brown-Waite,
Ginny
Buchanan
Burgess
Burton (IN)
Butterfield
Buyer
Calvert
Camp
Campbell
Cantor
Cao
Capito
Capps
Capuano
Cardoza
Carnahan
Carney
Carson (IN)
Carter
Cassidy
Castle
Castor (FL)
Chaffetz
Chandler
Childers
Chu
Clarke
Clay
Cleaver
Clyburn
Coble
Coffman (CO)
Cohen
Cole
Conaway
Connolly (VA)
Conyers
Cooper
Costa
Costello
Courtney
Crenshaw
Critz
Cuellar
Culberson

Cummings
Dahlkemper
Davis (AL)
Davis (CA)
Davis (IL)
Davis (KY)
Davis (TN)
DeFazio
DeGette
DeLauro
Dent
Deutch
Diaz-Balart, L.
Diaz-Balart, M.
Dicks
Dingell
Djou
Doggett
Donnelly (IN)
Doyle
Dreier
Driehaus
Duncan
Edwards (MD)
Edwards (TX)
Ellison
Ellsworth
Emerson
Engel
Eshoo
Etheridge
Fallin
Farr
Fattah
Filner
Flake
Fleming
Forbes
Fortenberry
Foster
Foxx
Frank (MA)
Frelinghuysen
Fudge
Gallegly
Garamendi
Garrett (NJ)
Gerlach
Giffords
Gingrey (GA)
Gohmert
Gonzalez
Goodlatte
Gordon (TN)
Granger
Graves (GA)
Graves (MO)
Grayson
Green, Al
Green, Gene
Griffith
Grijalva
Guthrie
Gutierrez
Hall (NY)
Hall (TX)
Halvorson
Hare
Harman
Harper
Hastings (FL)
Hastings (WA)
Heinrich
Heller
Hensarling
Herger
Herseth Sandlin
Higgins
Hill
Himes
Hinchev
Hinojosa
Hirono
Hodes
Hoekstra
Holden
Holt
Honda
Hoyer
Hunter
Inglis
Inslee

Israel
Issa
Jackson (IL)
Jackson Lee
Davis (TX)
Jenkins
Johnson (GA)
Johnson (IL)
Johnson, E. B.
Johnson, Sam
Jones
Jordan (OH)
Kagen
Kanjorski
Kaptur
Kildee
Kilpatrick (MI)
Kilroy
Kind
King (IA)
King (NY)
Kingston
Kirk
Kirkpatrick (AZ)
Kissell
Klein (FL)
Kline (MN)
Kosmas
Kratovil
Kucinich
Lamborn
Lance
Langevin
Larsen (WA)
Larson (CT)
Latham
LaTourette
Latta
Lee (CA)
Lee (NY)
Levin
Lewis (CA)
Lewis (GA)
Linder
Lipinski
LoBiondo
Loebsock
Lofgren, Zoe
Lowey
Lucas
Luetkemeyer
Lujan
Lummis
Lungren, Daniel
E.
Lynch
Mack
Maffei
Maloney
Manzullo
Marchant
Markey (CO)
Markey (MA)
Marshall
Matheson
Matsui
McCarthy (CA)
McCarthy (NY)
McCaull
McClintock
McCollum
McCotter
McDermott
McGovern
McHenry
McIntyre
McKeon
McMahon
McMorris
Rodgers
McNerney
Meek (FL)
Meeks (NY)
Melancon
Mica
Michaud
Miller (FL)
Miller (MI)
Miller (NC)
Miller, Gary
Miller, George
Minnick

Mitchell
Mollohan
Moore (KS)
Moore (WI)
Moran (KS)
Moran (VA)
Murphy (CT)
Murphy (NY)
Murphy, Patrick
Murphy, Tim
Myrick
Nadler (NY)
Napolitano
Neal (MA)
Neugebauer
Nunes
Nye
Oberstar
Obey
Olson
Olver
Ortiz
Owens
Pallone
Pascrell
Pastor (AZ)
Paul
Paulsen
Payne
Pence
Perlmutter
Perriello
Peters
Peterson
Petri
Pingree (ME)
Pitts
Poe (TX)
Polis (CO)
Pomeroy
Posey
Price (GA)
Price (NC)
Putnam
Quigley
Radanovich
Rahall
Rangel
Rehberg
Reichert

Reyes
Richardson
Rodriguez
Roe (TN)
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Rooney
Ros-Lehtinen
Roskam
Ross
Rothman (NJ)
Roybal-Allard
Royce
Ruppersberger
Rush
Ryan (OH)
Ryan (WI)
Salazar
Sánchez, Linda
T.
Sanchez, Loretta
Sarbanes
Scalise
Schakowsky
Schauer
Schiff
Schmidt
Schock
Schrader
Schwartz
Scott (GA)
Scott (VA)
Sensenbrenner
Serrano
Sessions
Shadegg
Shea-Porter
Sherman
Shimkus
Shuler
Shuster
Simpson
Sires
Skelton
Slaughter
Smith (NE)
Smith (NJ)
Smith (TX)

NOT VOTING—13

Barrett (SC)
Boyd
Brown (SC)
Crowley
Delahunt
Ehlers
Franks (AZ)
Kennedy
Platts
Sestak
Visclosky
Wamp
Woolsey

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (during the vote). Members have 2 minutes remaining in this vote.

□ 1708

So (two-thirds being in the affirmative) the rules were suspended and the resolution was agreed to.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

GENERAL LEAVE

Ms. KAPTUR. Madam Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks and include extraneous material on 1-minute speeches dedicated to Congressman Thomas “Lud” Ashley.

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

There was no objection.

□ 1710

REQUESTING RETURN OF
OFFICIAL PAPERS ON H.R. 5136

Mr. OWENS. Madam Speaker, I offer House Resolution 1467 and ask unanimous consent for its immediate consideration in the House.

The Clerk read the title of the resolution.

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

There was no objection.

The text of the resolution is as follows:

H. RES. 1467

Resolved, That the Clerk of the House of Representatives request the Senate to return to the House the bill (H.R. 5136) entitled "An Act to authorize appropriations for fiscal year 2011 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes."

The resolution was agreed to.

A motion to reconsider was laid on the table.

HONORING KEY WEST POLICE
SERGEANT PABLO RODRIGUEZ

(Ms. ROS-LEHTINEN asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Ms. ROS-LEHTINEN. Madam Speaker, I rise today to honor Sergeant Pablo Rodriguez of the Key West Police Department. This dedicated officer has been named the 2009 Key West Police Officer of the Year.

Sergeant Rodriguez has served our community proudly since he joined the department 10 years ago. His commitment to keeping Key West a safe place in which to live and visit has been truly extraordinary. As Police Officer of the Year, Sergeant Rodriguez was specifically recognized for his tireless work to combat the negative influences of illicit drugs. This is an important and noble goal, Madam Speaker, and I know that the entire Keys community is proud of his selfless service.

I thank Sergeant Rodriguez and all of his colleagues in the Key West Police Department for all they have done and will continue to do for our wonderful Monroe County Key West community. Congratulations, Sergeant Rodriguez.

CONGRATULATIONS TO BOB
MAYER ON HIS RETIREMENT

(Mr. LINCOLN DIAZ-BALART of Florida asked and was given permission to address the House for 1 minute.)

Mr. LINCOLN DIAZ-BALART of Florida. Bob Mayer is south Florida's most tenured television newscaster. He has logged more hours both in the field and at the anchor desk than any other south Florida television journalist.

Bob joined WTVJ News in June of 1969. Over the years, he has held nu-

merous positions at TVJ, such as investigative and consumer reporter, crime reporter, business reporter, general assignment reporter, and talk show cohost. In addition, he served as anchor of TVJ's early evening newscasts, weekend newscasts, and midday morning newscasts. Bob has been co-anchoring the NBC 6 morning show "Today in South Florida" since 1990. He is an extraordinary journalist.

Bob Mayer retires this week from NBC 6, and our entire community will miss his professionalism and objectivity dearly. Congratulations for a job well done, Bob. The best to you and your family.

CONGRATULATING THE GREY
MARE SOCIETY

(Mr. THOMPSON of Pennsylvania asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. THOMPSON of Pennsylvania. Madam Speaker, I rise today to commend the Grey Mare Society, a group of seven women friends who have been riding horses and mules together for as long as 30 years. They are over age 50 and still heading out on the trail together.

When one of their number developed breast cancer, they decided to do something to fight the disease. Across the country there are races and fundraisers, walks, and other proposals, but the Grey Mare Society decided to do what comes natural to them and ride. They came up with an organization, Ride the Trail to a Cure. They raised money for the Pennsylvania Breast Cancer Coalition and Breast Cancer Awareness of Cumberland Valley. The first annual Grey Mare Society trail ride was held on October 14, 2006. Seventy-seven riders from three States brought their horses to the Michaux Forest at Mont Alto, Pennsylvania for an 8-mile ride and they raised more than \$10,000.

This year's ride will also be held in the Michaux Forest on Saturday, September 25. The group has the support of the Pennsylvania Equine Council and looks forward to another successful ride.

I congratulate these friends who use their love of riding to add resources to the search for a cure.

CBS SHOULD GIVE AMERICANS
ALL THE FACTS

(Mr. SMITH of Texas asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. SMITH of Texas. Madam Speaker, most Americans say President Obama lacks a clear plan to deal with the oil spill in the gulf, energy issues, and job creation, according to a new CBS News-New York Times poll. By a 2-to-1 margin, Americans say the President does not have a clear plan to handle the oil spill; 6 in 10 say his response

to the disaster was too slow; and less than one-third of Americans have a lot of confidence in the President's ability to handle the crisis. Just 4 in 10 say the President has a clear plan for developing new sources of energy, and only one-third say he has a clear plan to create jobs. But for some reason, CBS News downplayed the results of their own poll.

Monday's CBS Evening News failed to even mention these findings and instead focused on Americans' disapproval of BP's handling of the oil spill. CBS should give Americans all the facts, not conceal their own poll results to protect the President.

ANNOUNCEMENT BY THE SPEAKER
PRO TEMPORE

The SPEAKER pro tempore (Mrs. DAHLKEMPER). The Chair will remind all persons in the gallery that they are here as guests of the House and that any manifestation of approval or disapproval of proceedings is in violation of the rules of the House.

NO BUDGET IS NO ANSWER

(Mr. PENCE asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. PENCE. Well, it's becoming more obvious every day to the American people that this administration was slow to respond in the gulf, and the Democrats still don't have a plan. They don't have a clear plan to contain the sea of oil in the gulf and, remarkably, here on Capitol Hill, Democrats don't even have a plan to contain the sea of red ink in Washington, D.C.

Announcing this week, Majority Leader STENY HOYER confirmed the Democrats' response to runaway Federal spending is to not do a budget. Failing to lead is not leadership. Not doing a budget is not an answer. The Democrats' refusal to write a budget is a shocking abdication of duty and a historic failure of leadership.

There has been a lot of talk these days about governing philosophies here on Capitol Hill, but their governing philosophy? Don't govern. This Congress owes the American people a budget, a list of priorities, and an outline of the hard choices that are necessary to put our fiscal house in order. No budget is no answer.

□ 1720

SPECIAL ORDERS

The SPEAKER pro tempore. Under the Speaker's announced policy of January 6, 2009, and under a previous order of the House, the following Members will be recognized for 5 minutes each.

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from California (Ms. WOOLSEY) is recognized for 5 minutes.

(Ms. WOOLSEY addressed the House. Her remarks will appear hereafter in the Extensions of Remarks.)

A NEW STRATEGY FOR A BETTER RESULT IN AFGHANISTAN

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Oregon (Mr. DEFAZIO) is recognized for 5 minutes.

Mr. DEFAZIO. Madam Speaker, the President has today been given a unique opportunity with the firing of General McChrystal. General McChrystal was the principal author and advocate of the surge of U.S. forces in Afghanistan.

His theory was that it would be a clear hold and transfer—that is, a transfer to the Afghan police, who do not exist, to the Afghan security forces, which are in a state of disarray, and to the Afghan Government, which does not exist meaningfully outside of the capital. He tested his theory in Marjeh this spring.

The U.S. and allied forces performed admirably, with tremendous sacrifice and effort. They did, in fact, go into a very hostile area, and they did, in fact, at least temporarily, drive the Taliban and other dissident elements out or underground.

Then he said he was going to bring in government in a box, that it was ready to come in. Now, there wasn't, unfortunately, any government in a box. There is unbelievable corruption rife through the Karzai regime at the national level, through the police and through the security forces. They brought in some police who were not of the area, not of that tribe, and that didn't work out too well. They brought in security forces who refused to do their mission, and they brought in a few, again, government officials who had no local support. They have since left, and pretty much, Marjeh has devolved to what it was.

Even before he was fired, General McChrystal admitted that this was going to take a lot longer and was going to be a lot harder than he thought, which means President Obama's dictate of beginning the withdrawal next year is a fantasy. That was part of the criticism that General McChrystal and his allies at the Pentagon put forward.

So there is really a choice here—to get into a very long-term, a very high-level engagement in Afghanistan at a cost of \$30 billion a year and with tremendous sacrifice by our troops on a strategy that has, thus far, not worked or to rethink that strategy, perhaps more along the lines of Vice President BIDEN's ideas, which were also derided by General McChrystal and by some of his colleagues. Actually, what Vice President BIDEN said was, look, mostly this is an internal issue. It's an inter- and intratribal fight. Yes, there are some radical Taliban elements, and there are some radical Pakistani Taliban elements and very few al Qaeda.

How about we guarantee that we will take care of any intervening forces—that is, terrorist forces—coming in from outside, in any number, with a smaller troop presence and with our technology? How about we let the Afghans work out their intertribal/intratribal conflicts that they have been carrying on about for 600 years, and we encourage them to do that and to adopt policies to help them meaningfully rebuild their country?

Instead, General McChrystal won the day, but now he is gone. Now, I understand that the President has said this does not mean a change in policy. I think that he should step back from that remark and should consult again with all of his best security advisers and with the Vice President, and he should look at the results so far and find out what those critical comments were which were mentioned in that article where, basically, the Pentagon is saying, hey, this is going to be years and years and a much bigger force, and maybe there will have to be a second surge into Afghanistan.

Starting to sound like Vietnam to anybody here?

With huge amounts of money, we prop up a government that has no relationship to the rest of the country. They have huge corruption. They don't have support in the countryside. That government falls, and another one comes in and another one. This echoes that failure.

So, in the strongest terms possible, I would urge the President to reconsider, to reconvene his advisers now that General McChrystal is gone, and to think very carefully about a much less expensive, much less troop-intensive strategy to bring about a better result in Afghanistan.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. The Chair will remind all persons in the gallery that they are here as guests of the House and that any manifestation of approval or disapproval of proceedings is in violation of the rules of the House.

JUDGE ROBERT CHATIGNY—UNQUALIFIED JUSTICE

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Texas (Mr. POE) is recognized for 5 minutes.

Mr. POE of Texas. Madam Speaker, sexual predators, sexual deviates, sexual criminals are the most despicable of all persons in our society. We can see, maybe, why somebody steals, and maybe we can see why people use drugs, but we as a society do not understand, nor should we, why a person would sexually violate somebody else. You see, when a sex offender commits a crime against another person, in many cases, that person loses their dignity. The predator tries to destroy their humanity, tries to destroy their soul.

I spent a lot of time at the courthouse—8 years—prosecuting cases. I saw a lot of those people. I tried death penalty cases and spent 20 years on the bench hearing everything from stealing to killing. During that time, I saw a lot of these victims of sexual predators come to the courthouse. Many of them during that time seemed, after the crimes were over, to have sort of lost their way. They tried. They tried to recover. They tried to recruit their dignity, but they didn't. I even had victims, years after those cases were over with, call me and try to get other bearings in their lives. Some, unfortunately, even committed suicide based upon those sexual crimes committed against them by sexual predators. Society needs to understand that these real people have real emotional problems.

But, Madam Speaker, there is a rogue judge loose who is out of touch with victims. He seems to be a judge who is very sympathetic to the criminal who commits sexual predator crimes. Let me give you some examples.

In the State of Connecticut, that State passed a version of Megan's Law which requires sexual offenders to register after they're convicted. This Federal judge said, Ah, that's unconstitutional because, as he said, "It stigmatizes the sex offenders." In other words, it hurts their little feelings that they have to register on a sexual database. It seems to me that he was a criminal sympathizer, but the United States Supreme Court unanimously overruled the Federal judge and said his actions were wrong; they were in violation of the Constitution and were in poor judgment.

The same judge consistently reduced the sentences of defendants who were connected to crimes regarding child pornography, and he made excuses for these offenders. He said, Well, it's not really their fault. They had bad childhoods.

You know, I was on the bench a long time. I heard a lot of excuses, and this was one of them.

He also said, Well, it wasn't really their fault. They had addictions.

This one I like the best. He said, Well, it's not really their fault because they had posttraumatic stress because of the fact they were being prosecuted and people knew about it.

Well, yeah. Of course. Hopefully, they had some kind of reaction in that they felt like they were being insulted by being prosecuted. It's kind of like those folks in California, the Menendez brothers, who killed their parents and then complained to the judge that they should get sympathy and compassion because they were now orphans. That's what the judge sort of says in these cases.

He also, in those types of cases, reduced the convictions of sex tourism. Those are the guys, the deviates, who get on the Internet and lure girls to have sex with them. He reduced those sentences, saying, Well, they're generally law-abiding citizens.

That's not all.

In the famous case of the Roadside Strangler in Connecticut, Michael Ross, here is the kind of guy he was. He kidnapped, sexually assaulted and murdered eight women in Connecticut. He is tried by jury. The jury gives him the death penalty—yes, even in Connecticut. This was in 1987. Finally, the day of reckoning came in 2004. He is supposed to get executed, and this Federal judge intervenes in this case. The judge excused the killer because he suffered, according to what the judge said, from a disorder of sexual sadism.

□ 1730

What is that? In other words, because of the perversion, he should have a defense? Of course, that is not a legal defense in any court in the country. But the Federal judge said he should be excused from that conduct. So the judge made up a defense for the individual, stayed the execution for a long time, in spite of the jury's verdict that the person should get the death penalty; in spite of the fact that Michael Ross said, If I didn't get caught by the police, I would do it again; in spite of the fact that Michael Ross told the media that he should be executed for the sake of the families. The Supreme Court, rightfully so, overruled the judge, withdrew the stay, and ordered Michael Ross to be executed, and he met his maker in 2005.

And now this judge, Robert Chatigny, is to be appointed to the Federal Court of Appeals at the second circuit appellate court. This judge lacks judgment. This judge doesn't follow the law. This judge is apparently biased in favor of sexual predators. This judge places his personal opinions above the law. And this judge should be in the Judges Hall of Shame, not on the appellate court of the United States hearing cases. The Senate should not confirm this person to be an appellate judge in the United States.

And that's just the way it is.

WHAT YOU DON'T KNOW . . .

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from New York (Mrs. MALONEY) is recognized for 5 minutes.

Mrs. MALONEY. Madam Speaker, according to the latest figures from OSHA, at this time there are over 27,000 workers employed by BP or its contractors and more than 2,000 Federal employees directly involved in the massive cleanup operation now underway in the gulf coast. At a hearing last week, another Federal agency, the CDC, tried to assure Congress that it was doing all it could to keep these workers safe and that it is closely tracking surveillance data across the Gulf Coast States for health effects that may be related to the oil spill. This was good to hear.

But a workshop held by the Institute of Medicine down in New Orleans this week made one thing abundantly clear.

When there are that many people engaged in such a complex cleanup effort of such unprecedented size over such an unforeseeably long time, the true danger levels for exposure simply are not known. As a story in USA Today put it: "While some health officials say they don't think long-term illnesses are likely, they've never seen pollution of this scale, and there are just too many unknowns to say for sure."

The Institute for Medicine workshop participants noted that proper protective gear can help keep exposure at safe levels, but the problem comes when heat and humidity cause workers to remove their gear. The average day-time high temperatures in New Orleans for the next 2 months is 91, very hot and very humid.

Now, consider an assessment of BP's overall attitude toward worker safety that was contained in a letter sent to BP by an OSHA official back in May: "The organizational systems that BP has in place, particularly those related to worker safety and health training, protective equipment, and site monitoring, are not adequate for the current situation or the projected increase in cleanup operations." The letter also noted that "these are not isolated problems. They appear to be indicative of a general systematic failure on BP's part to ensure the safety and health of those responding to this disaster."

The unknowable risks of an environmental disaster of this scale, the foreseeable weather conditions of the near future, and the known failures of BP in the recent past should all raise some great big red warning flags for OSHA, for the Centers for Disease Control, and for NIOSH. I am writing OSHA to ensure that the workers have the proper protective gear, such as respirators, in order to ensure their safety and to protect their health.

This is a region of the country that was previously devastated by a natural disaster that was made worse by the Bush administration's failure to respond with timely assistance and adequate safeguards. Many lost their lives. The gulf coast is now under siege by a manmade disaster. Far too many have already lost their livelihood. The entire region is at risk for losing a way of life. No one should also lose their health simply because we failed to help them when more help was clearly needed.

In my great City of New York, we have witnessed firsthand the terrible price that can be paid over time by those who labor day after day in a toxic environment helping their city recover from a terrible blow on 9/11. I hope that this Congress will do everything in its power to ensure that those who have been asked to clean up this mess and are cleaning up this mess are not asked to pay for their efforts with the loss of their health.

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from North Carolina (Mr. JONES) is recognized for 5 minutes.

(Mr. JONES addressed the House. His remarks will appear hereafter in the Extensions of Remarks.)

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Kansas (Mr. MORAN) is recognized for 5 minutes.

(Mr. MORAN of Kansas addressed the House. His remarks will appear hereafter in the Extensions of Remarks.)

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Indiana (Mr. BURTON) is recognized for 5 minutes.

(Mr. BURTON of Indiana addressed the House. His remarks will appear hereafter in the Extensions of Remarks.)

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Virginia (Mr. FORBES) is recognized for 5 minutes.

(Mr. FORBES addressed the House. His remarks will appear hereafter in the Extensions of Remarks.)

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Florida (Ms. ROS-LEHTINEN) is recognized for 5 minutes. (Ms. ROS-LEHTINEN addressed the House. Her remarks will appear hereafter in the Extensions of Remarks.)

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Texas (Mr. GOHMERT) is recognized for 5 minutes.

(Mr. GOHMERT addressed the House. His remarks will appear hereafter in the Extensions of Remarks.)

REMEMBERING ED CLOUGH

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Minnesota (Mr. PAULSEN) is recognized for 5 minutes.

Mr. PAULSEN. Madam Speaker, I rise to remember an inspiring and patriotic America, Master Sergeant Edward William Clough, of Maple Grove, Minnesota. Edward embodies the love for this Nation that has been critical to American success throughout our history and will serve as an example of dedication and service for generations to come.

Ed was born in the Bronx, raised in the Hell's Kitchen neighborhood of Manhattan, and enlisted in the Army the moment he became eligible for service back in 1949. He served in Korea, where he was injured in battle, and received a Purple Heart; and despite being offered the opportunity to return home, he persevered and overcame painful reconstructive surgeries on both of his feet so that he could continue to serve in the United States Army.

Just as our Nation has overcome many painful challenges, Ed overcame

his injuries and continued to serve with profound distinction and success. He eventually joined the Special Forces and in 1961 became one of the very first 100 Green Berets. He used his success and his knowledge of the Special Forces to great effect as an instructor for many years; and although he was seen as a natural leader, Ed was careful to remain humble while being awarded numerous medals, badges, and commendations. Following his distinguished service, he devoted himself to his wife, children, and extended family. He loved having the freedom to fish with his grandchildren and skydive recreationally periodically, but these were not the only freedoms that stirred Ed's passion.

Too often these days, Congress is overly partisan and forgets our need to focus on issues of importance and getting things done and on service. And now, more than ever, when we are facing as a country great significant issues of national importance, we should absolutely remember the leadership of people Ed Clough and his devotion, when he proudly stated, "I may not agree with every American's opinion, but I spent my life protecting the freedom they have to express it."

And now, Madam Speaker, as we approach the Fourth of July holiday and we consider our independence as a Nation and a country, we must pay tribute to citizens like Ed, who have devoted their lives to protecting our sovereignty. We are a Nation of free citizens who may speak honestly and display our beliefs proudly. But without the men and women who bravely serve in our military—men and women like Master Sergeant Clough—none of our cherished freedoms would exist today.

Master Sergeant Clough, I honor you and I thank you for your service. I also thank the family that supported you and loved you throughout your distinguished career. My hope is that today and each day in the future we will be conscious of the dedication and service of the men and women in our Armed Forces. We must always acknowledge the importance of remaining resilient and brave in the face of great challenges, just as Master Sergeant Clough did throughout his entire life.

APPOINTMENT AS MEMBERS TO COMMISSION ON INTERNATIONAL RELIGIOUS FREEDOM

The SPEAKER pro tempore. Pursuant to section 201(b) of the International Religious Freedom Act of 1998 (22 U.S.C. 6431), and the order of the House of January 6, 2009, the Chair announces the Speaker's appointment of the following members on the part of the House to the Commission on International Religious Freedom:

Ms. Elizabeth W. Prodromou, Boston, Massachusetts, for a 2-year term ending May 14, 2012, to succeed herself And upon the recommendation of the Minority Leader:

Mr. Ted Ven Der Meid, Rochester, New York, for a 2-year term ending May 14, 2012, to succeed Ms. Nina Shea

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HONORING RON GETTELFINGER FOR HIS LEADERSHIP OF THE UAW

The SPEAKER pro tempore. Under the Speaker's announced policy of January 6, 2009, the gentleman from Michigan (Mr. DINGELL) is recognized for 60 minutes as the designee of the majority leader.

GENERAL LEAVE

Mr. DINGELL. Madam Speaker, I ask unanimous consent on behalf of my colleagues that all Members may have 5 legislative days in which to revise and extend their remarks and to include extraneous material on the subject of my Special Order.

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

There was no objection.

Mr. DINGELL. Madam Speaker, I rise today to honor a dear friend to many of us and a man that many of us here admire greatly on his retirement as UAW President. I refer to Ron Gettelfinger, a great citizen, a great patriot, a great leader of labor, and a wonderful human being. Ron Gettelfinger did not want to have any recognition of his labors on behalf of working men and women and on behalf of the people at this particular time. But I think he will forgive us if we go on to say a few of the things about the respect in which he is held and why that be so.

For the last 8 years, Ron Gettelfinger has led the UAW as their president, and he has done so both loyally and ably through some of the most difficult economic times facing our Nation or facing the union. Through his hard work and dedication to his brothers and sisters of the UAW, we have witnessed the auto industry to right itself and to begin to come out of some of the worst times which it has confronted in its history. It is interesting to note that as the head of one of the most democratic unions in the world, Ron Gettelfinger was able to lead the union in a way which saved the industry and which enabled the industry to have negotiations about give-backs and other things always difficult to sell to the rank and file.

Elected in 2002 as international president of the UAW, Ron Gettelfinger rose through the ranks, beginning his career first as a member of UAW Local 862 in 1964. He worked in Ford's Louisville assembly plant as a chassis line repairman while he attended Indiana University Southeast at night, and it is the workers there who first recognized Ron's extraordinary qualities and elected him to represent them. He then went on to serve as Region 3 UAW director and UAW vice president.

Throughout his time in these roles, he fought relentlessly and tirelessly to

ensure workers had the quality of life they deserve by making health care accessible and affordable to all, ensuring new jobs in industry through the manufacturing of advanced technology vehicles, and addressing workers' rights provisions in fair trade agreements. He gave extraordinary leadership not just to the union and the industry but to the country.

As we have all known, Ron does not back down from a challenge. During the most difficult times in the auto industry, he worked together with business in a very close fashion to assure the survival of the industry and the companies which the UAW had negotiated agreements with. He negotiated a new round of contracts with The Big Three, creating voluntary beneficiary associations to provide health care to retirees in the Big Three and to save huge amounts of money to the auto companies. He was one of the leadership in not only determining that government assistance would be needed but in seeing to it that the union's voice was heard and that the saving of the auto industry was participated in very actively by the UAW and by the members that he served. He once said of himself, We did what we had to do to save the industry. And now, less than a year later, the auto industry is once again profitable and expanding production. In fact, Chrysler is hiring again for the first time in 10 years.

Fortunately, cars from the Big Three, when the companies and the unions and their members work together, are safe and reliable, and this year have earned the highest quality ratings in J.D. Power and Associates' annual Initial Quality Study, beating import brands by satisfying margins. It is the workers and the members and the leaders of the UAW who have worked so hard to ensure that through times of turmoil, our domestic auto industry continues to produce the best and the safest vehicles while increasing in extraordinary ways the productivity of the workplace.

And at a time when union membership is at its lowest in years, it has fought relentlessly to ensure that workers who want to organize can do so. Together with his other colleagues in labor, he has advocated for the Employee Free Choice Act, for legislation which will allow workers to decide if they want to use a majority sign-up to form a union, protecting them from employer coercion. But he has gone well beyond the needs and the concerns of labor. He has worked for education, for health care, for a clean and wholesome environment, for the health of our young and old, and for the protection of the rights of Americans.

Now, like Ron, I think our country agrees that these things are necessary and helpful; but he understands, as do many of his admirers, that labor's responsibilities and duties go far beyond the simple concerns of labor, and go to seeing to it that this country is the best that we, working together, can make it be.

Ron Gettelfinger and I and most of us here share the belief that the future success of the auto industry is going to be dependent on developing advanced batteries and electric and hybrid cars here at home and other technologies which will enable us to compete in the savagely competitive world marketplace. He is one who has supported training workers in these technologies not only to help the companies and the industry but also to provide workers with continued job opportunities. He has been there through ebbs and flows.

And the one thing that you can always count on Ron Gettelfinger having was honesty, integrity, and steadfastness. Whether he was delivering good news or bad, he always dealt with the facts. It is because of his honesty in his dealings with everyone, his brothers and sisters, business management, and labor join me tonight in praising and pointing out that he has properly earned the trust, admiration, and respect of all with whom he works. Ron Gettelfinger once said, We don't accept the notion that America is a country where a privileged few can live well while the rest of us struggle to meet our daily expenses. We are going to fight for something better. Ron Gettelfinger, you have led a fight for something better since the first day that you entered the labor movement, and I am glad that I was able to be your friend and partner in many of those fights.

I rise today to honor my dear friend Ron Gettelfinger on his retirement as UAW President.

For the last eight years, Ron has led the UAW as their President loyally and ably through some of the most difficult economic times facing our Nation.

Through his hard work and dedication to his brothers and sisters of the UAW, we have witnessed the auto industry right itself.

Elected as UAW President in 2002, Ron rose through the ranks beginning his career first as a member of the UAW Local 862 in 1964. He worked at Ford's Louisville Assembly plant as a chassis line repairman, attending Indiana University Southeast at night. It is the workers there who first elected Ron to represent them.

He then went on to serve as UAW Region 3 Director and UAW Vice President. Throughout his time in these roles he has fought tirelessly to ensure workers have a quality of life they deserve. By making health care accessible and affordable for all, ensuring new jobs in industry through the manufacturing of advanced technology vehicles, and workers' rights provisions in fair trade agreements.

And as we have all seen, Ron does not back down from a challenge.

During the most difficult of times for the auto industry, he has worked together with business to ensure its survival, negotiating through a new round of contracts with the Big Three in 2007, creating a Voluntary Beneficiary Association to provide health care to the retirees in the Big Three, and standing with the Big Three when it was determined government assistance would be needed.

As he has said himself, "We did what we had to do to save the industry." And now, less than a year later the auto industry is once

again profitable and expanding production. In fact, Chrysler is hiring again for the first time in ten years.

Fortunately, cars from the Big Three continue to be safe and reliable, and this year have earned higher quality ratings in J.D. Power and Associates' annual Initial Quality Study beating import brands for the first time.

It is the workers and leaders of the UAW who have helped to ensure that throughout times of turmoil, our domestic auto industry continues to produce the safest vehicles and increase productivity in the workplace.

And at a time when union membership is at its lowest in many years, he has fought relentlessly to ensure that workers who want to organize can. Together with his other colleagues in labor, he has advocated for the Employee Free Choice Act or legislation that would allow workers to decide if they want to use majority sign-up to form a union, protecting them from employer coercion.

Like Ron, I believe that this legislation is sorely needed and I am hopeful that this will be passed before November.

Ron and I also share the belief that the future success of the auto industry is going to be dependent on developing advanced batteries and electric and hybrid cars here at home. Together we both supported training workers in these technologies not only to help the auto industry, but also to provide workers with continued job opportunities.

Throughout the ebbs and flows, the one thing you could always count on from Ron was honesty. Whether he was delivering good news or bad, I always knew that Ron was giving me the facts.

It is because of his honesty to me, his brothers and sisters, business management and the Members who join me here tonight, Ron was able to earn the trust, admiration and respect of those he worked with.

Ron once said, "We don't accept the notion that America is a country where a privileged few live well while the rest of us struggle to meet our daily expenses. We're going to fight for something better."

Ron you led the fight for something better, and I am glad I was able to be your partner in that fight.

I now will yield to my good friends from Michigan and from elsewhere around the country who have a desire to express, as do I, compliments for our dear friend who is now retiring. I yield first to my dear friend, Congressman DALE KILDEE of Michigan.

Mr. KILDEE. I thank the gentleman for yielding.

Madam Speaker, I rise today to commend Ron Gettelfinger on his leadership of the United Auto Workers for the past 8 years and to wish him all the best in his retirement.

Since 1964, when Ron joined the UAW as a chassis line repairman in Louisville, Kentucky, he began a lifetime of service that led him to become the international president of the UAW in 2002. As president, Ron's leadership has helped guide the organization through some of the most difficult times the auto industry has faced. With his characteristic straight talk and common sense, he has worked with a broad range of stakeholders and has been willing to negotiate to try to find solu-

tions to the recent downturn in the domestic auto industry and help protect our auto communities.

□ 1750

This has helped lead to an American auto industry that is well positioned to once again be the economic engine that drives the American recovery. Ron Gettelfinger has been a tireless advocate for American workers and has fought every day to keep American manufacturing jobs from being shipped overseas.

I congratulate Ron on his retirement and thank him for his years of advocacy on behalf of American workers. God bless you, Ron. Thank you for all you have done for the UAW, for all you have done for this country.

Mr. DINGELL. Madam Speaker, I yield now to my distinguished friend from Michigan (Mr. MCCOTTER).

Mr. MCCOTTER. I thank the gentleman from Michigan. I thank him for all of his guidance and his advice in this institution, one of which is being that on these swampy, humid, hot days, a son of Detroit can wear seersucker to beat the heat.

The other that I wish to thank him for is his constant reminder to us, through his example, that we work for the people who send us here, and that in very difficult times it is crucial that we look past our perceived differences and be able to come together on behalf of the people who have entrusted us with office to help solve problems for them.

We in Michigan went through this when we saw an entire cherished way of life endangered, and we united to come together to help solve that problem. The crisis has not passed. It continues to this day, but we are on the road to recovery.

Former president of the United Auto Workers, Ron Gettelfinger is a man who understands positions of trust, a man who understands the need to do everything he can to honor that trust. As a democratically elected president of the United Auto Workers, he did everything within his power, in an exceedingly difficult time, to ensure the union's survival, to ensure the survival of the auto industry, and to help ensure Michiganders' cherished way of life as a manufacturing State and as the former arsenal of democracy.

And I think that this is critical not only for us to remember in Michigan as we go forward, but as an example that I hope is set for many others in this country and in this Chamber that in a great and good country we learn more and show our true measure not by being merely able to see the character of our allies, but to see the character and virtues of our now erstwhile opponents.

Ron Gettelfinger's integrity and devotion to the people who trusted him with his position is something that he would not talk about because he is a humble, honest, hardworking man. It is left to us to do it for him, and in some

ways despite him. Having been on the other side of Mr. Gettelfinger, and at times being on the same side, I assure you it is more fun to be his ally than his opponent. But I will tell you this: That from this strange bedfellow, I wish former UAW President Ron Gettelfinger well in his future endeavors, and I have no doubt that whatever the Lord holds in store for him, Mr. Gettelfinger will be up to the challenge, and our country will be the better for it.

I can truly say that I am honored to have known him, and I am glad that he has done his duty to his union and our Nation.

Mr. DINGELL. I thank the gentleman, and I yield now to the distinguished gentlewoman from Michigan (Ms. KILPATRICK).

Ms. KILPATRICK of Michigan. I thank the chairman for yielding.

I rise in honor, respect, and duty to give President Ron Gettelfinger all he deserves for his 30-plus years of hard work as an organizer, as a laborer, and rising to the presidency of the United Auto Workers.

Congratulations, Ron. Congratulations for all the work you have done, for all the coalition building you have done, keeping our workers front and center, in good-paying jobs with benefits that they earned every day, building the best cars in America and around the world right through the workers of the United Auto Workers.

We rise today to say, Good for you. As you go into your retirement with your lovely wife and family, just know that we appreciate all that you have done. Just know that as workers and builders and all of that of America that we might have a strong economy, that your commitment, your dedication to seeing that workers have adequate wages, that workers have clean environments in which to work, that workers are able to earn a great day's pay for the work that they do for our economy and for our country, thank you, Ron Gettelfinger.

Many have come before you as president of the United Auto Workers, and you can bet you are right there with them, having given and served as long as you have. Our recent battle together was the health care debate. You, your leadership, your dedication, working with the leaders in the House and the Senate and the Presidency for the first time to bring to our country a health care bill that will cover 95 percent of Americans, we thank you for that.

No longer will people be charged or not covered for preexisting conditions. Soon, in September, all young people over the age of 21 will now be able to stay on their parents' health care until they are 26. As we know in our economy, many young people who graduate from high school and then on to college are unable to find work. So the health care bill will help them be accessible, be able to be covered.

This health care bill—and Ron Gettelfinger, thank you for your hard

work in bringing us to this point—it's not perfect, but it's certainly better than the status quo. Our status quo health care situation in our State is not sustainable. People getting dropped for no reason when they become ill, you stopped that as we worked on this health care bill. Thank you, Ron Gettelfinger.

Our seniors will now be able to have their wellness covered, that they will have preventive health covered. Our seniors, who now because of a Medicare part D program that doesn't always cover their prescriptions as prescriptions go higher and higher, for the first time, Mr. Gettelfinger, working with the coalition and our leaders here in the House and Senate and the Presidency, will now have help paying for their prescription medications. Thank you.

Thank you for your leadership. Fighting for workers, helping to put together, finally, a health care bill that we can all be proud of, being able to be that president that your men and women of the United Auto Workers, as well as all of us, have looked to for leadership, we thank you, Ron. Your mild manner, your smile, and your strength, we will never forget you.

So enjoy your retirement, Mr. President. You have earned it. And we promise, as we work here in the House of Representatives, we will continue to work, as you have worked for all of these 30-plus years, to make sure that all Americans, all Americans have an opportunity to work in a clean environment, to receive adequate pay for a day's work and, yes, have health care benefits to protect them and their family.

Enjoy your retirement. God bless you, Mr. President.

Madam Speaker, in an era in which progressive activists are rarer and rarer, it is my honor to speak in respect, honor and praise of the three decades of service of Mr. Ron Gettelfinger, president of the United Auto Workers or UAW. For over 30 years Mr. Gettelfinger has shown his dedication to the rights and fair treatment of all workers. Rising through the ranks of the United Auto Workers union to his leadership position that he has today, Mr. Gettelfinger embodies the hard work ethic, dedication to a cause bigger than yourself, and respect for family embodied in what the UAW represents. Manufacturing, specifically the automotive industry, is the backbone of the State economy of Michigan. The UAW has been the backbone of the worker. Ron Gettelfinger is known as a fierce advocate and fearless leader in fighting for the people who make this country run—the worker.

From Mr. Gettelfinger's humble beginnings with the union as a line repairman in 1964 at Ford Motor Company's Louisville Assembly Plant, to his leadership role as president of the UAW in 2002, Mr. Gettelfinger has remained faithful to his beliefs. He believes in the fact that we are all created equal. He believes that the everyday line worker is just as valuable as the CEO of the corporations in which they are employed. He has continued to be a voice for the worker, while negotiating new union con-

tracts that were not popular to workers or management. He has championed the cause of the worker, and for that, the worker has championed him.

If not for the unwavering and unyielding belief that all Americans deserve access to affordable health care, sweeping health care reform would still be a dream in the United States of America. Mr. Gettelfinger, like me, believes that all hard working, taxpaying Americans should not face discrimination for pre-existing conditions. If you are in the hospital, you should not be dropped from your health care plan just because you are ill. We are already beginning to see the effects of health care reform, such as seniors receiving subsidies to help pay for prescriptions, children allowed to stay on their parents' plans until the age of 26, and insurance companies not allowed to drop coverage once the patient needs it most. Mr. Gettelfinger has also been instrumental in negotiating fair trade agreements that include provisions for workers' rights and environmental provisions. He has stood strong against what he called the vicious "corporate global chase for the lowest wages, which creates a race to the bottom, in which no worker can win." He has been, and still remains, a powerful, uncompromising voice for all workers.

From access to affordable healthcare, to labor protection in fair trade agreements, to keeping our manufacturing jobs right here in the U.S. by investing in technologically advanced American vehicles, Mr. Gettelfinger has been there. He not only talks, but knows and lives the values of the labor union while working with management to ensure a safe and profitable workplace. During a time in which we saw General Motors and Chrysler file for bankruptcy—two of the largest corporations in our Nation, and the world—Ron Gettelfinger always fought for the protection of workers. He saw both sides of an issue, and negotiated difficult but necessary compromises to the benefit of management and labor. Even with his retirement, this leader's legacy will not be forgotten, it will become legend. God bless and Godspeed to you, Ron Gettelfinger. Madam Speaker, I yield back the balance of my time.

Mr. DINGELL. I thank the distinguished gentlewoman.

And now I yield to my dear friend from Maryland, the Honorable DONNA EDWARDS.

Ms. EDWARDS of Maryland. Thank you.

It's really my pleasure to stand here with my good friend Congressman DINGELL in honoring the incredible life and career and advocacy of Ron Gettelfinger, who retired just last week after a distinguished union career that began in 1964, when I was just a kid. But I will tell you, for the benefits that all of us as Americans and as workers have received for his good work with the United Auto Workers, we are all grateful.

And you don't have to be from Michigan to understand the contributions that Mr. Gettelfinger has made. He has been a fierce advocate on behalf of workers. He understood that in his position as president of the United Auto Workers, he needed to try to address the current needs of his workers as

well as the future needs that may come up.

In 2006, Mr. Gettelfinger pushed to renew America's grasp on technology and innovation. He called for a renewal of America's industrial base through incentives to manufacture energy-saving advanced technology vehicles right here in the United States. And as a member of the Science and Technology Committee, I can assure you that there is a need for America and a desire for our workforce to do exactly what Mr. Gettelfinger has called for, to be on the cutting edge of this technology. And he has been right there pushing all the time for incentives and innovations. And this isn't new.

□ 1800

Mr. Gettelfinger was one of the loud-est voices, and I was happy to sing in his choir for health care reform, for single-payer health care reform, because he understood that health care accessibility and affordability is necessary, not just for the unionized and organized workforce, but for all Americans.

Under his leadership, the UAW has continued its fight for fair trade agreements that include provisions for workers' rights and environmental protection. The union has loudly criticized the corporate global chase for the lowest wage that creates a race to the bottom that no workers in any country can win.

We have to continue Ron Gettelfinger's fight. We know that he is retiring, but we know he is not down and we know his influence will carry across this country as we struggle for the working families of America. So it is with great honor that I stand here to pay tribute to our good friend, to a career of someone who has fought for workers, for equality, justice, and for quality of life.

So thank you, Ron Gettelfinger, for your service and for your career.

Mr. DINGELL. I thank the distinguished gentlewoman from Maryland.

I now yield to the distinguished gentleman from Michigan (Mr. LEVIN), the chairman of the Ways and Means Committee.

Mr. LEVIN. Mr. Speaker, I am privileged to join with JOHN DINGELL, a true champion of the automobile industry of this country for over 50 years, as we join together to honor Ron Gettelfinger.

As we know, he recently retired as president of the United Auto Workers. Through a period of unprecedented difficulty, and I emphasize that, for this industry of ours, Ron Gettelfinger worked tirelessly on behalf of auto workers and helped the industry and the union emerge reinvigorated and more competitive. So it is my privilege to join others to pay tribute to you, Ron, today.

A proud auto worker, Ron Gettelfinger joined the UAW in 1964 as a chassis line repairman at Ford's Louisville assembly plant. The workers at

the plant elected him to represent him as committee person, bargaining chair, and in 1984 as president of Local 862. His leadership and vigorous commitment to auto workers soon elevated him to the Ford-UAW bargaining committee; to the head of UAW Region 3 representing Indiana and Kentucky; and to UAW vice president. And in 2002, Ron Gettelfinger was elected president of the union and reelected in 2006.

His tenure as UAW president saw exceptional challenges—to understate it—that critics said neither the union nor the automakers could overcome. This indeed was a period of painful job loss for tens of thousands of families. And during this difficult time, Ron Gettelfinger's dedication to working families never waned as he fought to preserve jobs while helping to keep the industry afloat. I am proud to have been among those who worked with him during this period of great uncertainty. This was a collaborative effort. It took leadership and at times political risk. Key leaders stepped up to the plate, management and labor, and the public sector, led by the President and his administration, and Members of the House and Senate.

In the wake of immense challenge, the American automotive industry is emerging anew. Exciting new vehicle technologies, growing consumer confidence and strong quality and safety ratings offer hope for the new prosperity for the American auto industry and its workers.

Ron Gettelfinger's commitment to the American auto industry and its workers has been unyielding over his career.

Mr. Speaker, I ask my colleagues to join in congratulating Mr. Gettelfinger; his wife, Judy; and their children and grandchildren on the occasion of his retirement from the union he loved so deeply, the UAW.

Mr. DINGELL. I thank my good friend from Michigan, and I yield now to another distinguished gentleman from Michigan (Mr. SCHAUER).

Mr. SCHAUER. I thank you, Mr. DINGELL, and it is an honor to be here during this hour to talk about a man who has shaped our Nation's economy and manufacturing; and it is an honor to follow Congressman SANDY LEVIN, also from Michigan, who has been a fighter for jobs.

Ron Gettelfinger, from my experience I can best describe him in a couple of stories. We are here to congratulate him on his retirement and his legacy with the United Auto Workers. Chairman DINGELL and a bipartisan delegation from the House of Representatives visited the auto show, the North American International Auto Show, at the beginning of this year.

We met with the top leadership of Ford, GM and Chrysler. Ron Gettelfinger was right there. It was apparent, as these companies have worked through a very challenging time, they had a true partnership in their workers; the best workers in the

world, and their leader, Ron Gettelfinger, was there as each of the management leaders of Ford, GM and Chrysler talked about their new technology. They talked about their innovations, and they talked about retraining of their workers. They talked about more efficient and cost-efficient manufacturing processes. Ron Gettelfinger was there as a true partner with each of those companies as they talked about their exciting new products made in the United States of America by American workers that Ron Gettelfinger represented. The best products in the world, the best automobiles in the world, that is Ron Gettelfinger.

Another story hits close to home for me. I represent a lot of auto workers and a lot of families that earn their living from manufacturing. I have an automotive assembly plant in my district. It is General Motors Lansing Delta Township Assembly Plant in Eaton County in my congressional district. It is the auto industry's most modern, efficient plant in the world.

Just a year and a half ago or so, that plant was down to just one shift making a crossover vehicle. At that time it was the GMC Acadia; the Buick Enclave; the Saturn Outlook, a great, best in class, most fuel-efficient vehicle in its class. They were down to one shift. Ron Gettelfinger, in partnership with General Motors management, made some important decisions about that plant, about its products, about its company. That plant, which is represented by UAW Local 602, Brian Fredline is their president, now today is back to three shifts plus overtime. And in addition is making the Chevy Traverse. It is a world-class vehicle; and Ron Gettelfinger, through his partnership with this automotive company, has put people to work. In fact, Michigan, which has struggled with high unemployment over the years, actually saw about 450 families move from Tennessee to work in that plant. And I thank Ron Gettelfinger and I thank General Motors for that.

By the way, the Buick version of this vehicle made in my district by UAW Local 602 workers is China's number one imported vehicle.

What Ron Gettelfinger's work and career and his legacy mean to me is he is a champion for manufacturing, and in this country we must fight for manufacturing. It is a national security issue. This is the industry, the auto industry that built our middle class and that is part of Ron's legacy.

Another is fair trade. We must continue to fight for fair trade, as Ron Gettelfinger did in his career, to make sure that our workers, the best workers in the world, the most innovative companies in the world have a chance to compete on a level playing field. Ron Gettelfinger fought for fair labor practices for his workers. He helped transform America's economy. And retirees to Ron Gettelfinger were more than legacy costs, as some consider them. They are real people.

So to Ron Gettelfinger, congratulations and thank you for your commitment to the United States of America for good jobs, a middle class, for advanced manufacturing and an industry that is on its feet again. Bob King will be a very able new president. I wish him well, but I am here today, Chairman DINGELL, to thank Ron Gettelfinger for all he has done for the United States of America.

Mr. DINGELL. I thank my distinguished friend from Michigan.

I yield now to the distinguished gentlewoman from Texas (Ms. JACKSON LEE).

Ms. JACKSON LEE of Texas. Thank you, Mr. Chairman. And to the Speaker, whenever JOHN DINGELL raises his voice to join in honoring a leader, you always have to take his affirmation really as an honor of that leader. And so no one wants to be left out when it comes to honoring someone Chairman DINGELL has designated as deserving that honor.

I come far away from Michigan, from Texas, and to be able to say that Ron Gettelfinger is an American hero, and America thanks him, because he understood the various assets of wealth. He might have understood a family in New York or down in Houston, or maybe in Alabama who was able to get that first American-made car, made by the men and women of the United States, and in this instance those who reside in Michigan. Buying a car was a big deal, and I think this president, past president of the UAW, understood that. And I am grateful for him understanding that. That is why he fought for the men and women of the UAW.

And so I rise today to join in this Special Order to honor Ron Gettelfinger and to thank him for caring about America, for those families who work every day all the time to ensure that they might buy that first car, that family car, that they could load up a family of two, three, four, five or more in a car that they knew would work, that had all of the bells and whistles and had the investment of the hard-earning and the hardworking men and women of the UAW. We want to thank him for his hard and exemplary work with organized labor, and we want to acknowledge him at this time of his retirement.

There is no doubt that for his 40 years of service in the interest of the average American worker, he deserves the praise of Congress. He agreed with something I think that I wholeheartedly agree with: it is important for Americans to make things. And how proud we were that we could point to the American automobile industry as being made by the hands of those who worked hard and made good and made good products. America has got to get back to making things; and Mr. Gettelfinger, who was involved in the union and worker activities since 1964, I believe understood that well.

Ever since he was elected to represent Ford's Louisville assembly plant

as committee person, bargaining chair and president, he has tirelessly worked for the betterment of the average American worker. It should be noted as the UAW votes rose, as they improved their working conditions, and of course the contractual conditions and agreements, others likewise benefited. His organizing and people skills are legendary, as is his steadfast commitment to the American worker, all of which made him a symbol of the union movement in the United States and an icon to many Americans.

Mr. Gettelfinger first became a member of the Ford United Auto Workers bargaining committee in 1987. Since then, he has held several management positions before being elected to his first term of president of the UAW in 2002. Under his leadership, UAW was able to lobby effectively for labor protections and fair trade agreements, including provisions for workers' rights and environmental protections. He was a visionary. With the voice of the average worker as his motivational mantra, he fervently criticized corporate global initiatives designed to strip workers of their right to a living wage in the face of economic decline. In addition, he toiled to keep American jobs here. He believed in America making things.

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I hope he will leave that legacy, because we've got to get back to making things. Mr. Speaker, this is the kind of man who embodies the American spirit and symbolizes the importance of the average American worker to the success and way of life that we cherish. There is nothing wrong with working with your hands and having a decent living. He believed in technology, better ways of making cars, more efficiency, but he didn't believe in undermining the worker, the American worker. Our democracy has been made stronger by the efforts of this unique individual. It is only fitting that we honor former president of the UAW Ron Gettelfinger for his life's work and give him special praise on his retirement.

Again for these reasons, I rise in support of Chairman DINGELL's special order and would only leave you to say this: He is a great American. We would do well to follow in the footsteps of this great American and learn that America is at her best when she can make things for the American people and people around the world.

Mr. Speaker, I rise in support of my colleague JOHN DINGELL's special order to honor Ron Gettelfinger, immediate past president of the United Auto Workers, UAW, for his exemplary work with the men and women of organized labor, and on the event of his retirement. There is no doubt that for his 40 years of service in the interest of the average American worker, Mr. Gettelfinger deserves the praise of the Congress.

Mr. Gettelfinger has been involved in union and worker activities since 1964. Ever since he was elected to represent the Ford's Louis-

ville Assembly Plant as committee person, bargaining chair, and president, he has tirelessly worked for the betterment of the average American worker. His organizing and people skills are legendary as is his steadfast commitment to the American worker; all of which make him a symbol of the union movement in the United States and an icon to many Americans.

Mr. Gettelfinger first became a member of the Ford-United Auto Workers, UAW, bargaining committee in 1987. Since then, he has held several other management positions before being elected to his first term as president of UAW in 2002. Under his leadership, UAW was able to lobby effectively for labor protections and fair trade agreements, including provisions for workers' rights and environmental protections. With the voice of the average worker as his motivational mantra, he fervently criticized corporate global initiatives designed to strip workers of their right to a living wage in the face of economic decline. In addition, he toiled to keep U.S. jobs here in America.

Mr. Speaker, this is the kind of man who embodies the American spirit and symbolizes the importance of the average American worker to the success and way of life that we cherish. Our democracy has been made stronger by the efforts of this unique individual. It is only fitting that we honor Ron Gettelfinger for his life's work and give him special praise on his retirement.

Again, for these reasons I rise in support of my friend and colleague, JOHN DINGELL's special order.

Mr. DINGELL. I thank the distinguished gentlewoman from Texas.

I yield now to the distinguished gentlewoman from Pennsylvania (Mrs. DAHLKEMPER).

Mrs. DAHLKEMPER. I would like to thank Congressman DINGELL for hosting this special hour this evening where we can pay tribute to an outstanding leader, businessman and champion of organized labor, Mr. Ron Gettelfinger.

I came to Congress with the promise of standing up for workers' rights, a mission that Ron has crusaded for since his days as an assemblyman for the Ford Motor Company. His leadership has influenced my approach to policy and enhanced the vision of organized labor.

Ron's 8 years as president of the UAW have ushered in a number of defining accomplishments for the American worker. He fought vigorously to assure worker protections in major trade agreements while understanding that a reformed health care system will better serve America's workforce and our entire country.

Ron's success is defined by a willingness to work with industry and construct bipartisan agreements that achieve results, a strategy I admire and wish we would see more of here in Congress. As we emerge from the worst economic crisis since the Great Depression, Ron's leadership has been stalwart.

As Americans see thousands of jobs headed overseas, Ron made sure that well-paying jobs stayed right here in the United States of America. At a

time when workers' rights were in jeopardy, Ron never thought to back down or make concessions. That's real leadership.

Ron, on behalf of the working men and women of my district in western Pennsylvania and all organized labor, thank you. You leave a wonderful legacy that has shaped a higher standard for the American worker. I wish you the very best in your days ahead. I am proud to stand here with the gentleman from Michigan to honor you here tonight.

Mr. DINGELL. I thank the distinguished gentlewoman.

I yield now with a great deal of pleasure and respect to my good friend from New York, the Honorable EDOLPHUS TOWNS.

Mr. TOWNS. Thank you very much.

I am delighted to come and participate in this special order this evening, to be here with the longest serving member of the United States House of Representatives, John Dingell. We come tonight to say thank you to Ron Gettelfinger for 40 years of service to the UAW, and 8 years as its president. So I rise in order to honor him tonight because of the outstanding job that Ron was able to do.

It is easy to admire Ron by just looking back over his long career. From his early work as a chassis line repairman in 1964 at a Louisville assembly plant to being elected to the United Auto Workers top leadership post in 2002, where he became the face of one of the largest and most diverse unions in North America, he has shown a remarkable drive and work ethic that made him a role model as he fought for health care and so many issues that improved the quality of life for so many.

Ron was not a selfish person. He felt that if I can help somebody, then my living is not in vain. In addition to his work in the auto industry, he has had a positive effect on Federal and State public policy. Mr. Gettelfinger is a hardworking individual who has been an outspoken advocate for so many good causes.

Under his leadership, the UAW also lobbied for new technologies and environmental standards, supporting smart policies for solid jobs, and, of course, clean air. These are issues that have been and continue to be very important to me and the people of the 10th Congressional District.

Ron was once quoted as saying, "We don't accept the notion that America is a country where a privileged few live while the rest of us struggle to meet our daily expenses. We're going to fight for something better." And I want you to know he did.

And, of course, we look back tonight and we say, Ron, thank you. Thank you for the outstanding job that you did on behalf of the UAW. Thank you for the outstanding job that you have done on behalf of the people of this Nation. We thank you for the leadership; and as a result, people throughout were able to see you as a role model.

So I come tonight to say thank you again and we wish you Godspeed. We know that you will be out there doing some things in a positive way which will continue to improve the quality of life.

Mr. DINGELL. I want to thank my dear friend from New York for his kindness, his fine words, and for his great patience. He is my dear friend.

Mr. Speaker, I have the remarks of many of our other colleagues which will be inserted into the RECORD paying tribute to our great friend, Ron Gettelfinger.

I simply want to observe two things: first, we are saying good-bye tonight to a giant, a patriot, a wonderful human being, a man who cared about his fellow Americans and who spent his lifetime making it the best he could for his fellow Americans, especially members of the trade union movement.

He was never afraid to give leadership to causes that were important, and he never was afraid to speak the truth, including to work with me and with the companies to address problems that those companies had here in Washington, and he was never afraid to tell the truth, even to his own members when that was necessary to be done.

I am pleased to report that in his leaving of office, he leaves behind him a great and respected trade union movement, and a wonderful union in the UAW. And I am pleased to report to my colleagues that his successor, the new president, Bob King, will serve with great distinction and as a worthy successor in all aspects of this very important leadership responsibility. I congratulate him and wish him well.

Mr. TIERNEY. Mr. Speaker, on behalf of working men and women of the Sixth District of Massachusetts, I rise today to commend Ron Gettelfinger for his extraordinary service and leadership during his recently completed tenure as president of the United Auto Workers of America.

Over the last 8 years, Ron Gettelfinger has helped steer his brothers and sisters in organized labor through one of the most difficult economic periods in history with great statesmanship and considerable care. And despite the unprecedented challenges the auto industry has faced, the UAW has emerged from the recent crisis well-positioned for the future thanks in no small measure to Ron's vision and leadership.

Ron's tenure at the UAW was marked by a string of victories for American workers and their families. An outspoken advocate to make health care accessible and affordable for all Americans, Ron played a critical role in helping to see health care reform enacted into law. He fought for children's health insurance and fair pay legislation, labor protections in fair trade agreements, and championed retaining manufacturing jobs here in the United States through investments in advanced technology vehicles. And through the most serious economic downturn since the Great Depression and the loss of thousands of jobs to companies overseas, Ron Gettelfinger always worked to ensure that UAW workers and their families were treated fairly.

Though he rose to the very top of the UAW leadership, Ron Gettelfinger never forgot where he came from. He was most proud simply to be known as a chassis line repairman. A member of UAW since 1964, it was the needs and perspectives of the workers at Ford's Louisville Assembly plant with whom he worked side-by-side for so many years that always shaped his priorities and concerns.

With profound appreciation for Ron Gettelfinger's consensus-building among business and labor leaders that has helped to preserve a vibrant American auto industry for millions of American workers and their families, I join my colleagues in thanking Ron for his service and wishing him and his family well in the years ahead.

Ms. KAPTUR. Mr. Speaker, please allow me to express my sincerest gratitude to UAW President Ron Gettelfinger for his leadership during this extraordinary moment of transition for the U.S. auto industry. His strength, composure, intellect, and resolve have turned a new day for this bedrock U.S. industry.

Ronald A. Gettelfinger, born August 1, 1944, was elected to his first term as president of the UAW at the 33rd Convention in 2002. He was elected to a second term on June 14, 2006, at the UAW's 34th Convention in Las Vegas. A son of the midwest, Ron Gettelfinger is a 1976 graduate of Indiana University Southeast in New Albany, Indiana.

He began his union involvement in 1964 in Louisville, Kentucky, at the Louisville Assembly Plant run by Ford Motor Company while working as chassis line repairman.

The workers at Ford's Louisville Assembly plant elected Gettelfinger to represent them as committeeperson, bargaining chair and president. He was elected president of local union 862 in 1984. In 1987, he became a member of the Ford-UAW bargaining committee. Afterwards, he held other positions: director of UAW Region 3 and the UAW chaplaincy program. For six years he served as the elected director of UAW Region 3, which represents UAW members in Indiana and Kentucky, before being elected a UAW vice president in 1998.

Ron has been an outspoken advocate for national single-payer health care in the United States. Under his leadership, the UAW has lobbied for fair trade agreements that include provisions for workers' rights and environmental provisions; and the union has loudly criticized what it calls "the corporate global chase for the lowest wage which creates a race to the bottom that no workers, in any country, can win".

Mr. Gettelfinger's leadership of the UAW has led to a more competitive American auto industry. His stalwart and trustworthy negotiations gave new hope to a beleaguered industrial sector.

The U.S. auto industry, long the backbone of the American economy, reached an important milestone last week—and I think this accomplishment did not get the coverage that it deserved.

The respected J.D. Power & Associates initial quality study revealed that U.S. automakers defeated the imports in what the L.A. Times calls "a key benchmark of quality."

That's right. The American automakers are Number One again.

It has been a long, tough road, but they have gotten the job done—and they did it in extremely difficult circumstances.

This achievement involved a lot of sacrifice and a good measure of “tough love,” but it has paid off. A cornerstone industry of the American economy has turned the corner.

We congratulate the UAW, because a lot of people—including Members of this body—said it couldn't be done. A lot of people said the automakers weren't worthy of our support. A lot of people wrote them off—and the hundreds of thousands of jobs that the auto industry supports in this country.

Truly, the autoworkers, auto dealers, parts suppliers—and all the people who support this giant industry—deserve our commendation.

Mr. Speaker, this has never happened before. In the quarter of a century that J.D. Power quality surveys have been conducted, the U.S. automakers never defeated the foreign competition. Until this year.

As a J.D. Power official told the L.A. Times: “This is a landmark in the quality history of the auto industry.” He got that right. It is a landmark event, and it's a landmark event with great implications for our nation.

The day when the buying public regarded imported cars as superior to American cars? It's over.

The American automakers have been steadily closing the gap on their foreign competition for several years. And this year, they finally passed them.

If you want quality, buy American. Take it from J.D. Power.

There is still a lot of work ahead, but make no mistake: the American carmakers are back. Our confidence in them and their workers has been rewarded.

And Ron Gettelfinger, as he officially retires, can be confident his life made a difference to millions and millions of others, and to communities across our nation that depended on him to lead his great union into a new era for the U.S. auto industry.

Thank you, Ron, for your effort, your service, your patriotism and your achievements. May God bless you and yours in the coming years.

Mr. SERRANO. Mr. Speaker, today, I rise to honor Ron Gettelfinger, who retired last week from being president of the United Auto Workers. Mr. Gettelfinger first joined the UAW as a line repairman in 1964 and has now spent a lifetime fighting for the best interests of working Americans.

Mr. Gettelfinger was elected to the Presidency of the UAW in 2002 and provided excellent leadership through a difficult time in the history of the auto industry in the United States. The auto industry faced great hardships during his tenure and as a whole needed to make a lot of changes. Mr. Gettelfinger recognized the great changes that needed to be made and ably defended his members while working hard to address the long term needs of the industry. He understood that the automakers and the unions needed to work together to insure that they both could go forward stronger than before.

During his time as President he worked hard not only for his own members, but for the rights of all American workers and of all workers around the world. In addition to his efforts working for workers, he understood the importance of universal health care to having a healthy and competitive workforce and he spoke out in favor of health care for all Americans. While I think that he and I would both have liked to see even more extensive reach-

ing reform, we have taken an important step and I applaud his efforts on behalf of health-care reform.

Mr. Gettelfinger has spent a lifetime of serving working Americans and making sure that they are given a fair chance at a fair wage and fair work. I wish him the best of luck in whatever he does next, which I am sure will include continuing efforts to defend the rights of workers and all Americans.

Mr. GONZALEZ. Mr. Speaker, I rise today to salute Ronald A. Gettelfinger as he steps down after eight years as president of the International Union, United Automobile, Aerospace and Agricultural Implement Workers of America. Since 1964, Mr. Gettelfinger has been a part of the American automotive industry. When Bob King assumed the presidency of UAW on June 15, 2010, it marked the end of an era.

As a chassis line repairman, after his election by his fellow UAW members to represent the workers at Ford's Louisville Assembly plant, and his during his twelve years in the leadership of UAW, Ron Gettelfinger has worked to ensure that his workers, American workers, get a fair deal. He has fought to protect a strong manufacturing sector in the United States of America, so that the Arsenal of Democracy could continue to lead the world, not just through our production but through the standards we hold dear. His priorities have been a just and decent wage for honest work. Recognizing the importance of ending our dependence on foreign and fossil fuels, as President of UAW he pushed for a national investment in new technologies to produce energy-saving vehicles.

These past 44 years have seen great changes in the automotive industry. There have been good times and bad. Through it all, Ron Gettelfinger never forgot for whom he worked. The past two years may have been some of the toughest. But the reorganizations of General Motors and Chrysler have marked a turning point and things are looking up. The new GM is leaner and tougher than we have seen in years, with the Chevrolet Volt leading the way into a bright future. We all look forward to that bright future, and I trust that Ron Gettelfinger looks to it with pride in the role he played in making it possible.

Mr. ANDREWS. Mr. Speaker, I rise today to honor Ronald Gettelfinger, president of the United Auto Workers, and longtime advocate of workers everywhere. I stand to recognize him for his vision for America.

Mr. Gettelfinger's first experience with Ford Motor Company's labor unions occurred in 1964 when he started working as a chassis line repairman at the Louisville Assembly Plant. After a few years, his co-workers elected him committeeperson, bargaining chair, and president of the local union. He worked his way up through UAW Region 3, was elected national vice president in 1988, and president in 2002. His second term as president will expire with the election of a new president at the UAW convention in Detroit later this week.

Mr. Gettelfinger's down-to-earth personality has been a huge asset to him as UAW president. He has stood by the Union's mission to secure economic and social justice for all people, and believes that every person and every job is important.

Mr. Speaker, Ron Gettelfinger's leadership as president of the United Auto Workers and

advocate for health care reform should not go unrecognized. I wish him the best of luck in his future endeavors.

Mr. DOYLE. Mr. Speaker, I rise today to honor a man of great dedication and loyalty to the working men and women of America. Mr. Ron Gettelfinger recently retired from his position as President of the United Auto Workers and I want to take this opportunity to honor him for his longtime advocacy for the American worker.

Mr. Gettelfinger began his union involvement in 1964 as a chassis line repairman at the Ford Motor Company's Louisville Assembly Plant in Louisville, Kentucky. Twenty years later, following his election as committeeperson and, soon thereafter, bargaining chair, he was elected president of Local Union 862. He took on greater and greater responsibility in the UAW, serving as director, vice president, and starting in 2002, president of the union. He was reelected for second term in 2006. However, in 2009, he announced he would retire at the end of his second term as president.

Mr. Gettelfinger's accomplishments include, but certainly are not limited to, his steadfast determination which aided him in his fight for both labor protection in fair trade agreements and affordable health care for all. Most notably, Mr. Gettelfinger proved himself a strong leader during the most serious economic downfall in decades, when he negotiated tirelessly with corporate leaders in order to protect his workers' rights.

Mr. Gettelfinger has served the working men and women of the UAW with skill and dedication for decades, and I want to take this opportunity to commend him for all his efforts as a determined advocate for American workers. I want to congratulate Mr. Gettelfinger, and extend to him and his family best wishes for a well-deserved retirement.

Mr. ENGEL. Mr. Speaker, I rise today to honor Ron Gettelfinger for his tremendous leadership and to congratulate him on the good work he has done representing the members of the United Auto Workers (UAW). Ron served the UAW as President, Vice President, and as a member of the Local 862. I wish him all the best retirement has to offer.

Since 1964, Ron Gettelfinger has been a proud member of the UAW, and served as President since 2002. During this time he advanced the rights of working men and women by securing fair wages, better working conditions, and fairer trade deals. Ron Gettelfinger also guided the UAW through the tough times of the past several years, when the auto industry was struggling and our nation's economy was in a deep recession. He made sure that his workers were treated fairly during these difficult times.

As the son of a lifelong iron worker, I am a strong supporter of a worker's right to engage in collective bargaining through membership in labor unions. I have, and will continue to assist them in achieving common goals such as fair wages, safe workplaces and enhanced job opportunities.

I ask my colleagues to join with me in congratulating Ron Gettelfinger and wishing him all the best in his retirement.

Mr. OBERSTAR. Mr. Speaker, I rise today to offer my sincere appreciation of the enormous contributions that Ron Gettelfinger has made to our nation and to the labor movement as President of the United Auto Workers

(UAW). Thank you, Ron, for your unmatched record, and your superb service as an effective labor leader.

As a result of your tireless and dedicated leadership, you succeeded in making our vital domestic auto industry able to compete in the global auto marketplace. Your vision to secure a sound future for the auto industry was not limited to just your membership; your skilled efforts also benefitted our steelworkers on the Iron Range in Minnesota who work in the taconite mines to produce the ore for our domestic steel industry. I am profoundly grateful for your contributions that will never be forgotten, and your quote “We did what we had to do to get to tomorrow” is a testament to your lasting legacy of leadership.

I hope your retirement is filled with many years of continued growth and good health, and that you never cease to share your ability to lead and inspire. I know that you will continue to apply your trademark dedication and energy to all your endeavors in the future.

It is indeed a pleasure to send my very best wishes to a man who has touched the lives of so many people in as many ways as you have.

Congratulations, Ron, on your retirement and your extraordinary work for working men and women.

Ms. BALDWIN. Mr. Speaker, I rise today to join my colleagues in paying tribute to a great man much beloved around the country, including in my home state of Wisconsin: I speak of Ron Gettelfinger.

Anyone who has ever needed a friend knows the difference between the fair-weather friend and the friend who stands by you in your time of need. Ron Gettelfinger has stood by his UAW brothers and sisters in their time of need.

When my constituents talk about Ron, they talk about him as a fighter for working men and women. Over the past 8 years, while he served as the president of the United Auto Workers, Ron saw the auto industry challenged as never before. He saw its workers beaten down.

Hundreds of my constituents lost their jobs when the GM plant in Janesville, Wisconsin closed down. Ron and the UAW stood by those workers, providing them with support, assistance and advocacy to bridge the gap to new employment.

But Ron didn't just stand by the workers without jobs—he knew something needed to be done to stop the bleeding and help save the auto industry. So he did the unpopular thing, and helped renegotiate General Motors contract with the auto workers. It was such a difficult decision in a difficult time—but we are beginning to see the positive results from it now. The auto industry seems to be turning around.

As president of the UAW, Ron has been a champion for all American workers. He has worked tirelessly for labor protections in fair trade agreements, accessible and affordable health care for all, and protection of American jobs through investments in advance technology vehicles.

So my gratitude and my admiration go to Ron, on behalf of the thousands of Wisconsinites he represented so bravely and ably for the past 8 years.

Mr. LEWIS of Georgia. Mr. Speaker, I rise today to join my good friend, the gentleman from Michigan (Mr. DINGELL) in recognizing Mr.

Ronald A. Gettelfinger on his well-deserved retirement.

A few weeks ago, I had the opportunity to be with Mr. Gettelfinger and the UAW members to celebrate their 75th anniversary. They have been stalwart partners in the movement for civil rights and social change. It was truly a homecoming, and I was proud to be with Ron during one of his last official acts as UAW president.

For nearly half a century, Mr. Gettelfinger has dedicated himself to the rights of American auto workers. Ron began his career as chassis line repairman in 1964. When his colleagues at Ford's Louisville Assembly plant elected him as their committeeperson, bargaining chair, and president, he rose to the challenge and went on to serve in various leadership positions for the United Auto Workers (UAW) membership for the next 26 years.

During his tireless years as a UAW leader, Mr. Gettelfinger constantly recommitted himself to the values that were so important to—as he would say—my “sisters and brothers”. Through trials and tribulation, the UAW has defended human dignity in the auto industry and been a strong ally in the struggle for social justice both in the United States and around the world. Mr. Gettelfinger embodied these values and was a constant, vocal advocate for health care, workers' rights, and trade policy reforms. I thank him for his service and for his commitment to the forgotten, the underserved, and the backbone of our global economy—America's workers.

Again, let me congratulate Ron, his wife Judy, and their family on this momentous occasion and exciting new chapter in their life. Mr. Speaker, Mr. DINGELL, as you know, his leadership will be missed, but never forgotten.

Mr. HARE. Mr. Speaker, I rise today to celebrate the achievements of Mr. Ron Gettelfinger, President of the United Auto Workers, and to thank him for his unwavering commitment to the American worker. His retirement is surely a bittersweet moment for us all. Through his eight years as President of UAW, Mr. Gettelfinger navigated some of the most difficult and trying times that the labor movement has faced in recent history. During the economic downturn and with countless jobs moving overseas, his steadfast leadership has helped restore faith in our auto industry and has helped workers feel secure during this period of great instability and change. I am deeply moved by Mr. Gettelfinger's unwavering resolve in his fight for labor protections, accessible and affordable health care for all, and his push for keeping manufacturing jobs in the United States.

I speak today on behalf of the Illinois members of the UAW in thanking Mr. Gettelfinger for all of his work. Workers throughout Illinois have played a large role in supplying our automakers and are one small part in a much larger supply chain. Because of this connection, the UAW itself has deep roots in Illinois, and Mr. Gettelfinger's work has touched countless Illinois families. I would like to thank Mr. Gettelfinger for his efforts to make life better for workers across my home state of Illinois and across the United States. The people of Illinois will not soon forget what Mr. Gettelfinger has accomplished for them.

Mr. Speaker, it is with pride and admiration that I offer my thanks and recognition to Mr. Ron Gettelfinger for his service to the UAW and to our nation.

Mr. COHEN. Mr. Speaker, I rise today to recognize Ron Gettelfinger for his leadership at the United Auto Workers, UAW, and to congratulate him on his retirement after a lifelong dedication to the auto industry. He is a former chassis line repairman at a Ford factory in Indiana and a former director of UAW Region 3 which represents Indiana and Kentucky. A member of the UAW Local 862 since 1964, Mr. Gettelfinger was the right man to lead the UAW during the worst economic downturn in recent years for the automobile industry and our country. He is proof that optimism and dedication during tough times can yield positive results.

Ron Gettelfinger was first elected president of the UAW at the 33rd Constitutional Convention in 2002 and re-elected to a second term in 2006. During the economic downturn of 2006 and 2007, he had to make tough and sometimes unpopular decisions to ultimately save America's Big Three auto companies. He reached agreements to provide buyouts and other retirement incentives for tens of thousands of workers, forfeited holiday pay and bonuses, and applied overtime pay only to work weeks exceeding 40 hours as opposed to work days exceeding 8 hours.

In a continued effort to save the auto industry and foreseeing the effect of globalization on manufacturing wages, Mr. Gettelfinger agreed to job layoffs and contract concessions that would make it easier for the Big Three to secure the help they needed. In 2008 and 2009, he made the tough decision to end lifetime job guarantees, traditional pension plans and carefree retiree health insurance plans. He also agreed to end the UAW's job bank program which allowed laid-off workers to continue collecting almost full pay—a program that was often seen as paying workers for not working. As a result of these and other measures taken to address the effects on wages, a study by the Center for Automotive Research concluded that the Detroit Three will achieve “labor cost superiority” by 2015 and will hire thousands of new workers.

Ron Gettelfinger worked tirelessly on behalf of automobile manufacturing workers and felt a sense of responsibility to them and the country as a whole. He advocated for incentives to manufacture energy-saving advanced technology vehicles and their key components in the United States. He fought for fair trade agreements that included provisions for workers' rights and environmental protections. He was also critical of “race to the bottom” practices whereby corporations sought to maximize profits by paying the lowest wages possible.

Mr. Gettelfinger was a supporter of accessible and affordable health care for every man, woman, and child here in America. In order to save the financial books of GM and Chrysler and still provide pensioners' health care coverage, UAW assumed the health care cost through a trust known as Voluntary Employees' Beneficiary Associations, VEBA.

While in my hometown of Memphis, Tennessee, Ron Gettelfinger spoke at the conservative Economic Club of Memphis in early 2009. He was introduced by his cousin, Mr. Tom Gettelfinger—a practicing ophthalmologist in Memphis. Ron Gettelfinger acknowledged the important role shared by the auto industry and Tennessee, which ranks 9th in the United States in terms of auto industry employment with an annual \$2.8 billion payroll. While in the

lion's den, Mr. Gettelfinger spoke on U.S. banks and investment firms as the foundation of the global system and the disarray they were in. He spoke on the need for the government to jump-start the economy and to address the thousands of Americans losing their jobs and their homes to foreclosures. Mr. Gettelfinger told attendees that President Obama and Congress did the right thing by passing the economic stimulus package and that the plan would put money back into the hands of the American people and would energize the lagging economy. We are seeing all of these things come to fruition today.

Ron Gettelfinger pulled our automobile manufacturing industry from the brink of devastation and saved hundreds of thousands of jobs. By saving the Detroit Three, Mr. Gettelfinger played a pivotal role in keeping the American economy away from total disaster. Mr. Speaker, I ask all of my colleagues to join me today in wishing Ron Gettelfinger the best and congratulating him on his retirement from the United Auto Workers.

Mr. RUSH. Mr. Speaker, I rise today to pay tribute to a hero of the American workforce: Ron Gettelfinger. For the past eight years Mr. Gettelfinger has dedicated himself to fighting for our Nation's auto workers as president of the UAW. Many of the fights that Mr. Gettelfinger undertook helped not only his constituency but Americans as a whole.

Mr. Gettelfinger's priorities are not unique to the UAW but are shared by many members of this body, myself included. Whether fighting for single-payer healthcare, labor protections, or investment in America's industry Mr. Gettelfinger had made it his life's work to advocate for the American worker.

I am proud to rise today to honor a fine man on the occasion of his retirement and commend him for the excellent work he's done. Mr. Speaker, it is because of individuals like Ron Gettelfinger that our workforce functions as well as it does.

Mr. LARSON of Connecticut. Mr. Speaker, I rise today to join our distinguished Dean of the House, Representative JOHN DINGELL, to honor Ron Gettelfinger for his years of service to the United Auto Workers (UAW). Ron recently announced that he will retire after serving as President since 2002, and a lifelong commitment of service to the organization. As President, he worked closely over the years with my regional UAW Directors, outgoing Director Bob Madore and his predecessor Phil Wheeler, on issues important to Connecticut. Ron presided during a time of economic difficulty and a historic health reform debate, and did so with great poise and a never subsiding commitment to the men and women he represented. I once again commend him on his years of service and join with my colleagues in saluting him.

Mr. PETERS. Mr. Speaker, today I would like to honor Mr. Ron Gettelfinger, a lifelong champion of the American labor movement and President of the United Auto Workers Union, on his retirement after forty-five years of dedicated service. As a Member of Congress it is both my privilege and honor to recognize President Gettelfinger for his many years of service and his contributions which have enriched and strengthened our country, the State of Michigan, and Oakland County.

In his career, President Gettelfinger has been a tireless advocate for working families and workers' rights. In 1964, he was hired at

Ford's Louisville Assembly plant as a chassis line repairman and a member of UAW Local 862. As a member of UAW Local 862, he was elected to serve as a committeeperson, bargaining chair and eventually president. In 1992, he was elected as the director of UAW Region 3, representing members in Indiana and Kentucky and served in that role for six years. In 1998, he was elected as a UAW National Vice President under then UAW President Steven Yokich. In 2002, Mr. Gettelfinger was elected as President of the UAW International Union, the position he has held until his retirement.

The American auto industry has faced unprecedented challenges in recent years. During this time, President Gettelfinger has provided steadfast, thoughtful, and effective leadership. During his tenure, the American auto companies have faced their greatest challenges since the Great Depression. Following the economic downturn of September 2008, in which irresponsible decisions on Wall Street created an economic crisis for businesses and families across the United States, President Gettelfinger's bold action and leadership was critical in securing the future of the American auto industry. He was instrumental in the forging of a set of sustainable contracts, which have allowed the American automakers to remain globally competitive. President Gettelfinger's leadership has saved hundreds of thousands of American jobs, while upholding the ideals and standards of a hard day's work for a fair day's pay.

Mr. Speaker, I ask my colleagues to join me today to honor President Ron Gettelfinger for his many contributions to our community and his leadership at the United Auto Workers Union. I wish him many more years of health, happiness, and productive service.

Mr. STARK. Mr. Speaker, I rise to recognize retiring United Auto workers President Ron Gettelfinger. Mr. Gettelfinger has dedicated his career to advancing the interests of working people around our country and the world. He has worked for safer and more equitable workplaces and to make the idea that hard work should translate into a good wage and a stable job a reality. His work has also directly benefited my district.

The UAW has represented nearly 5,000 autoworkers at the NUMMI plant in Fremont, California for nearly 30 years. With the UAW's representation, these workers were able to earn a good wage and benefits that allowed them to build solid middle class lives. In turn, they built some of the best cars in the world and won numerous awards for quality and craftsmanship.

Unfortunately, the NUMMI plant ceased production in April. Mr. Gettelfinger and the UAW worked tirelessly to keep the plant open. Since the closure, I've worked with Mr. Gettelfinger to secure job training and Trade Adjustment Assistance for the many workers who have lost their jobs. Recently, Tesla Motors purchased the NUMMI factory and they will be building electric cars there. I will keep working with the UAW and incoming President Bob King to ensure that the UAW is recognized and former NUMMI workers are hired to fill the new jobs.

It has been a pleasure to work with Mr. Gettelfinger. On behalf of the thousands of my constituents that have benefited from his service, I say "thank you."

Mr. COURTNEY. Mr. Speaker, I rise today to honor Ron Gettelfinger who recently retired

as President of the United Auto Workers. Ron has been President of UAW since 2002, though his ardent support for the American worker extends back to his days as a rank and file UAW member and chassis line repairman at Ford's Louisville plant.

Ron led his members through one of the most devastating economic downturns since the Great Depression. He should be particularly lauded for his efforts to fight for those employees in the auto industry who have lost their jobs in recent years. He worked tirelessly to secure opportunities for and ensure the fair treatment of his members during this time and I thank him for those efforts.

Ron has also been a staunch advocate for expansive and affordable health care in this country. He should be proud of his role in supporting and passing the expansion of SCHIP in 2009 and the historic health care reform package passed earlier this year. When I led the effort in the House of Representatives to oppose the excise tax on health care plans, I was proud to have Ron and his members working side by side with me to protect the benefits of working families in our country.

In my state of Connecticut, I have worked closely with the men and women of the UAW. Whether they are the men and women who work at Foxwoods casino or those helping design the next generation of submarines at Electric Boat in Groton, UAW members are among the hardest working individuals in our country.

I commend Ron for his service to improve the quality of life for so many American working families and I ask my colleagues to join me in thanking Ron for his work and wishing him a happy retirement.

THE ECONOMY AND OTHER CURRENT ISSUES

The SPEAKER pro tempore (Mr. CARSON of Indiana). Under the Speaker's announced policy of January 6, 2009, the gentleman from Missouri (Mr. AKIN) is recognized for 60 minutes as the designee of the minority leader.

Mr. AKIN. Thank you very much, Mr. Speaker. I appreciate a moment here to get our charts lined up and to talk about a subject that we have been talking about for some time but which is very much on the minds and hearts of people in America, and that is the situation of jobs, the economy, and the condition of our solvency as a nation, and the challenges to leadership and the way forward.

Now in order to try to get a perspective on where we are, it's helpful to look back a little bit and to see where we have come from. Those of us perhaps who have been paying a little attention to what has been going on over the last couple of years, there have been some changes, changes of a recession that has come, changes in terms of unemployment, people having trouble making their mortgage payments, people having trouble keeping or getting jobs, and also a sense that the economy is not all that it should be. These things didn't happen just by accident. They were a result to a large degree of government policy. Many of the problems that we are experiencing actually

were caused by decisions that were made right here in this Chamber, and some of those decisions now turn out to be not wise at all.

I would like to go back a number of years to part of what created this entire real estate bubble which then collapsed our economy and put us in the condition that we are now. I hope to conclude with some very positive suggestions as to what we have to do to go forward. America is not in someplace that we haven't been before. We're not in over our head, but we're getting close to it. There are things that we can do to mediate and to take care of some of the problems that have been created, but we must act decisively and we're going to have to act immediately.

Going back a little bit, it became popular over a couple of different administrations to allow people who couldn't really make their mortgage payments to get mortgages to buy houses. So what we did was we created a law that actually said to bankers and to people who were going to give people home loans that you have to give loans to people who can't afford to pay some of them, or who may be a bad credit risk would be a better way to state it. And so we had these laws saying that a certain percent of loans have to be given to people who were bad credit risks. Over a period of time, what happened was those percentages were increased. In President Clinton's last year in office, they increased those percentages up. In the meantime, the economy had a series of different things that occurred with Greenspan creating a great deal of liquidity because of the recession in 2000–2001. So what you had was this real estate bubble where a lot of people were putting money into houses, the housing prices were going up rapidly, everybody was flipping these home loans and making lots of money. As long as the music continued to play, everybody was happy. When the music stopped, there were a lot of people without chairs to sit down in. Well, this tremendous bubble that ended up bursting in the home mortgage area was not something that took everybody by surprise. Many people took advantage of it. Many people were hurt very badly by it. But it was not something that people didn't understand was going on. In fact, on September 11 in 2003, which goes back quite a number of years now, President Bush saw this coming; and so he is recorded here in the *New York Times*, not exactly a conservative oracle, saying that "the Bush administration today recommended the most significant regulatory overhaul in the housing finance industry since the savings and loan crisis a decade ago."

□ 1830

What the President wanted was more authority to regulate Freddie and Fannie because he saw that Freddie and Fannie were out of control. But that's not such an easy thing to do to

control Freddie and Fannie. They were quasi-private agencies that were loaning money like mad to people that wanted to buy houses. The trouble was they had just lost a billion here or there, so things weren't going quite right for Freddie and Fannie.

But Freddie and Fannie had a way to fight back. They had many, many lobbyists in Washington, D.C., and they gave lots of money away to Senators and other political people. So the President is asking for authority to control Freddie and Fannie. The President got the bill through because Republicans controlled the House at the time, got a bill through the House, it went to the Senate. But because the Republicans did not have 60 votes in the Senate, the bill was killed by the Democrats in the Senate.

In the meantime, the congressional Democrats disagreed with the idea of regulating Freddie and Fannie more. And of course Congressman FRANK, who is now the one in charge of this committee, saw it very different than President Bush did. He said, these two entities, Freddie and Fannie, are not facing any kind of financial crisis. The more people exaggerate these problems, the more pressure there is on these companies and the less we'll see in terms of affordable housing. So he did not want to regulate Freddie and Fannie. He didn't see a particular financial problem; he said they're just fine financially. This is the same article, *New York Times*, September 11, 2003. Of course as it turns out, through the eye of history we can look back and say of course Congressman FRANK was completely wrong and President Bush was right; we should have done something about Freddie and Fannie.

So you start to get this real estate collapse and mortgage problem. So the economy starts to go down and a lot of people blamed President Bush for it. But anyway, the economy starts going down, it's because of this congressional policy of allowing these mortgages to be made to people who couldn't afford to pay. What happened was of course Wall Street took them, chopped the mortgages up into little pieces, packaged it all up into these mortgage-backed securities and sold them all over the world. The whole crisis was compounded by the different ratings agencies like Standard & Poor's and Moody's, giving them all Triple A ratings—in fact, these things were not Triple A at all; they were a lot of trouble waiting to happen.

So the real estate crisis then drug the rest of the financial market into trouble, along with some accounting rules that were so rigid and strict that they couldn't deal with the situation that occurred. Following that, of course, President Obama is elected and the economy is going down. And so he proposes a series of solutions and things that hopefully are going to make things better. Part of his solution, of course, was a whole lot of taxes and a whole lot of spending.

And so his policies started out, first of all—actually, it started out with the stimulus package. The stimulus package was one of these things that were supposed to help us get some jobs. He told us what we were going to do with the stimulus package, we were going to spend—it was originally \$787 billion, but as it turned out it was \$800 billion in the stimulus package. And here's what was said by the President about it. Our stimulus plan will likely save or create 3 to 4 million jobs. Ninety percent of these jobs will be created by the private sector, the remaining 10 percent mainly public sector jobs.

So this looked like a pretty good deal. We were told if you don't pass the stimulus bill, what's going to happen is you may get 8 percent unemployment if you don't pass it. And so because the Democrats were totally in charge, we passed it. The Republicans all voted no. We had seen this before. It was not even a legitimate stimulus package. It was a whole lot of big spending on a lot of giveaway government programs, but it was not going to do anything to improve the economy, we believed. Now we've had a chance to see how did that \$800 billion go? Well, it went to pay the pensions of a lot of States that had been irresponsible and had not managed their pensions properly.

And so now we've seen how that worked. Well, the private sector has lost nearly 8 million jobs since 2008. The government has gained 656,000 jobs—mostly the census-type jobs—and there was very, very little job creation in the private sector. Well, is it because Republicans were such wizards that they could figure out it wasn't going to work? Well, no, we just know something about history. In fact, we would have hoped that the Democrats might have learned from history from the days of FDR, who took a recession and turned it into the Great Depression.

These are the comments from a Keynesian economist in a way, he was somebody that was about the same time period historically as Little Lord Keynes. His name was Henry Morgenthau, he was FDR's head of Treasury. He said, We have tried spending money. We have spent more money than we've ever spent before—this is after 8 years of the Federal Government spending lots of money—it doesn't work. I'd say after 8 years of the administration we have just as much unemployment as when we started, and an enormous debt to boot.

So, so much for the stimulus bill. It wasn't even FDR kinds of concrete and asphalt types of pork; a lot of it was just giveaways to various States that had mismanaged their budget. So that's what happened. So we could have learned. And the Republicans did know that the stimulus bill didn't work, we didn't vote for it. And what was the result of it? Well, we should have learned at least from Henry Morgenthau because here's the results. This is when the stimulus bill was put

in. It was projected that we're going to have unemployment going down. If you pass the stimulus bill, it's going to go down here; if you don't pass it, it may get up to 8 or 9. In fact, we passed the stimulus bill, it gets to 9.7.

If you take a look at the other graphs—I don't know that I have that graph here today—what you find is that the employment in the private sector has been going steadily down and the government employment has been going steadily up. So, so much for the first step of economic policies in the administration. That was followed, of course, by all of these different nifty big tax increases. Now, that says something's wrong when you have a recession and you're doing tax increases.

I'm joined in the Chamber tonight by a fellow that is very aware of how these things interact, has done a fantastic job for his district, and I'd like to invite him to join me in our discussion tonight, Congressman SCALISE, please.

Mr. SCALISE. I'd like to thank my friend from Missouri for leading tonight's discussion about the economic problems that we're facing today in our country. And of course, as you showed those comments from Henry Morgenthau, who was the Treasury Secretary under FDR, who in fact not only pointed out the problems of the massive spending back then, but really was kind of prescient because some of the things he talked about back then are still as relevant, if not more, today because he predicted the problems, he discussed the problems of government spending and borrowing and borrowing and borrowing with no results, and in fact with detrimental results because of the damage it's done. And of course here we are today seeing the results of that same failed policy of history, unfortunately, repeating itself.

Mr. AKIN. We just didn't learn.

Mr. SCALISE. And of course those who are running things right now—the liberals who are not only in the White House, but here in Congress—have not learned the lesson of history. And there is that saying that if you don't learn from history, then you're doomed to repeat it. Unfortunately, we've been trying to prevent history from repeating itself, and yet we're seeing that happen right now.

I represent southeast Louisiana, and of course we are battling this devastating oil disaster—

Mr. AKIN. Maybe I should just interrupt for a moment and recognize, gentleman, you have really studied up on the whole oil spill situation and shown tremendous leadership there. I'm very thankful for the fact that you have stepped into what appears to many Americans and many conservative Congressmen as a leadership vacuum. You have really stepped in, and I'm very thankful for you doing that. I would encourage you to make the connections here.

Mr. SCALISE. I thank the gentleman for his kind comments. All I've been

trying to do is not only represent the people of my district and my State, but also to make sure that the President is meeting his responsibility under the law. And of course under the law in this case, with the Oil Pollution Act, the President himself is responsible for directing the recovery, and the responsible party, BP, is responsible for paying.

BP ought to be paying. The problem is the President is allowing BP to still run the show on the ground in too many different areas, which is not his job. And now something that has really added insult to injury is that the President came out a few weeks ago with this ban, this moratorium on offshore drilling across the board, not focusing on finding out what went wrong on that rig, why the Horizon exploded—and we still continue to battle this oil today. In many cases our local leaders tell me, including just yesterday, our local leaders are spending more time fighting the Federal Government than fighting the oil, which is inexcusable, and it's still going on to this day.

Mr. AKIN. Could you hold that right there for a minute because I think you're on something that I think we ought to be exploring a little bit here tonight, but we do have an item of business.

I yield to the gentleman from New York (Mr. ARCURI).

REPORT ON RESOLUTION PROVIDING FOR CONSIDERATION OF H.R. 5175, DEMOCRACY IS STRENGTHENED BY CASTING LIGHT ON SPENDING IN ELECTIONS ACT

Mr. ARCURI, from the Committee on Rules, submitted a privileged report (Rept. No. 111-511) on the resolution (H. Res. 1468) providing for consideration of the bill (H.R. 5175) to amend the Federal Election Campaign Act of 1971 to prohibit foreign influence in Federal elections, to prohibit government contractors from making expenditures with respect to such elections, and to establish additional disclosure requirements with respect to spending in such elections, and for other purposes, which was referred to the House Calendar and ordered to be printed.

THE ECONOMY AND OTHER CURRENT ISSUES

Mr. AKIN. Mr. Speaker, I think we were just talking a little bit about the situation in the gulf that's gotten everybody's attention.

My background is engineering, gentleman, and my first reaction when there's a problem is, how do you fix it? That's the first thing I'm saying. What has puzzled me and actually made me pretty frustrated is it seems that the administration is more interested in affixing blame than they are in fixing the problem.

I recall that President Bush took a whale of a beating after Hurricane

Katrina because it took him about 2 or 3 days after he had been rebuffed by the Governor and the Mayor of New Orleans, it took him a couple of days before they sort of got going. And then of course our FEMA didn't respond very well; the Federal response was a bit weak in terms of the magnitude of the disaster. And yet, by comparison, what we're dealing with here in the gulf is it took 50 days for the President to call the head of BP. Now, he had the power, if I'm not mistaken, is it right, he had the power to basically declare that a national emergency, get together a team of people, a fusion cell, get the very top resources in America. They could have pulled that together, they could have processed the different questions, sorted through the conflicting claims and started to put this thing together, put together a series of, We're going to do this, this and this. If this doesn't work, this backup plan is already getting set up.

We could have managed the process. Instead, after 50 days he calls the head of BP and just wants to ream the guy out. Well, BP did a terrible job, but after the crisis started it was the administration's problem to deal with, and I didn't see it fixing the problem. Am I mistaken in that? I mean, that's just an outsider looking in. I'm up in Missouri, we don't have too much coastline up there.

Mr. SCALISE. Well, obviously you've been studying this. I know you, and I have spoken about the problems on the ground, and I appreciate your concern and the interest you have in trying to help us. I wish that the President had that much interest in helping us in the day-to-day problems we're facing. Just the other day I was talking to one of the local fire chiefs who was there on the ground after Katrina, who is there on the ground right now battling the oil, and he said that the level of government dysfunction is higher today—more dysfunction today—than it was during Katrina. A case in point just happened yesterday when this sand barrier plan that our Governor and our entire congressional delegation fought for over 3 weeks to get the President to finally approve. In fact, last week, when the President gave his address to the Nation from the Oval Office, he actually bragged about the fact that he approved this sand barrier plan. Well, yesterday the Federal Government shut it down.

Mr. AKIN. Wait. The President approved the sand barrier plan that we've been waiting a month to get approved, and now it's been shut down by the Federal Government?

□ 1845

Mr. SCALISE. It was shut down yesterday by the Federal Government. Spoke to our Governor's office about it. They basically said it was a Federal agency that shut them down. I talked to the Federal agency today, and they said they didn't shut them down. We went round and round, and of course

they were shut down by the Federal agency. Again, this is a classic problem we have had every day.

Mr. AKIN. The Federal agency said they didn't shut them down. Yet, in fact, they weren't telling the truth. They did shut them down.

Mr. SCALISE. Yes. I don't know whether the people in D.C. didn't know what their Federal agents on the ground in south Louisiana knew what they were doing, but it's happening every single day. It seems like we have problems like this every day, so you can't just say it's miscommunication. Clearly, it's a lack of leadership. The President, under the law, is responsible for that leadership, and clearly, he is not doing his job, and he is not engaged.

Mr. AKIN. It is a vacuum of leadership, isn't it?

Mr. SCALISE. It is very sad that it is a vacuum of leadership, because the law is clear that, under the Oil Pollution Act, when there is a spill, the President is responsible for directing the recovery, and the responsible party, in this case BP, is responsible for writing the check.

Now, for whatever reason, the President is allowing BP to still make decisions on the ground even though they have proven they are incompetent. Yet he is not doing his job. The President is not doing his job under the law. Now, if he doesn't like that law, he should try to repeal it, but in the meantime, he ought to follow the law.

Mr. AKIN. The thing that struck me about it was—because I heard about this sand barrier thing. I mean there are a lot of different ways you could try to mitigate the oil that is in the water. There are dispersants. You can put hay in the water. There are a lot of things. One thing you could do is you could dredge up a little sandbar, which is very flexible. I mean you could pump it away a week later if you wanted to. That sandbar could protect these very delicate ecosystems along the edge of the water. They could trap the oil.

You know, some years ago, there was a place that had some good food in Missouri. It was one of those truck stop-type places, and it had a picture that was kind of a cute one. It had a beautiful John Deere green wagon, and it had these two little kids dressed up in the high-bibbed, blue-and-white-striped overalls. One of them had a handle on the wagon and was pulling on it. The other one was pushing. Apparently, the wagon had sort of gotten stuck in a bump, so he is looking back over his shoulder, and the caption reads, "Are you pulling or pushing back there?"

I've got to think of poor Governor Jindal. You're trying to get permission to build a sand barrier to try to protect your environment, which is what the Federal Government is supposed to be demanding that we do. We have all of these expensive bills to supposedly protect our environment. He says let us build a simple sandbar to catch the oil on it, and then we can take it away

later. Yet it takes the government a month to try to make a decision. The oil is already into all of these delicate ecosystems while the Federal Government is dithering around, trying to make a decision.

If I were the Governor of that State, I'd be jumping up and down mad. It's just a vacuum of leadership is what we've seen. Now you're saying the President said they could build them, and then they can't build them. There is no one in charge, it seems like.

Mr. SCALISE. You know, the gentleman is correct about not only the Governor but about the people, who all throughout the gulf coast are jumping up mad because they're seeing this kind of dysfunction, this lack of leadership from the President, every day in different ways, and there is no reason for it. The President is giving speeches, talking about how he is in charge, but any time anything goes wrong, you can't find anybody who is in charge. Nobody takes responsibility. Nobody wants to be held accountable. Yet nobody wants to actually help us solve the problem.

You were talking about food. Just Monday, I was in New Orleans. I ate at one of the great restaurants, Drago's, and I was eating my shrimp po-boy. The seafood is still great to eat. Unfortunately, a lot of the seafood beds are closed right now. There are still seafood beds open, and when you can find good seafood, it's still good to eat, and the shrimp po-boy I ate was wonderful. The problem, though, is with some of those seafood beds we've been trying to protect. Just weeks ago, some of those seafood beds had no oil. Today, oil is starting to come in.

That's what this whole barrier plan is about—protecting our marshes, our estuaries, and the pelican nesting areas. In some of the other areas that haven't been affected by oil, we are trying to keep the oil out, and so we've come up with a plan. Unfortunately, the Federal Government didn't have a plan. So you would think that they would be working with us to help us implement our plan. In fact, they've been fighting us. It took us over 3 weeks to get the President to finally approve the Governor's plan, but he only approved 25 percent of it. He spoke last week in his national address as if he'd approved the whole plan. There is still 75 percent of that sand barrier plan that has not been approved, so there are still a whole lot of seafood beds and marshes that haven't been protected.

Here we had at least 25 percent that we were working with to build up these barriers. Then yesterday the Federal Government comes and shuts it down. Again, this is something we fought for over 3 weeks, and the Federal Government finally permitted. They were so successful, supposedly, that the President bragged about it on national TV. Then yesterday they just shut it down quietly, but we're not going to let this go by quietly because this is something that is their job, and they're not doing it.

Mr. AKIN. The question that raises my blood pressure is it seems to me like President Bush was almost accused for bringing on Hurricane Katrina. Yet we've got one of the biggest leadership vacuums in terms of this oil spill every time you hear about something. There was also that moratorium about we're not going to drill any more wells at all. The equivalent would be, if an airplane falls down, we're going to cancel every air flight in America. You know, there were some reasons there was this disaster. From what we're hearing, there were enough coverups and different things, so we don't really know exactly what happened. Though, apparently, the equipment, at least if it's functioning properly and has been properly checked out, should work. So there was some human error involved, clearly, and possibly some equipment that was not properly inspected. There are some problems, but that doesn't mean you shut every oil rig in the gulf down while you're trying to figure out who did something wrong.

Wasn't it over 100,000 jobs that were just going to, all of a sudden, disappear?

Mr. SCALISE. That's exactly correct.

In fact, when the President came out with this ban—and he calls it a temporary pause—if they do what the President said he wanted to do, which is for 6 months to allow no drilling in the gulf, ultimately, those rigs, each of them, will lose about \$1 million a day. They're being lured by other countries, countries that want these valuable assets and the skilled workers that go with them. Now some of them are starting to go to places like Brazil and West Africa. So, over the next couple of weeks, you will see a chipping away of not only the ability to generate natural resources in America, which provides billions—\$6 billion by last estimates—of Federal revenues that will go away but of also the jobs. In Louisiana alone, it will be over 40,000 jobs that we will lose.

Mr. AKIN. Is that 40,000 jobs just in the oil industry alone?

Mr. SCALISE. Just directly related to those rigs. Of course, you've got service industries, and you've got restaurants. You've got all of the secondary spending that goes along that you can't even calculate because it's so big. These are high-paying jobs. These are skilled jobs that will leave our country, and some of them are already starting to.

Ultimately, if you go back, the President is trying to say this is a fight between safety and jobs. Unfortunately, he probably—or maybe he hasn't even read the recommendations of his own scientists who came up with a report. Right after the explosion on the rig, they asked to have a panel of scientific experts, who were assembled by the President and by the Secretary of the Interior, put together a report. They asked for a 30-day report. Sure enough, this panel of scientists came back with

a 30-day report of specific recommendations to increase safety, to make sure you go and you inspect every rig. For the ones that are working, fine, like every other one is, and you allow them to do what they're doing. If there are any problems you find, you address those problems, but you don't shut down an entire industry because one company didn't follow the rules.

In fact, the Federal regulator, under President Obama, didn't enforce the laws that were on the books. The recommendation came back and said to look at these safety guidelines we're giving you, but don't shut the industry down. Well, the President conveniently discarded, threw away, the recommendations of the scientific panel, and he recommended the moratorium. They actually pointed out, No, we didn't. You're misstating what we said. They apologized for that, but they still went forward with this moratorium.

Then, just yesterday, a Federal judge in New Orleans said, You cannot have this moratorium because it's not based on fact; it's not based on science, and it doesn't help safety. In fact, it could decrease safety. Yet they still continue to ignore the fact that they are throwing away science and are trumping it with politics. They are playing politics with this decision, and they are still going to try to ignore now a ruling of a Federal judge and of their own scientific experts to run 40-plus thousand jobs in Louisiana and over 150,000 good, high-paying jobs in this country to foreign countries and are going to make us more dependent on Middle Eastern oil.

Mr. AKIN. Just from what we've talked about in 10 minutes tonight in terms of this leadership vacuum, we are seeing a threat to 40,000 jobs. Just in your State alone, it's 40,000. We're not talking about the barbers and the restaurateurs and all of the other people who are supported by it. It's just 40,000 hard jobs which are being thrown down the drain when a panel of people who really have studied and know the industry are simply saying, Look, go out to the different oil rigs. Make sure that they're inspected and up to spec because, by the way, MMS, the Federal agency supposedly doing this, has not done that. Make sure that they're up to spec, and then let them go ahead because there is nothing wrong.

We have drilled thousands of wells in water, and they have worked fine. Just because one goes bad, you don't shut the whole industry down. So we are threatening 40,000 jobs. Also, in spite of what the panel recommended the President do, we are continuing to endanger the environment, and they are always screaming they care so much about the environment. Though, they are the very ones preventing you from trying to protect the environment.

The thing that strikes me is: Why do we put so much trust in the competence of the Federal Government? That's what is striking me. That's part of the reason I thought it was good to

take off a little bit and talk about the gulf situation.

We've got this proposal now. The President wants to use the fact that a company mismanaged its oil well and that he and his administration have made a complete mess of the management of that crisis to say now what we need to do is to have the Federal Government do this cap-and-tax bill, which is more taxes, more red tape and government regulation. When the last government agencies didn't even do their jobs, now he wants us to buy more of this, not to mention the fact that we've already passed this huge tax increase for health care. Now we're supposed to trust the Federal Government to take care of our own bodies. We took a look at what it's doing down there in the gulf. I sure don't want the Federal Government tampering with my body. I'll end up with two left arms, which would be a pretty terrible fate for a conservative like me.

Mr. SCALISE. You know, if you look at what the President said in his speech last week, I and many others were angered by the fact that he spent almost as much time trying to exploit this crisis to promote his cap-and-trade energy tax as he did in talking about the oil spill and how we can battle the oil and keep it out of our marsh. In fact, if he just were doing his job and were focusing on what his responsibility is under the law, then he actually would be focusing exclusively on helping us battle the oil instead of, not only blocking our attempts on the ground, but of then diverting it and trying to exploit it to talk about this cap-and-trade energy tax.

Then you go into so many of the other things that are happening on the ground that are causing so much frustration for our local leaders, who should all be not only working with the government to battle the oil, but they should be empowered. They should be given ideas from Federal agencies.

Look, I'm for smaller government. Right now, we've got the largest government in the history of our country, but whether you're for bigger government or for smaller government, I think we should all be able to expect competent government. Clearly, we are not getting that now.

Mr. AKIN. Well, you know, the thing that strikes me—and maybe it's because I'm an engineer and I see it this way. For most Americans I know, if you've got this big hole in the middle of the gulf and if it's pouring out all of this oil all over the place, the reaction of most people is, Well, let's fix it. You know? Let's get the job done. Whether you believe in big government or in little government, what you want to do as Americans is to have this "can do" attitude. Well, we made a problem. Now we've got to get in and fix it. We've got to figure out what we did wrong. We've got to make sure we don't make those mistakes again, and we're going to move forward.

I don't like being negative. I like fixing problems, and I know you're the

same kind of temperament. We've been kind of complaining about the fact of a vacuum of leadership in the administration, and it's a vacuum that's evident in the gulf oil spill. It's evident in Afghanistan, and it's evident in a lot of policies. Let's stop for a minute. I don't want to be negative. Okay. Let's say that we are President and that we have this oil spill. What would be an appropriate response?

My thinking is I know the military has these things they call "fusion cells." They're teams of people who get together. It's a clearinghouse for all kinds of information. You get the top resources all over America of what you need in different areas. You put a plan together and say, This is our first attempt to stop this well up. If this doesn't work, we're going to do this. That means we've got to have this, this, and this piece of equipment ready to go. It means we've got to clear this, this, and this with this agency.

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We've got Governor this; Governor this; Governor this asking for permission. We've got to consider that, take a look at the law, move fast if we have to change the law or change some policy, and we need to get back to them within 12 hours. And you've got a whole team that is on top of it, managing this thing. That's my sense of where we would be going. You have to be able to look at all of the data, get the right people in the loop, and make decisions. We're not seeing any of that.

Mr. SCALISE. No. Another thing that needs to happen is you need to have a real clear command structure on the ground where decisions are made quickly and decisively; and if things go wrong, there are people you can hold accountable to go fix them. Not to sit around and point fingers, but to get things done. The problem that we continue to have—and we're over 2 months into this now and there was no excuse for these kinds of delays 3 or 4 days after the rig exploded, but especially 2 months later, when everybody knows how important this is, how much national significance it has not only for the 11 lives lost, for the environmental damage, but now for the economic and energy security issues that are being raised, you would think that this would be the number one priority of this President and he would be focusing all of his resources.

And when local leaders have ideas like our local leaders have had ideas, the Federal Government is right there working with them saying, How do we get this done today instead of 3 weeks going by, fighting with the Federal Government to get approval for things that should have been approved on day one, if this was the top focus. And then where the Federal Government is even coming up with ideas.

I watched the movie "Apollo 13," and it's an inspiring movie. It's one of those movies you watch if you really want to get your juices boiling. And

you can see what American ingenuity is all about. This was a case where the American spirit was alive and well and those NASA folks sat in that room and said, We're not leaving until we get our men back home safely. "No" was not going to be an answer and no excuse was going to be accepted. You don't have that same can-do spirit today by the Federal bureaucrats, who continue to block our attempts to protect our marsh, to keep the oil out of those seafood beds, to protect those pelicans and the other wildlife that are threatened every day, when we have ideas to protect them.

Again, if they've got a better idea, wonderful. We'd love to hear. Unfortunately, not only did they not have any ideas to help us, but they're spending their time blocking our attempts to save our marsh. And there's no excuse for that.

Mr. AKIN. It's got to be terribly, terribly frustrating. As I took a look at it, my daughter actually was taking a biology class and she did a paper on the whole oil spill and some of the different technologies for mitigating all this really raunchy oil that's floating around. One of the things is there's a company that has in barrels a powder-like yeast—these little critters that will eat that oil. When the critters eat the oil, when they get done eating it, if there's no more oil, they just die because there's no more food and other creatures can eat them, and the whole thing just cleans up the mess biologically, naturally.

Now, I don't know whether that's a great solution or not, but it sure seems to make a lot of sense. And then you've got other people in the Midwest areas, we've got plenty of straw and hay. And there's even these YouTube's and people are saying, Here's one way to fix it. Put a bunch of straw and stuff in this water. All of this very sticky oil clings to the straw, you bring it in, pile it up, and burn it in an incinerator or whatever. But Americans have ideas how to do this, and our government is standing around saying, You can't do it. No, we don't like that idea either. In the meantime, the oil is piling up on the shores, and we're just asking for some legitimate government.

My friend, Congressman BROWN from Georgia, is here, a medical doctor and also a guy with some strong ideas and a lot of common sense. It's a pleasure to have you.

Mr. BROWN of Georgia. Thank you, Mr. AKIN. I appreciate you yielding me some time. As you were talking about putting straw or hay on the oil, we can make electricity out of that. Just think about that. What better source of electricity than doing that?

Before Mr. SCALISE leaves, I want to just tell him just for his edification—I think he knows what I'm fixing to tell the American people and Madam Speaker—is that we recently—in fact, just in the last day—sent a letter to the Internal Revenue Service to ask them to give a special exemption for

taxes on the money of all the people who are being harmed economically by this disastrous oil spill. They won't have to pay taxes on the money they get, which is absolutely fair.

We saw that happen. The Internal Revenue Service was going to tax the recipients money that they received in Hurricane Katrina, as you know, in your own home city there in New Orleans. And Congress had to act to say to the Internal Revenue Service, Don't tax that money. But I wrote the Internal Revenue Service and said, Please give a special exemption to all those businesses and individuals that have been harmed. And it's absolutely critical because these people have been out of work, many of them for 2 months now. They're struggling just to make ends meet. And it's absolutely critical.

And I hope that the Internal Revenue Service and this administration will immediately give a special exemption to all those people who are harmed—those businesses and those individuals that are harmed. And I hope that the American people will just have a tremendous outcry and have a heart for those that are harmed and say to this Federal Government, to the Internal Revenue Service, Don't tax these folks. And I've made an appeal to the Internal Revenue Service and hope you all will join me in trying to get the Internal Revenue Service to not tax these people who are already damaged and already hurt, and it's only fair to those people.

I just wanted to tell my good friend from Louisiana that we're fighting for folks—not only those in Louisiana, but those in Alabama, Mississippi, and Florida, and all over the gulf coast. It may even affect people on the east coast. It may even affect my own home State of Georgia. So we're fighting for those folks, and hopefully the administration will come forward to say, Don't tax these benefits because they're not benefits. They're actually moneys to just try to help them get their lives back on track.

Mr. AKIN. That all goes to the same thing we're just talking about. I don't really naturally like to be dumping on people for mismanaging something, but this is so outrageous. I mean, the only thing that could top the outrageousness of BP is the outrageousness of the administration to be sitting here 2 months after this situation without a clear-cut plan. I would think the President would have some boards like this and say, Look, the first thing we've got to do—and this is just like somebody has been hit in an automobile accident. They're bleeding. You're a doctor, Dr. BROWN. And you stop the bleeding, is one of the first things you do.

I would say, Well, we've got to stop that oil coming out of the floor of the ocean, and here's the plan to do it and we'll do this, this, this, and this, in this order. And it's going to require these resources and we're putting the team together and the plan to do that. Now we've got this situation with jobs down

there. And Congressman BROWN's got an idea to help on the income tax side of it. Congressman SCALISE has got a plan as to what to do with some sand berms to stop this oil from coming into the harbor. And you put the team together to make decisions and deal with this. And so instead of fixing blame, you fix the problem. And all we've heard is the government getting in the way.

My understanding is private companies have more oil booms out there to collect oil than the Federal Government did. And there are types of booms—I heard they're called fire booms—where they're a material that's more or less fireproof. It corrals the oil. Light the oil on fire and they can burn the stuff up before it drifts onto the shore and causes a lot of trouble.

And the thing that drives me crazy is here is this example of the government just totally failing and the gall of the administration to turn around and say we've got to pass a great big tax increase and we're going to give the Federal Government power to tell you you've got to put a 220-volt plug in your garage for your electric car and you can't build a wing on your house without making sure the carbon footprint is right and we're going to tax anybody every time you flip a light switch and we're going to try and pass this piece-of-trash bill, and the excuse for this is the fact that we haven't dealt with the problem in the ocean. I don't understand how people can have such great, great faith in the Federal Government. It just blows my mind.

And, of course, you know, gentleman, the health care bill. Every day that comes out, we find more and more problems, all things that we were saying were going to happen. And it shows that the real objective here isn't health care at all. That's the ironic thing. This Obama benchmark progress report. Here's the thing about jobs. Is it going to help with jobs? No. It fails this measurement. Costs. Today, I want to lay out the details of a plan that not only guarantees coverage for every American but also brings down health care costs. Is it going to bring down health care costs? No. The whole thing is a scam because all it does is businesses will dump their employees in the Federal Government.

And so why do we have so much trust the Federal Government should be entrusted with health care? You're a doctor. Would you want to trust your body to the Federal Government when we've seen this record?

Mr. BROWN of Georgia. Mr. AKIN, you're exactly right. The American people get it, though. The administration doesn't. That's the problem. In fact, whether it's the oil spill and the disaster that's going on there and their disastrous response to that or forcing ObamaCare through against the will of the American people, all this administration is showing the American people is its arrogance, its ignorance, and its incompetence. That's exactly what the

American people have seen. In fact, just on the oil spill, just the other day I was talking to a fireman in my district and he asked me about this oil disaster and the poor response that this administration has shown. This working guy, just a guy trying to make a living and take care of his family and struggling to make ends meet, asked me if this administration was purposely not responding to this oil spill just so that they could force through their cap-and-trade. I call it tax-and-trade. Because President Obama himself said this was about revenue. He had to have that revenue from this energy tax to pay for his health care plan for ObamaCare. And that's what we see over and over again.

And the American people get it. They understand that this administration is bungling the oil spill, the ObamaCare, and you're talking about a budget. We're asking, Where's the budget? Back in the ObamaCare debate, the leadership here in the House said that they were going to deem and pass. Deem and pass. That sounds like a bad place in a spaghetti western where the bad guys are setting up to ambush the good guys. And that's exactly what was happening.

Now, on the budget, Leader HOYER is saying that we're not going to have a budget and that they're going to deem the budget. So we're having another deem and pass by the leadership in the House to not even set forth a budget. And why? Because Democrats don't want to—a lot of the Democrats, particularly Blue Dogs, don't want to vote and those vulnerable Democrats don't want to vote for the massive debt that's being created and incurred—or already incurred, actually. Tremendous debt that's already incurred by this administration and by this leadership in the House and the Senate. They don't want to have to vote on that again because they're scared what the American people are going to do in November.

Mr. AKIN. The funny thing is, the very words they spoke kind of come back to condemn them. They're kind of condemning themselves because here's the Democratic whip, Congressman HOYER, he's saying, Budget is the most basic responsibility of governing. That's 2006. The most basic responsibility of governing is what? The budget.

Mr. BROUN of Georgia. Passing a budget.

Mr. AKIN. And here's the guy in charge of the budget, Congressman SPRATT. If you can't budget, you can't govern. So this is what they're saying in 2006. And now we take a look at what's coming forward and we say, Where's the budget? Here's the Hill: Skipping a budget resolution this year would be unprecedented. The House has never failed to pass an annual budget resolution since the current budget rules were put into place in 1974, according to a Congressional Research Service report.

So, since 1974, Republicans and Democrats have met in this Chamber and every year they put a budget together. Some of them were a lot better than others. Some were tighter. Some tried to balance the budget. But they have always had a budget. Didn't always get passed. Didn't get taken care of. But they always had a budget. Until when? Until this year. And why? Why is it Democrat leadership says it's absolutely essential to have a budget, and they don't have one this year? Why do you think that is?

Mr. BROUN of Georgia. Before you take that down, if the gentleman would yield.

Mr. AKIN. I do yield.

Mr. BROUN of Georgia. The folks watching on C-SPAN tonight, Mr. AKIN, may wonder if Congressional Research Service is some far-out right-wing group that might be trying to hammer the Democrats and trying to castigate them in a negative light. But that's not so, is it?

Mr. AKIN. The Congressional Research Service is a bunch of professionals that are paid by the U.S. Congress and they try to be as objective as they can. They're not always right. But they at least have very good access to historical records and the history of the Congress. This statement that the House has never failed to pass an annual budget resolution, that's a historic fact.

So what we're seeing here is we're in uncharted ground, at least since 1974, that there is no budget. Well, why is there not a budget? You made reference to it. And here's the nasty little picture. We were told that George Bush spent too much money. President Bush.

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Mr. BROUN of Georgia. And he did.

Mr. AKIN. And he did spend too much money. In fact, you and I, gentleman, voted "no" on some of the things he wanted to spend money on. His worst budget, though, was when Speaker PELOSI was in charge of this Congress in 2008, right here. That was his worst deficit, \$459 billion in deficit that year. Not proud of that, \$459 billion. The people said that Bush spent too much money. And here we come to the very first year of President Obama, and it's \$1.4 trillion. That's three times the worst Bush deficit. And so if you had that followed by an even bigger deficit this year, you had unemployment at 9 percent, if you were one of the Democrats, would you want to pass a budget right now? I think they're running for cover.

You know, we have an expression in Missouri, it's called "hunkered down"—"hunkered down like a toad in a hail storm." It seems like to me, if I had anything to do with that level of deficit spending, I would be hunkered down. In fact, I think I would have resigned and gone to try to do something else with my time because this is totally destructive to our country.

And you raised the question, Is the objective to precipitate such a crisis that they consolidate power in the Federal Government? At least it seems like to me the American people are going to go, Oh, my goodness. You're going to need to create an awful good crisis for us to ever trust the Federal Government with the kind of quality of leadership that we've been seeing.

Mr. BROUN of Georgia. Mr. AKIN, if you would yield.

Mr. AKIN. I do yield.

Mr. BROUN of Georgia. Saul Alinsky in his book "Rules for Radicals"—and I am reading the book to try to garner some information about the battle plan of the progressives. There's another word for progressives in my opinion; it's socialists, Marxists. You can use other terms.

Mr. AKIN. Well, Saul Alinsky was a Communist, wasn't he?

Mr. BROUN of Georgia. He was.

Mr. AKIN. And that's a historic fact that he was a Communist. And Obama studied under him, right?

Mr. BROUN of Georgia. That's what I understand. In fact, he dedicated the book "Rules for Radicals" to the first great radical, Lucifer.

Mr. AKIN. The first great radical, Lucifer, Satan.

Mr. BROUN of Georgia. It is right there in the book. That is the first thing I looked at.

Mr. AKIN. Did he have all of his bolts together? What was his problem?

Mr. BROUN of Georgia. Well, Lucifer rebelled against our creator, God, and was thrown out of heaven. And we're trying to fight all of those spiritual wars today because of that. But the thing is, what the progressives or radicals or socialists—whatever you want to call them—are trying to do or the proposal from people like Saul Alinsky and others is that you just totally destroy your enemy, and then you build up a socialistic society out of it.

I've had person after person in my district, just working folks—not politicians, just working folks, say to me, PAUL, why is President Obama trying to destroy the free enterprise system? Because that's exactly what he's doing. I hear that over and over again from lower middle class working people all the way up to small businessmen and -women who are just saying, Why are we trying to destroy the free enterprise system? Why are we creating all this debt? And the people in my district in Georgia are just seriously questioning all this huge debt. What this chart shows is the deficits for each year. That doesn't reflect the debt that's accumulated. The debt would be an exponential curve if we showed that.

Mr. AKIN. Yes. Now an average guy on the street—let's just say they're reading some newspaper headlines over the last 18 months. Now what's the impression they get? First of all, there's this huge bailout, a Wall Street bailout. So you get these firms on Wall Street that are getting billions of dollars of taxpayers' money. That, of

course, makes people get really happy and excited about that. So we're bailing out Wall Street first of all. Now there are people that are making a case that the economy was in very bad shape and that we had to drop \$700 billion. We didn't vote for that. But there are people that make the case that, Well, there were these things that were failing.

So we drop all this money into Wall Street. We bail out banks. We bail out insurance companies. And then the bailout fever really gets started, which we predicted would happen if the Federal Government basically opens the kitty to any group that wants to bail out anything, and we start buying out Government Motors—I think it used to be called General Motors before—and Chrysler. So we're doing that. And then we decide, Hey, it would be a great idea if we bailed out college kids who want to get loans. The government's going to take that over. And now the government is in the process of collecting other things that it can own. Of course notably, 17 percent of the free side of the economy which used to be where you worked, Doctor, in health care. So now the government's taking over 17 percent of the U.S. economy in the health care area. They're nibbling and just salivating about taking over the energy business.

So if you're an average guy on the street, and you start connecting the dots—which many people may not. But when you start to think about it, the government's taking over everything. So it's not an odd thing for somebody just taking a look at the headlines and looking back at the last 18 months to say, Holy smokes, what's going on here?

Mr. BROUN of Georgia. In fact, it's my understanding that we've nationalized more of our private economy in our country just since the Obama administration took over from the Bush administration—we've nationalized more of our private economy under this administration than Hugo Chavez has in Venezuela, in the whole time the Communist dictator Hugo Chavez has in his country down there in Venezuela.

Mr. AKIN. I know America likes to win, but I don't know that we want to do better than Hugo Chavez. That's not exactly where most Americans want to be going, I don't think.

Mr. BROUN of Georgia. Well, during the Bush administration, we had the TARP funds, the Troubled Asset Relief Program that the Bush administration promoted. It was actually through his Secretary of the Treasury, Hank Paulson, who came to us and said, 'The sky is falling, we had to pass a TARP or the economy would crash. I voted against that because I wasn't in favor of bailing out the incompetent Wall Street bankers for their malfeasance. I want to bail out Main Street, small businessmen and -women. I want to bail out the small community banks by getting the Federal regulatory burden

off them so that they can compete in an open marketplace.

I believe very firmly that the free marketplace, unencumbered by government regulation and taxes, is the best way to control quality, quantity, and costs of all goods and services, whether it's banking services or health care, in my business as a medical doctor, or selling tires and gasoline and automobile parts and appliances, like my dad did, or any other good or service. The best way to control it is through an open marketplace unencumbered by taxes and regulations. And the more taxes and regulations we put on business and industry, the higher the price goes, the quality goes down, and we have less of those things for the people who are consuming. And we're going to see that in health care.

Mr. AKIN. Well, I appreciate, gentleman, your perspective on all of these things, and I appreciate you sharing what a lot of your constituents are telling you because it very much reflects what I am hearing when I go home. And the question mark is, Really, what is the game plan of this administration? It seems that one thing you can say, whether it is the Katrina oil spill, whether it is the attempt to try to do the cap-and-tax or cap-and-trade or whatever you want to call it—a government takeover of energy is what I would call it—and whether you want to talk about socialized medicine, whether you want to talk about a whole series of different things, it seems like the pattern is that every single thing the administration does is to try to create an entitlement class, a victim class, a group of people that are totally dependent on the government. And perhaps the worst of all of those things, as you know, Doctor, is the socialized medicine, because if your body is physically dependent on the government to give you your health care, it makes you truly one of these dependent classes. And it seems like the government is trying to turn all of us into a bunch of people totally dependent to the government—in fact, slaves to the government. It reminds me as we start approaching the Fourth of July how it was that the people in this country said, We really don't want the government to be our master. We don't really believe the philosophy that the government should provide everything for everybody. And I think the public is waking up to this.

I would be happy to yield you a minute if you'd like, gentleman.

Mr. BROUN of Georgia. Well, thank you. I appreciate you yielding back. We have got about 2 more minutes left. I just wanted to add something to what you just said about being enslaved. My good friend Star Parker who, by the way, is running for Congress in California, in Los Angeles, whose welfare mom got saved. She accepted Jesus Christ as her own Lord and Savior. She started looking at her lifestyle, and she started trying to break out of that welfare state that she was in and had a

great deal of difficulty. She wrote a book called "Uncle Sam's Plantation" where she described all that. And she's been a great voice against this government largesse—socialism, if you will, because she knows how it destroys families, it destroys communities, it destroys everything. And we are headed in a direction in this country where freedom is being taken away from the American people.

The American people need to stand up and say "no" to the steamroller of socialism and say "yes" to freedom. Let's stop all this government spending. Let's stop all this bigger government and government takeover, and let's put us back on the course of the Constitution with limited government. And that's what the Tea Party movement is all about. I yield back.

Mr. AKIN. I really appreciate you mentioning Star Parker. She is really a fun person. She has a great personality, is a lot of fun. She's cute, and she is very articulate. And she has an amazing story about how the government tried to trap her into all of this welfare stuff and all of the behaviors that would destroy her life. She came out of it through the power of Jesus Christ, started her own business. Now the government gives her trouble. While she is trying to run a business, doing the right thing, the government is taking shots at her. And she says, Whose side are you on, government? You know, when I was doing the wrong stuff, you were encouraging me. When I am doing the right things, you are giving me a hard time. What's the story here?

As I said, I started with a picture of that little green wagon and those two kids. One of them pulling, the other one pushing. The guy looking over his shoulder said, Are you pushing or pulling back there? You know, it just seems like, is the government trying to help us or is it trying to destroy us? And it seems like every decision we have seen is more dependency on Big Government.

Thank you, Doctor. It's a pleasure to join you, and God bless America.

CONFERENCE REPORT ON H.R. 2194, COMPREHENSIVE IRAN SANCTIONS, ACCOUNTABILITY, AND DIVESTMENT ACT OF 2010

Mr. BERMAN (during the Special Order of Mr. AKIN) submitted the following conference report and statement on the bill (H.R. 2194) to amend the Iran Sanctions Act of 1996 to enhance United States diplomatic efforts with respect to Iran by expanding economic sanctions against Iran:

CONFERENCE REPORT (H. REPT. 111-512)

The committee of conference on the disagreeing votes of the two Houses on the amendment of the Senate to the bill (H. R. 2194), to amend the Iran Sanctions Act of 1996 to enhance United States diplomatic efforts with respect to Iran by expanding economic sanctions against Iran, having met, after full and free conference, have agreed to

recommend and do recommend to their respective Houses as follows:

That the House recede from its disagreement to the amendment of the Senate and agree to the same with an amendment as follows:

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

SECTION 1. SHORT TITLE; TABLE OF CONTENTS.

(a) **SHORT TITLE.**—This Act may be cited as the “Comprehensive Iran Sanctions, Accountability, and Divestment Act of 2010”.

(b) **TABLE OF CONTENTS.**—The table of contents for this Act is as follows:

Sec. 1. Short title; table of contents.

Sec. 2. Findings.

Sec. 3. Sense of Congress regarding the need to impose additional sanctions with respect to Iran.

TITLE I—SANCTIONS

Sec. 101. Definitions.

Sec. 102. Expansion of sanctions under the Iran Sanctions Act of 1996.

Sec. 103. Economic sanctions relating to Iran.

Sec. 104. Mandatory sanctions with respect to financial institutions that engage in certain transactions.

Sec. 105. Imposition of sanctions on certain persons who are responsible for or complicit in human rights abuses committed against citizens of Iran or their family members after the June 12, 2009, elections in Iran.

Sec. 106. Prohibition on procurement contracts with persons that export sensitive technology to Iran.

Sec. 107. Harmonization of criminal penalties for violations of sanctions.

Sec. 108. Authority to implement United Nations Security Council resolutions imposing sanctions with respect to Iran.

Sec. 109. Increased capacity for efforts to combat unlawful or terrorist financing.

Sec. 110. Reports on investments in the energy sector of Iran.

Sec. 111. Reports on certain activities of foreign export credit agencies and of the Export-Import Bank of the United States.

Sec. 112. Sense of Congress regarding Iran’s Revolutionary Guard Corps and its affiliates.

Sec. 113. Sense of Congress regarding Iran and Hezbollah.

Sec. 114. Sense of Congress regarding the imposition of multilateral sanctions with respect to Iran.

Sec. 115. Report on providing compensation for victims of international terrorism.

TITLE II—DIVESTMENT FROM CERTAIN COMPANIES THAT INVEST IN IRAN

Sec. 201. Definitions.

Sec. 202. Authority of State and local governments to divest from certain companies that invest in Iran.

Sec. 203. Safe harbor for changes of investment policies by asset managers.

Sec. 204. Sense of Congress regarding certain ERISA plan investments.

Sec. 205. Technical corrections to Sudan Accountability and Divestment Act of 2007.

TITLE III—PREVENTION OF DIVERSION OF CERTAIN GOODS, SERVICES, AND TECHNOLOGIES TO IRAN

Sec. 301. Definitions.

Sec. 302. Identification of countries of concern with respect to the diversion of certain goods, services, and technologies to or through Iran.

Sec. 303. Destinations of Diversion Concern.

Sec. 304. Report on expanding diversion concern system to address the diversion of United States origin goods, services, and technologies to certain countries other than Iran.

Sec. 305. Enforcement authority.

TITLE IV—GENERAL PROVISIONS

Sec. 401. General provisions.

Sec. 402. Determination of budgetary effects.

SEC. 2. FINDINGS.

Congress makes the following findings:

(1) The illicit nuclear activities of the Government of Iran, combined with its development of unconventional weapons and ballistic missiles and its support for international terrorism, represent a threat to the security of the United States, its strong ally Israel, and other allies of the United States around the world.

(2) The United States and other responsible countries have a vital interest in working together to prevent the Government of Iran from acquiring a nuclear weapons capability.

(3) The International Atomic Energy Agency has repeatedly called attention to Iran’s illicit nuclear activities and, as a result, the United Nations Security Council has adopted a range of sanctions designed to encourage the Government of Iran to suspend those activities and comply with its obligations under the Treaty on the Non-Proliferation of Nuclear Weapons, done at Washington, London, and Moscow July 1, 1968, and entered into force March 5, 1970 (commonly known as the “Nuclear Non-Proliferation Treaty”).

(4) The serious and urgent nature of the threat from Iran demands that the United States work together with its allies to do everything possible—diplomatically, politically, and economically—to prevent Iran from acquiring a nuclear weapons capability.

(5) The United States and its major European allies, including the United Kingdom, France, and Germany, have advocated that sanctions be strengthened should international diplomatic efforts fail to achieve verifiable suspension of Iran’s uranium enrichment program and an end to its nuclear weapons program and other illicit nuclear activities.

(6) The Government of Iran continues to engage in serious, systematic, and ongoing violations of human rights, including suppression of freedom of expression and religious freedom, illegitimately prolonged detention, torture, and executions. Such violations have increased in the aftermath of the fraudulent presidential election in Iran on June 12, 2009.

(7) The Government of Iran has been unresponsive to President Obama’s unprecedented and serious efforts at engagement, revealing that the Government of Iran is not interested in a diplomatic resolution, as made clear, for example, by the following:

(A) Iran’s apparent rejection of the Tehran Research Reactor plan, generously offered by the United States and its partners, of potentially great benefit to the people of Iran, and endorsed by Iran’s own negotiators in October 2009.

(B) Iran’s ongoing clandestine nuclear program, as evidenced by its work on the secret uranium enrichment facility at Qom, its subsequent refusal to cooperate fully with inspectors from the International Atomic Energy Agency, and its announcement that it would build 10 new uranium enrichment facilities.

(C) Iran’s official notification to the International Atomic Energy Agency that it would enrich uranium to the 20 percent level, followed soon thereafter by its providing to that Agency a laboratory result showing that Iran had indeed enriched some uranium to 19.8 percent.

(D) A February 18, 2010, report by the International Atomic Energy Agency expressing “concerns about the possible existence in Iran of past or current undisclosed activities related to the development of a nuclear payload for a missile. These alleged activities consist of a number

of projects and sub-projects, covering nuclear and missile related aspects, run by military-related organizations.”

(E) A May 31, 2010, report by the International Atomic Energy Agency expressing continuing strong concerns about Iran’s lack of cooperation with the Agency’s verification efforts and Iran’s ongoing enrichment activities, which are contrary to the longstanding demands of the Agency and the United Nations Security Council.

(F) Iran’s announcement in April 2010 that it had developed a new, faster generation of centrifuges for enriching uranium.

(G) Iran’s ongoing arms exports to, and support for, terrorists in direct contravention of United Nations Security Council resolutions.

(H) Iran’s July 31, 2009, arrest of 3 young citizens of the United States on spying charges.

(8) There is an increasing interest by State governments, local governments, educational institutions, and private institutions, business firms, and other investors to disassociate themselves from companies that conduct business activities in the energy sector of Iran, since such business activities may directly or indirectly support the efforts of the Government of Iran to achieve a nuclear weapons capability.

(9) Black market proliferation networks continue to flourish in the Middle East, allowing countries like Iran to gain access to sensitive dual-use technologies.

(10) Economic sanctions imposed pursuant to the provisions of this Act, the Iran Sanctions Act of 1996, as amended by this Act, and the International Emergency Economic Powers Act (50 U.S.C. 1701 et seq.), and other authorities available to the United States to impose economic sanctions to prevent Iran from developing nuclear weapons, are necessary to protect the essential security interests of the United States.

SEC. 3. SENSE OF CONGRESS REGARDING THE NEED TO IMPOSE ADDITIONAL SANCTIONS WITH RESPECT TO IRAN.

It is the sense of Congress that—

(1) international diplomatic efforts to address Iran’s illicit nuclear efforts and support for international terrorism are more likely to be effective if strong additional sanctions are imposed on the Government of Iran;

(2) the concerns of the United States regarding Iran are strictly the result of the actions of the Government of Iran;

(3) the revelation in September 2009 that Iran is developing a secret uranium enrichment site on a base of Iran’s Revolutionary Guard Corps near Qom, which appears to have no civilian application, highlights the urgency that Iran—

(A) disclose the full nature of its nuclear program, including any other secret locations; and

(B) provide the International Atomic Energy Agency unfettered access to its facilities pursuant to Iran’s legal obligations under the Treaty on the Non-Proliferation of Nuclear Weapons, done at Washington, London, and Moscow July 1, 1968, and entered into force March 5, 1970 (commonly known as the “Nuclear Non-Proliferation Treaty”) and Iran’s safeguards agreement with the International Atomic Energy Agency;

(4) because of the involvement of Iran’s Revolutionary Guard Corps in Iran’s nuclear program, international terrorism, and domestic human rights abuses, the President should impose the full range of applicable sanctions on—

(A) any individual or entity that is an agent, alias, front, instrumentality, representative, official, or affiliate of Iran’s Revolutionary Guard Corps; and

(B) any individual or entity that has conducted any commercial transaction or financial transaction with an individual or entity described in subparagraph (A);

(5) additional measures should be adopted by the United States to prevent the diversion of sensitive dual-use technologies to Iran;

(6) the President should—

(A) continue to urge the Government of Iran to respect the internationally recognized human rights and religious freedoms of its citizens;

(B) identify the officials of the Government of Iran and other individuals who are responsible for continuing and severe violations of human rights and religious freedom in Iran; and

(C) take appropriate measures to respond to such violations, including by—

(i) prohibiting officials and other individuals the President identifies as being responsible for such violations from entry into the United States; and

(ii) freezing the assets of the officials and other individuals described in clause (i);

(7) additional funding should be provided to the Secretary of State to document, collect, and disseminate information about human rights abuses in Iran, including serious abuses that have taken place since the presidential election in Iran on June 12, 2009;

(8) with respect to nongovernmental organizations based in the United States—

(A) many of such organizations are essential to promoting human rights and humanitarian goals around the world;

(B) it is in the national interest of the United States to allow responsible nongovernmental organizations based in the United States to establish and carry out operations in Iran to promote civil society and foster humanitarian goodwill among the people of Iran; and

(C) the United States should ensure that the organizations described in subparagraph (B) are not unnecessarily hindered from working in Iran to provide humanitarian, human rights, and people-to-people assistance, as appropriate, to the people of Iran;

(9) the United States should not issue a license pursuant to an agreement for cooperation (as defined in section 11 b. of the Atomic Energy Act of 1954 (42 U.S.C. 2014(b))) for the export of nuclear material, facilities, components, or other goods, services, or technology that are or would be subject to such an agreement to a country that is providing similar nuclear material, facilities, components, or other goods, services, or technology to another country that is not in full compliance with its obligations under the Nuclear Non-Proliferation Treaty, including its obligations under the safeguards agreement between that country and the International Atomic Energy Agency, unless the President determines that the provision of such similar nuclear material, facilities, components, or other goods, services, or technology to such other country does not undermine the nonproliferation policies and objectives of the United States; and

(10) the people of the United States—

(A) have feelings of friendship for the people of Iran;

(B) regret that developments in recent decades have created impediments to that friendship; and

(C) hold the people of Iran, their culture, and their ancient and rich history in the highest esteem.

TITLE I—SANCTIONS

SEC. 101. DEFINITIONS.

In this title:

(1) **AGRICULTURAL COMMODITY.**—The term “agricultural commodity” has the meaning given that term in section 102 of the Agricultural Trade Act of 1978 (7 U.S.C. 5602).

(2) **APPROPRIATE CONGRESSIONAL COMMITTEES.**—The term “appropriate congressional committees” has the meaning given that term in section 14 of the Iran Sanctions Act of 1996 (Public Law 104-172; 50 U.S.C. 1701 note), as amended by section 102 of this Act.

(3) **EXECUTIVE AGENCY.**—The term “executive agency” has the meaning given that term in section 4 of the Office of Federal Procurement Policy Act (41 U.S.C. 403).

(4) **FAMILY MEMBER.**—The term “family member” means, with respect to an individual, a spouse, child, parent, sibling, grandchild, or grandparent of the individual.

(5) **IRANIAN DIPLOMATS AND REPRESENTATIVES OF OTHER GOVERNMENT AND MILITARY OR QUASI-**

GOVERNMENTAL INSTITUTIONS OF IRAN.—The term “Iranian diplomat or representative of another government or military or quasi-governmental institution of Iran” means any of the Iranian diplomats and representatives of other government and military or quasi-governmental institutions of Iran (as that term is defined in section 14 of the Iran Sanctions Act of 1996 (Public Law 104-172; 50 U.S.C. 1701 note)).

(6) **KNOWINGLY.**—The term “knowingly”, with respect to conduct, a circumstance, or a result, means that a person has actual knowledge, or should have known, of the conduct, the circumstance, or the result.

(7) **MEDICAL DEVICE.**—The term “medical device” has the meaning given the term “device” in section 201 of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 321).

(8) **MEDICINE.**—The term “medicine” has the meaning given the term “drug” in section 201 of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 321).

(9) **STATE.**—The term “State” means each of the several States, the District of Columbia, the Commonwealth of Puerto Rico, the Commonwealth of the Northern Mariana Islands, American Samoa, Guam, the United States Virgin Islands, and any other territory or possession of the United States.

(10) **UNITED STATES PERSON.**—The term “United States person” means—

(A) a natural person who is a citizen or resident of the United States or a national of the United States (as defined in section 101(a) of the Immigration and Nationality Act (8 U.S.C. 1101(a)); and

(B) an entity that is organized under the laws of the United States or any State.

SEC. 102. EXPANSION OF SANCTIONS UNDER THE IRAN SANCTIONS ACT OF 1996.

(a) **IN GENERAL.**—Section 5 of the Iran Sanctions Act of 1996 (Public Law 104-172; 50 U.S.C. 1701 note) is amended—

(1) by striking subsection (a) and inserting the following:

“(a) **SANCTIONS WITH RESPECT TO THE DEVELOPMENT OF PETROLEUM RESOURCES OF IRAN, PRODUCTION OF REFINED PETROLEUM PRODUCTS IN IRAN, AND EXPORTATION OF REFINED PETROLEUM PRODUCTS TO IRAN.**—

“(1) **DEVELOPMENT OF PETROLEUM RESOURCES OF IRAN.**—

“(A) **IN GENERAL.**—Except as provided in subsection (f), the President shall impose 3 or more of the sanctions described in section 6(a) with respect to a person if the President determines that the person knowingly, on or after the date of the enactment of the Comprehensive Iran Sanctions, Accountability, and Divestment Act of 2010—

“(i) makes an investment described in subparagraph (B) of \$20,000,000 or more; or

“(ii) makes a combination of investments described in subparagraph (B) in a 12-month period if each such investment is of at least \$5,000,000 and such investments equal or exceed \$20,000,000 in the aggregate.

“(B) **INVESTMENT DESCRIBED.**—An investment described in this subparagraph is an investment that directly and significantly contributes to the enhancement of Iran’s ability to develop petroleum resources.

“(2) **PRODUCTION OF REFINED PETROLEUM PRODUCTS.**—

“(A) **IN GENERAL.**—Except as provided in subsection (f), the President shall impose 3 or more of the sanctions described in section 6(a) with respect to a person if the President determines that the person knowingly, on or after the date of the enactment of the Comprehensive Iran Sanctions, Accountability, and Divestment Act of 2010, sells, leases, or provides to Iran goods, services, technology, information, or support described in subparagraph (B)—

“(i) any of which has a fair market value of \$1,000,000 or more; or

“(ii) that, during a 12-month period, have an aggregate fair market value of \$5,000,000 or more.

“(B) **GOODS, SERVICES, TECHNOLOGY, INFORMATION, OR SUPPORT DESCRIBED.**—Goods, services, technology, information, or support described in this subparagraph are goods, services, technology, information, or support that could directly and significantly facilitate the maintenance or expansion of Iran’s domestic production of refined petroleum products, including any direct and significant assistance with respect to the construction, modernization, or repair of petroleum refineries.

“(3) **EXPORTATION OF REFINED PETROLEUM PRODUCTS TO IRAN.**—

“(A) **IN GENERAL.**—Except as provided in subsection (f), the President shall impose 3 or more of the sanctions described in section 6(a) with respect to a person if the President determines that the person knowingly, on or after the date of the enactment of the Comprehensive Iran Sanctions, Accountability, and Divestment Act of 2010—

“(i) sells or provides to Iran refined petroleum products—

“(I) that have a fair market value of \$1,000,000 or more; or

“(II) that, during a 12-month period, have an aggregate fair market value of \$5,000,000 or more; or

“(ii) sells, leases, or provides to Iran goods, services, technology, information, or support described in subparagraph (B)—

“(I) any of which has a fair market value of \$1,000,000 or more; or

“(II) that, during a 12-month period, have an aggregate fair market value of \$5,000,000 or more.

“(B) **GOODS, SERVICES, TECHNOLOGY, INFORMATION, OR SUPPORT DESCRIBED.**—Goods, services, technology, information, or support described in this subparagraph are goods, services, technology, information, or support that could directly and significantly contribute to the enhancement of Iran’s ability to import refined petroleum products, including—

“(i) except as provided in subparagraph (C), underwriting or entering into a contract to provide insurance or reinsurance for the sale, lease, or provision of such goods, services, technology, information, or support;

“(ii) financing or brokering such sale, lease, or provision; or

“(iii) providing ships or shipping services to deliver refined petroleum products to Iran.

“(C) **EXCEPTION FOR UNDERWRITERS AND INSURANCE PROVIDERS EXERCISING DUE DILIGENCE.**—The President may not impose sanctions under this paragraph with respect to a person that provides underwriting services or insurance or reinsurance if the President determines that the person has exercised due diligence in establishing and enforcing official policies, procedures, and controls to ensure that the person does not underwrite or enter into a contract to provide insurance or reinsurance for the sale, lease, or provision of goods, services, technology, information, or support described in subparagraph (B).”;

(2) in subsection (b)—

(A) by redesignating paragraphs (1) and (2) as subparagraphs (A) and (B), respectively, and moving such subparagraphs, as so redesignated, 2 ems to the right;

(B) by striking “The President shall impose” and inserting the following:

“(1) **IN GENERAL.**—The President shall impose”; and

(C) in paragraph (1), as redesignated by subparagraph (B) of this paragraph, by striking “two or more” and all that follows through “of this Act” and inserting “3 or more of the sanctions described in section 6(a) if the President determines that a person has, on or after the date of the enactment of the Comprehensive Iran Sanctions, Accountability, and Divestment Act of 2010”; and

(D) by adding at the end the following:

“(2) **ADDITIONAL MANDATORY SANCTIONS RELATING TO TRANSFER OF NUCLEAR TECHNOLOGY.**—

“(A) IN GENERAL.—Except as provided in subparagraphs (B) and (C), in any case in which a person is subject to sanctions under paragraph (1) because of an activity described in that paragraph that relates to the acquisition or development of nuclear weapons or related technology or of missiles or advanced conventional weapons that are designed or modified to deliver a nuclear weapon, no license may be issued for the export, and no approval may be given for the transfer or retransfer, directly or indirectly, to the country the government of which has primary jurisdiction over the person, of any nuclear material, facilities, components, or other goods, services, or technology that are or would be subject to an agreement for cooperation between the United States and that government.

“(B) EXCEPTION.—The sanctions described in subparagraph (A) shall not apply with respect to a country the government of which has primary jurisdiction over a person that engages in an activity described in that subparagraph if the President determines and notifies the appropriate congressional committees that the government of the country—

“(i) does not know or have reason to know about the activity; or

“(ii) has taken, or is taking, all reasonable steps necessary to prevent a recurrence of the activity and to penalize the person for the activity.

“(C) INDIVIDUAL APPROVAL.—Notwithstanding subparagraph (A), the President may, on a case-by-case basis, approve the issuance of a license for the export, or approve the transfer or retransfer, of any nuclear material, facilities, components, or other goods, services, or technology that are or would be subject to an agreement for cooperation, to a person in a country to which subparagraph (A) applies (other than a person that is subject to the sanctions under paragraph (1)) if the President—

“(i) determines that such approval is vital to the national security interests of the United States; and

“(ii) not later than 15 days before issuing such license or approving such transfer or retransfer, submits to the Committee on Foreign Affairs of the House of Representatives and the Committee on Foreign Relations of the Senate the justification for approving such license, transfer, or retransfer.

“(D) CONSTRUCTION.—The restrictions in subparagraph (A) shall apply in addition to all other applicable procedures, requirements, and restrictions contained in the Atomic Energy Act of 1954 and other related laws.

“(E) DEFINITION.—In this paragraph, the term ‘agreement for cooperation’ has the meaning given that term in section 11 b. of the Atomic Energy Act of 1954 (42 U.S.C. 2014(b)).

“(F) APPLICABILITY.—The sanctions under subparagraph (A) shall apply only in a case in which a person is subject to sanctions under paragraph (1) because of an activity described in that paragraph in which the person engages on or after the date of the enactment of the Comprehensive Iran Sanctions, Accountability, and Divestment Act of 2010.”;

(3) in subsection (c)—

(A) by striking “(b)” each place it appears and inserting “(b)(1)”; and

(B) by striking paragraph (2) and inserting the following:

“(2) any person that—

“(A) is a successor entity to the person referred to in paragraph (1);

“(B) owns or controls the person referred to in paragraph (1), if the person that owns or controls the person referred to in paragraph (1) had actual knowledge or should have known that the person referred to in paragraph (1) engaged in the activities referred to in that paragraph; or

“(C) is owned or controlled by, or under common ownership or control with, the person referred to in paragraph (1), if the person owned or controlled by, or under common ownership or

control with (as the case may be), the person referred to in paragraph (1) knowingly engaged in the activities referred to in that paragraph.”; and

(4) in subsection (f)—

(A) in the matter preceding paragraph (1), by striking “(b)” and inserting “(b)(1)”; and

(B) in paragraph (2), by striking “section 301(b)(1) of that Act (19 U.S.C. 2511(b)(1))” and inserting “section 301(b) of that Act (19 U.S.C. 2511(b))”.

(b) DESCRIPTION OF SANCTIONS.—Section 6 of such Act is amended—

(1) by striking “The sanctions to be imposed” and inserting the following:

“(a) IN GENERAL.—The sanctions to be imposed”;

(2) in subsection (a), as redesignated by paragraph (1)—

(A) by redesignating paragraph (6) as paragraph (9); and

(B) by inserting after paragraph (5) the following:

“(6) FOREIGN EXCHANGE.—The President may, pursuant to such regulations as the President may prescribe, prohibit any transactions in foreign exchange that are subject to the jurisdiction of the United States and in which the sanctioned person has any interest.

“(7) BANKING TRANSACTIONS.—The President may, pursuant to such regulations as the President may prescribe, prohibit any transfers of credit or payments between financial institutions or by, through, or to any financial institution, to the extent that such transfers or payments are subject to the jurisdiction of the United States and involve any interest of the sanctioned person.

“(8) PROPERTY TRANSACTIONS.—The President may, pursuant to such regulations as the President may prescribe, prohibit any person from—

“(A) acquiring, holding, withholding, using, transferring, withdrawing, transporting, importing, or exporting any property that is subject to the jurisdiction of the United States and with respect to which the sanctioned person has any interest;

“(B) dealing in or exercising any right, power, or privilege with respect to such property; or

“(C) conducting any transaction involving such property.”; and

(3) by adding at the end the following:

“(b) ADDITIONAL MEASURE RELATING TO GOVERNMENT CONTRACTS.—

“(1) MODIFICATION OF FEDERAL ACQUISITION REGULATION.—Not later than 90 days after the date of the enactment of the Comprehensive Iran Sanctions, Accountability, and Divestment Act of 2010, the Federal Acquisition Regulation issued pursuant to section 25 of the Office of Federal Procurement Policy Act (41 U.S.C. 421) shall be revised to require a certification from each person that is a prospective contractor that the person, and any person owned or controlled by the person, does not engage in any activity for which sanctions may be imposed under section 5.

“(2) REMEDIES.—

“(A) IN GENERAL.—If the head of an executive agency determines that a person has submitted a false certification under paragraph (1) on or after the date on which the revision of the Federal Acquisition Regulation required by this subsection becomes effective, the head of that executive agency shall terminate a contract with such person or debar or suspend such person from eligibility for Federal contracts for a period of not more than 3 years. Any such debarment or suspension shall be subject to the procedures that apply to debarment and suspension under the Federal Acquisition Regulation under subpart 9.4 of part 9 of title 48, Code of Federal Regulations.

“(B) INCLUSION ON LIST OF PARTIES EXCLUDED FROM FEDERAL PROCUREMENT AND NONPROCUREMENT PROGRAMS.—The Administrator of General Services shall include on the List of Parties Excluded from Federal Procurement and Non-

procurement Programs maintained by the Administrator under part 9 of the Federal Acquisition Regulation issued pursuant to section 25 of the Office of Federal Procurement Policy Act (41 U.S.C. 421) each person that is debarred, suspended, or proposed for debarment or suspension by the head of an executive agency on the basis of a determination of a false certification under subparagraph (A).

“(3) CLARIFICATION REGARDING CERTAIN PRODUCTS.—The remedies set forth in paragraph (2) shall not apply with respect to the procurement of eligible products, as defined in section 308(4) of the Trade Agreements Act of 1974 (19 U.S.C. 2518(4)), of any foreign country or instrumentality designated under section 301(b) of that Act (19 U.S.C. 2511(b)).

“(4) RULE OF CONSTRUCTION.—This subsection shall not be construed to limit the use of other remedies available to the head of an executive agency or any other official of the Federal Government on the basis of a determination of a false certification under paragraph (1).

“(5) WAIVERS.—The President may on a case-by-case basis waive the requirement that a person make a certification under paragraph (1) if the President determines and certifies in writing to the appropriate congressional committees, the Committee on Armed Services of the Senate, and the Committee on Armed Services of the House of Representatives, that it is in the national interest of the United States to do so.

“(6) EXECUTIVE AGENCY DEFINED.—In this subsection, the term ‘executive agency’ has the meaning given that term in section 4 of the Office of Federal Procurement Policy Act (41 U.S.C. 403).

“(7) APPLICABILITY.—The revisions to the Federal Acquisition Regulation required under paragraph (1) shall apply with respect to contracts for which solicitations are issued on or after the date that is 90 days after the date of the enactment of the Comprehensive Iran Sanctions, Accountability, and Divestment Act of 2010.”.

(c) PRESIDENTIAL WAIVER.—Section 9 of such Act is amended—

(1) in subsection (a), by striking “5(b)” each place it appears and inserting “5(b)(1)”; and

(2) in subsection (c)—

(A) by striking “section 5(a) or (b)” each place it appears and inserting “section 5(a) or 5(b)(1)”; and

(B) in paragraph (1), by striking “important to the national interest” and inserting “necessary to the national interest”; and

(C) in paragraph (2), by striking subparagraph (C) and inserting the following:

“(C) an estimate of the significance of the conduct of the person in contributing to the ability of Iran to, as the case may be—

“(i) develop petroleum resources, produce refined petroleum products, or import refined petroleum products; or

“(ii) acquire or develop—

“(I) chemical, biological, or nuclear weapons or related technologies; or

“(II) destabilizing numbers and types of advanced conventional weapons; and”.

(d) REPORTS ON GLOBAL TRADE RELATING TO IRAN.—Section 10 of such Act is amended by adding at the end the following:

“(d) REPORTS ON GLOBAL TRADE RELATING TO IRAN.—Not later than 90 days after the date of the enactment of the Comprehensive Iran Sanctions, Accountability, and Divestment Act of 2010, and annually thereafter, the President shall submit to the appropriate congressional committees a report, with respect to the most recent 12-month period for which data are available, on the dollar value amount of trade, including in the energy sector, between Iran and each country maintaining membership in the Group of 20 Finance Ministers and Central Bank Governors.”.

(e) EXTENSION OF IRAN SANCTIONS ACT OF 1996.—Section 13(b) of such Act is amended by striking “December 31, 2011” and inserting “December 31, 2016”.

(f) CLARIFICATION AND EXPANSION OF DEFINITIONS.—Section 14 of such Act is amended—

(1) in paragraph (2), by striking “the Committee on Banking and Financial Services, and the Committee on International Relations” and inserting “the Committee on Financial Services, and the Committee on Foreign Affairs”;

(2) in paragraph (9), in the flush text following subparagraph (C), by striking “The term ‘investment’ does not include” and all that follows through “technology.”;

(3) by redesignating paragraphs (12), (13), (14), (15), and (16) as paragraphs (13), (14), (15), (17), and (18), respectively;

(4) by inserting after paragraph (11) the following:

“(12) KNOWINGLY.—The term ‘knowingly’, with respect to conduct, a circumstance, or a result, means that a person has actual knowledge, or should have known, of the conduct, the circumstance, or the result.”;

(5) in paragraph (14), as redesignated by paragraph (3) of this subsection—

(A) by redesignating subparagraphs (A), (B), and (C) as clauses (i), (ii), and (iii), respectively, and moving such clauses, as so redesignated, 2 ems to the right;

(B) by striking “The term ‘person’ means—” and inserting the following:

“(A) IN GENERAL.—The term ‘person’ means—”;

(C) in subparagraph (A), as redesignated by this paragraph—

(i) in clause (ii), by inserting “financial institution, insurer, underwriter, guarantor, and any other business organization,” after “trust.”; and

(ii) in clause (iii), by striking “subparagraph (B)” and inserting “clause (ii)”;

(D) by adding at the end the following:

“(B) APPLICATION TO GOVERNMENTAL ENTITIES.—The term ‘person’ does not include a government or governmental entity that is not operating as a business enterprise.”;

(6) in paragraph (15), as redesignated by paragraph (3) of this subsection, by striking “petroleum and natural gas resources” and inserting “petroleum, refined petroleum products, oil or liquefied natural gas, natural gas resources, oil or liquefied natural gas tankers, and products used to construct or maintain pipelines used to transport oil or liquefied natural gas”;

(7) by inserting after paragraph (15), as so redesignated, the following:

“(16) REFINED PETROLEUM PRODUCTS.—The term ‘refined petroleum products’ means diesel, gasoline, jet fuel (including naphtha-type and kerosene-type jet fuel), and aviation gasoline.”.

(g) WAIVER FOR CERTAIN PERSONS IN CERTAIN COUNTRIES; MANDATORY INVESTIGATIONS AND REPORTING; CONFORMING AMENDMENTS.—Section 4 of such Act is amended—

(1) in subsection (b)(2), by striking “(in addition to that provided in subsection (d))”;

(2) in subsection (c)—

(A) in paragraph (1)—

(i) by striking “The President may” and inserting the following:

“(A) GENERAL WAIVER.—The President may”;

and

(ii) by adding at the end the following:

“(B) WAIVER WITH RESPECT TO PERSONS IN COUNTRIES THAT COOPERATE IN MULTILATERAL EFFORTS WITH RESPECT TO IRAN.—The President may, on a case by case basis, waive for a period of not more than 12 months the application of section 5(a) with respect to a person if the President, at least 30 days before the waiver is to take effect—

“(i) certifies to the appropriate congressional committees that—

“(I) the government with primary jurisdiction over the person is closely cooperating with the United States in multilateral efforts to prevent Iran from—

“(aa) acquiring or developing chemical, biological, or nuclear weapons or related technologies; or

“(bb) acquiring or developing destabilizing numbers and types of advanced conventional weapons; and

“(II) such a waiver is vital to the national security interests of the United States; and

“(ii) submits to the appropriate congressional committees a report identifying—

“(I) the person with respect to which the President waives the application of sanctions; and

“(II) the actions taken by the government described in clause (i)(I) to cooperate in multilateral efforts described in that clause.”;

(B) by striking paragraph (2) and inserting the following:

“(2) SUBSEQUENT RENEWAL OF WAIVER.—At the conclusion of the period of a waiver under subparagraph (A) or (B) of paragraph (1), the President may renew the waiver—

“(A) if the President determines, in accordance with subparagraph (A) or (B) of that paragraph (as the case may be), that the waiver is appropriate; and

“(B)(i) in the case of a waiver under subparagraph (A) of paragraph (1), for subsequent periods of not more than six months each; and

“(ii) in the case of a waiver under subparagraph (B) of paragraph (1), for subsequent periods of not more than 12 months each.”;

(3) by striking subsection (d);

(4) by redesignating subsections (e) and (f) as subsections (d) and (e), respectively; and

(5) in subsection (e), as redesignated by paragraph (4) of this subsection—

(A) in paragraph (1)—

(i) by striking “should initiate” and inserting “shall initiate”;

(ii) by striking “investment activity in Iran as” and inserting “an activity”;

(B) in paragraph (2)—

(i) by striking “should determine” and inserting “shall (unless paragraph (3) applies) determine”;

(ii) by striking “investment activity in Iran as” and inserting “an activity”;

(C) by adding at the end the following:

“(3) SPECIAL RULE.—The President need not initiate an investigation, and may terminate an investigation, under this subsection if the President certifies in writing to the appropriate congressional committees that—

“(A) the person whose activity was the basis for the investigation is no longer engaging in the activity or has taken significant verifiable steps toward stopping the activity; and

“(B) the President has received reliable assurances that the person will not knowingly engage in an activity described in section 5(a) in the future.”.

(h) EFFECTIVE DATE.—

(1) IN GENERAL.—The amendments made by this section shall—

(A) take effect on the date of the enactment of this Act; and

(B) except as provided in this subsection or section 6(b)(7) of the Iran Sanctions Act of 1996, as amended by subsection (b) of this section, apply with respect to an investment or activity described in subsection (a) or (b) of section 5 of the Iran Sanctions Act of 1996, as amended by this section, that is commenced on or after such date of enactment.

(2) APPLICABILITY TO ONGOING INVESTMENTS PROHIBITED UNDER PRIOR LAW.—A person that makes an investment described in section 5(a) of the Iran Sanctions Act of 1996, as in effect on the day before the date of the enactment of this Act, that is commenced before such date of enactment and continues on or after such date of enactment, shall, except as provided in paragraph (4), be subject to the provisions of the Iran Sanctions Act of 1996, as in effect on the day before such date of enactment.

(3) APPLICABILITY TO ONGOING ACTIVITIES RELATING TO CHEMICAL, BIOLOGICAL, OR NUCLEAR WEAPONS OR RELATED TECHNOLOGIES.—A person that, before the date of the enactment of this Act, commenced an activity described in section

5(b) of the Iran Sanctions Act of 1996, as in effect on the day before such date of enactment, and continues the activity on or after such date of enactment, shall be subject to the provisions of the Iran Sanctions Act of 1996, as amended by this Act.

(4) APPLICABILITY OF MANDATORY INVESTIGATIONS TO INVESTMENTS.—The amendments made by subsection (g)(5) of this section shall apply on and after the date of the enactment of this Act—

(A) with respect to an investment described in section 5(a)(1) of the Iran Sanctions Act of 1996, as amended by subsection (a) of this section, that is commenced on or after such date of enactment; and

(B) with respect to an investment described in section 5(a) of the Iran Sanctions Act of 1996, as in effect on the day before the date of the enactment of this Act, that is commenced before such date of enactment and continues on or after such date of enactment.

(5) APPLICABILITY OF MANDATORY INVESTIGATIONS TO ACTIVITIES RELATING TO PETROLEUM.—

(A) IN GENERAL.—Except as provided in subparagraph (B), the amendments made by subsection (g)(5) of this section shall apply on and after the date that is 1 year after the date of the enactment of this Act with respect to an activity described in paragraph (2) or (3) of section 5(a) of the Iran Sanctions Act of 1996, as amended by subsection (a) of this section, that is commenced on or after the date that is 1 year after the date of the enactment of this Act or the date on which the President fails to submit a certification that is required under subparagraph (B) (whichever is applicable).

(B) SPECIAL RULE FOR DELAY OF EFFECTIVE DATE.—

(i) REPORTING REQUIREMENT.—Not later than 30 days before the date that is 1 year after the date of the enactment of this Act, the President shall submit to the appropriate congressional committees a report describing—

(I) the diplomatic and other efforts of the President—

(a) to dissuade foreign persons from engaging in activities described in paragraph (2) or (3) of section 5(a) of the Iran Sanctions Act of 1996, as amended by subsection (a) of this section; and

(bb) to encourage other governments to dissuade persons over which those governments have jurisdiction from engaging in such activities;

(II) the successes and failures of the efforts described in subclause (I); and

(III) each investigation under section 4(e) of the Iran Sanctions Act of 1996, as amended by subsection (g)(5) of this section and as in effect pursuant to subparagraph (C) of this paragraph, or any other review of an activity described in paragraph (2) or (3) of section 5(a) of the Iran Sanctions Act of 1996, as amended by subsection (a) of this section, that is initiated or ongoing during the period beginning on the date of the enactment of this Act and ending on the date on which the President is required to submit the report.

(ii) CERTIFICATION.—If the President submits to the appropriate congressional committees, with the report required by clause (i), a certification that there was a substantial reduction in activities described in paragraphs (2) and (3) of section 5(a) of the Iran Sanctions Act of 1996, as amended by subsection (a) of this section, during the period described in clause (i)(III), the effective date provided for in subparagraph (A) shall be delayed for a 180-day period beginning after the date provided for in that subparagraph.

(iii) SUBSEQUENT REPORTS AND DELAYS.—The effective date provided for in subparagraph (A) shall be delayed for additional 180-day periods occurring after the end of the 180-day period provided for under clause (ii), if, not later than 30 days before the 180-day period preceding such additional 180-day period expires, the President

submits to the appropriate congressional committees—

(I) a report containing the matters required in the report under clause (i) for the period beginning on the date on which the preceding report was required to be submitted under clause (i) or this clause (as the case may be) and ending on the date on which the President is required to submit the most recent report under this clause; and

(II) a certification that, during the period described in subclause (I), there was (as compared to the period for which the preceding report was submitted under this subparagraph) a progressive reduction in activities described in paragraphs (2) and (3) of section 5(a) of the Iran Sanctions Act of 1996, as amended by subsection (a) of this section.

(iv) CONSEQUENCE OF FAILURE TO CERTIFY.—If the President does not make a certification at a time required by this subparagraph—

(I) the amendments made by subsection (g)(5) of this section shall apply on and after the date on which the certification was required to be submitted by this subparagraph, with respect to an activity described in paragraph (2) or (3) of section 5(a) of the Iran Sanctions Act of 1996, as amended by subsection (a) of this section, that—

(aa) is referenced in the most recent report required to be submitted under this subparagraph; or

(bb) is commenced on or after the date on which such most recent report is required to be submitted; and

(II) not later than 45 days after the date on which the certification was required to be submitted by this subparagraph, the President shall make a determination under paragraph (2) or (3) of section 5(a) of the Iran Sanctions Act of 1996 (as the case may be), as amended by subsection (a) of this section, with respect to relevant activities described in subclause (I)(aa).

(C) APPLICABILITY OF PERMISSIVE INVESTIGATIONS.—During the 1-year period beginning on the date of the enactment of this Act and during any 180-day period during which the effective date provided for in subparagraph (A) is delayed pursuant to subparagraph (B), section 4(e) of the Iran Sanctions Act of 1996, as amended by subsection (g)(5) of this section, shall be applied, with respect to an activity described in paragraph (2) or (3) of section 5(a) of the Iran Sanctions Act of 1996, as amended by subsection (a) of this section, by substituting “should” for “shall” each place it appears.

(6) WAIVER AUTHORITY.—The amendments made by subsection (c) shall not be construed to affect any exercise of the authority under section 9(c) of the Iran Sanctions Act of 1996, as in effect on the day before the date of the enactment of this Act.

SEC. 103. ECONOMIC SANCTIONS RELATING TO IRAN.

(a) IN GENERAL.—Notwithstanding section 101 of the Iran Freedom Support Act (Public Law 109–293; 120 Stat. 1344), and in addition to any other sanction in effect, beginning on the date that is 90 days after the date of the enactment of this Act, the economic sanctions described in subsection (b) shall apply with respect to Iran.

(b) SANCTIONS.—The sanctions described in this subsection are the following:

(1) PROHIBITION ON IMPORTS.—

(A) IN GENERAL.—Except as provided in subparagraph (B), no good or service of Iranian origin may be imported directly or indirectly into the United States.

(B) EXCEPTIONS.—The exceptions provided for in section 203(b) of the International Emergency Economic Powers Act (50 U.S.C. 1702(b)), including the exception for information and informational materials, shall apply to the prohibition in subparagraph (A) of this paragraph to the same extent that such exceptions apply to the authority provided under section 203(a) of that Act.

(2) PROHIBITION ON EXPORTS.—

(A) IN GENERAL.—Except as provided in subparagraph (B), no good, service, or technology

of United States origin may be exported to Iran from the United States or by a United States person, wherever located.

(B) EXCEPTIONS.—

(i) PERSONAL COMMUNICATIONS; ARTICLES TO RELIEVE HUMAN SUFFERING; INFORMATION AND INFORMATIONAL MATERIALS; TRANSACTIONS INCIDENT TO TRAVEL.—The exceptions provided for in section 203(b) of the International Emergency Economic Powers Act (50 U.S.C. 1702(b)), including the exception for information and informational materials, shall apply to the prohibition in subparagraph (A) of this paragraph to the same extent that such exceptions apply to the authority provided under section 203(a) of that Act.

(ii) FOOD; MEDICINE; HUMANITARIAN ASSISTANCE.—The prohibition in subparagraph (A) shall not apply to the exportation of—

(I) agricultural commodities, food, medicine, or medical devices; or

(II) articles exported to Iran to provide humanitarian assistance to the people of Iran.

(iii) INTERNET COMMUNICATIONS.—The prohibition in subparagraph (A) shall not apply to the exportation of—

(I) services incident to the exchange of personal communications over the Internet or software necessary to enable such services, as provided for in section 560.540 of title 31, Code of Federal Regulations (or any corresponding similar regulation or ruling);

(II) hardware necessary to enable such services; or

(III) hardware, software, or technology necessary for access to the Internet.

(iv) GOODS, SERVICES, OR TECHNOLOGIES NECESSARY TO ENSURE THE SAFE OPERATION OF COMMERCIAL AIRCRAFT.—The prohibition in subparagraph (A) shall not apply to the exportation of goods, services, or technologies necessary to ensure the safe operation of commercial aircraft produced in the United States or commercial aircraft into which aircraft components produced in the United States are incorporated, if the exportation of such goods, services, or technologies is approved by the Secretary of the Treasury, in consultation with the Secretary of Commerce, pursuant to regulations issued by the Secretary of the Treasury regarding the exportation of such goods, services, or technologies, if appropriate.

(v) GOODS, SERVICES, OR TECHNOLOGIES EXPORTED TO SUPPORT INTERNATIONAL ORGANIZATIONS.—The prohibition in subparagraph (A) shall not apply to the exportation of goods, services, or technologies that—

(I) are provided to the International Atomic Energy Agency and are necessary to support activities of that Agency in Iran; or

(II) are necessary to support activities, including the activities of nongovernmental organizations, relating to promoting democracy in Iran.

(vi) EXPORTS IN THE NATIONAL INTEREST.—The prohibition in subparagraph (A) shall not apply to the exportation of goods, services, or technologies if the President determines the exportation of such goods, services, or technologies to be in the national interest of the United States.

(3) FREEZING ASSETS.—

(A) IN GENERAL.—At such time as the President determines that a person in Iran, including an Iranian diplomat or representative of another government or military or quasi-governmental institution of Iran (including Iran's Revolutionary Guard Corps and its affiliates), satisfies the criteria for designation with respect to the imposition of sanctions under the authority of the International Emergency Economic Powers Act (50 U.S.C. 1701 et seq.), the President shall take such action as may be necessary to freeze, as soon as possible—

(i) the funds and other assets belonging to that person; and

(ii) any funds or other assets that person transfers, on or after the date on which the President determines the person satisfies such criteria, to any family member or associate acting for or on behalf of the person.

(B) REPORTS TO THE OFFICE OF FOREIGN ASSETS CONTROL.—The action described in subparagraph (A) includes requiring any United States financial institution that holds funds or assets of a person described in that subparagraph or funds or assets that person transfers to a family member or associate described in that subparagraph to report promptly to the Office of Foreign Assets Control information regarding such funds and assets.

(C) REPORTS TO CONGRESS.—Not later than 14 days after a decision is made to freeze the funds or assets of any person under subparagraph (A), the President shall report the name of the person to the appropriate congressional committees. Such a report may contain a classified annex.

(D) TERMINATION.—The President shall release assets or funds frozen under subparagraph (A) if the person to which the assets or funds belong or the person that transfers the assets or funds as described in subparagraph (A)(ii) (as the case may be) no longer satisfies the criteria for designation with respect to the imposition of sanctions under the authority of the International Emergency Economic Powers Act (50 U.S.C. 1701 et seq.).

(E) UNITED STATES FINANCIAL INSTITUTION DEFINED.—In this paragraph, the term “United States financial institution” means a financial institution (as defined in section 14 of the Iran Sanctions Act of 1996 (Public Law 104–172; 50 U.S.C. 1701 note)) that is a United States person.

(c) PENALTIES.—The penalties provided for in subsections (b) and (c) of section 206 of the International Emergency Economic Powers Act (50 U.S.C. 1705) shall apply to a person that violates, attempts to violate, conspires to violate, or causes a violation of this section or regulations prescribed under this section to the same extent that such penalties apply to a person that commits an unlawful act described in section 206(a) of that Act.

(d) REGULATORY AUTHORITY.—

(1) IN GENERAL.—The President shall prescribe regulations to carry out this section, which may include regulatory exceptions to the sanctions described in subsection (b).

(2) APPLICABILITY OF CERTAIN REGULATIONS.—No exception to the prohibition under subsection (b)(1) may be made for the commercial importation of an Iranian origin good described in section 560.534(a) of title 31, Code of Federal Regulations (as in effect on the day before the date of the enactment of this Act), unless the President—

(A) prescribes a regulation providing for such an exception on or after the date of the enactment of this Act; and

(B) submits to the appropriate congressional committees—

(i) a certification in writing that the exception is in the national interest of the United States; and

(ii) a report describing the reasons for the exception.

SEC. 104. MANDATORY SANCTIONS WITH RESPECT TO FINANCIAL INSTITUTIONS THAT ENGAGE IN CERTAIN TRANSACTIONS.

(a) FINDINGS.—Congress makes the following findings:

(1) The Financial Action Task Force is an intergovernmental body whose purpose is to develop and promote national and international policies to combat money laundering and terrorist financing.

(2) Thirty-three countries, plus the European Commission and the Cooperation Council for the Arab States of the Gulf, belong to the Financial Action Task Force. The member countries of the Financial Action Task Force include the United States, Canada, most countries in western Europe, Russia, the People's Republic of China, Japan, South Korea, Argentina, and Brazil.

(3) In 2008 the Financial Action Task Force extended its mandate to include addressing “new and emerging threats such as proliferation

financing”, meaning the financing of the proliferation of weapons of mass destruction, and published “guidance papers” for members to assist them in implementing various United Nations Security Council resolutions dealing with weapons of mass destruction, including United Nations Security Council Resolutions 1737 (2006) and 1803 (2008), which deal specifically with proliferation by Iran.

(4) The Financial Action Task Force has repeatedly called on members—

(A) to advise financial institutions in their jurisdictions to give special attention to business relationships and transactions with Iran, including Iranian companies and financial institutions;

(B) to apply effective countermeasures to protect their financial sectors from risks relating to money laundering and financing of terrorism that emanate from Iran;

(C) to protect against correspondent relationships being used by Iran and Iranian companies and financial institutions to bypass or evade countermeasures and risk-mitigation practices; and

(D) to take into account risks relating to money laundering and financing of terrorism when considering requests by Iranian financial institutions to open branches and subsidiaries in their jurisdictions.

(5) At a February 2010 meeting of the Financial Action Task Force, the Task Force called on members to apply countermeasures “to protect the international financial system from the ongoing and substantial money laundering and terrorist financing (ML/TF) risks” emanating from Iran.

(b) SENSE OF CONGRESS REGARDING THE IMPOSITION OF SANCTIONS ON THE CENTRAL BANK OF IRAN.—Congress—

(1) acknowledges the efforts of the United Nations Security Council to impose limitations on transactions involving Iranian financial institutions, including the Central Bank of Iran; and

(2) urges the President, in the strongest terms, to consider immediately using the authority of the President to impose sanctions on the Central Bank of Iran and any other Iranian financial institution engaged in proliferation activities or support of terrorist groups.

(c) PROHIBITIONS AND CONDITIONS WITH RESPECT TO CERTAIN ACCOUNTS HELD BY FOREIGN FINANCIAL INSTITUTIONS.—

(1) IN GENERAL.—Not later than 90 days after the date of the enactment of this Act, the Secretary of the Treasury shall prescribe regulations to prohibit, or impose strict conditions on, the opening or maintaining in the United States of a correspondent account or a payable-through account by a foreign financial institution that the Secretary finds knowingly engages in an activity described in paragraph (2).

(2) ACTIVITIES DESCRIBED.—A foreign financial institution engages in an activity described in this paragraph if the foreign financial institution—

(A) facilitates the efforts of the Government of Iran (including efforts of Iran’s Revolutionary Guard Corps or any of its agents or affiliates)—

(i) to acquire or develop weapons of mass destruction or delivery systems for weapons of mass destruction; or

(ii) to provide support for organizations designated as foreign terrorist organizations under section 219(a) of the Immigration and Nationality Act (8 U.S.C. 1189(a)) or support for acts of international terrorism (as defined in section 14 of the Iran Sanctions Act of 1996 (Public Law 104-172; 50 U.S.C. 1701 note));

(B) facilitates the activities of a person subject to financial sanctions pursuant to United Nations Security Council Resolution 1737 (2006), 1747 (2007), 1803 (2008), or 1929 (2010), or any other resolution that is agreed to by the Security Council and imposes sanctions with respect to Iran;

(C) engages in money laundering to carry out an activity described in subparagraph (A) or (B);

(D) facilitates efforts by the Central Bank of Iran or any other Iranian financial institution to carry out an activity described in subparagraph (A) or (B); or

(E) facilitates a significant transaction or transactions or provides significant financial services for—

(i) Iran’s Revolutionary Guard Corps or any of its agents or affiliates whose property or interests in property are blocked pursuant to the International Emergency Economic Powers Act (50 U.S.C. 1701 et seq.); or

(ii) a financial institution whose property or interests in property are blocked pursuant to that Act in connection with—

(1) Iran’s proliferation of weapons of mass destruction or delivery systems for weapons of mass destruction; or

(II) Iran’s support for international terrorism.

(3) PENALTIES.—The penalties provided for in subsections (b) and (c) of section 206 of the International Emergency Economic Powers Act (50 U.S.C. 1705) shall apply to a person that violates, attempts to violate, conspires to violate, or causes a violation of regulations prescribed under paragraph (1) of this subsection to the same extent that such penalties apply to a person that commits an unlawful act described in section 206(a) of that Act.

(d) PENALTIES FOR DOMESTIC FINANCIAL INSTITUTIONS FOR ACTIONS OF PERSONS OWNED OR CONTROLLED BY SUCH FINANCIAL INSTITUTIONS.—

(1) IN GENERAL.—Not later than 90 days after the date of the enactment of this Act, the Secretary of the Treasury shall prescribe regulations to prohibit any person owned or controlled by a domestic financial institution from knowingly engaging in a transaction or transactions with or benefiting Iran’s Revolutionary Guard Corps or any of its agents or affiliates whose property or interests in property are blocked pursuant to the International Emergency Economic Powers Act (50 U.S.C. 1701 et seq.).

(2) PENALTIES.—The penalties provided for in section 206(b) of the International Emergency Economic Powers Act (50 U.S.C. 1705(b)) shall apply to a domestic financial institution to the same extent that such penalties apply to a person that commits an unlawful act described in section 206(a) of that Act if—

(A) a person owned or controlled by the domestic financial institution violates, attempts to violate, conspires to violate, or causes a violation of regulations prescribed under paragraph (1) of this subsection; and

(B) the domestic financial institution knew or should have known that the person violated, attempted to violate, conspired to violate, or caused a violation of such regulations.

(e) REQUIREMENTS FOR FINANCIAL INSTITUTIONS MAINTAINING ACCOUNTS FOR FOREIGN FINANCIAL INSTITUTIONS.—

(1) IN GENERAL.—The Secretary of the Treasury shall prescribe regulations to require a domestic financial institution maintaining a correspondent account or payable-through account in the United States for a foreign financial institution to do one or more of the following:

(A) Perform an audit of activities described in subsection (c)(2) that may be carried out by the foreign financial institution.

(B) Report to the Department of the Treasury with respect to transactions or other financial services provided with respect to any such activity.

(C) Certify, to the best of the knowledge of the domestic financial institution, that the foreign financial institution is not knowingly engaging in any such activity.

(D) Establish due diligence policies, procedures, and controls, such as the due diligence policies, procedures, and controls described in section 5318(i) of title 31, United States Code, reasonably designed to detect whether the Secretary of the Treasury has found the foreign financial institution to knowingly engage in any such activity.

(2) PENALTIES.—The penalties provided for in sections 5321(a) and 5322 of title 31, United States Code, shall apply to a person that violates a regulation prescribed under paragraph (1) of this subsection, in the same manner and to the same extent as such penalties would apply to any person that is otherwise subject to such section 5321(a) or 5322.

(f) WAIVER.—The Secretary of the Treasury may waive the application of a prohibition or condition imposed with respect to a foreign financial institution pursuant to subsection (c) or the imposition of a penalty under subsection (d) with respect to a domestic financial institution on and after the date that is 30 days after the Secretary—

(1) determines that such a waiver is necessary to the national interest of the United States; and

(2) submits to the appropriate congressional committees a report describing the reasons for the determination.

(g) PROCEDURES FOR JUDICIAL REVIEW OF CLASSIFIED INFORMATION.—

(1) IN GENERAL.—If a finding under subsection (c)(1), a prohibition, condition, or penalty imposed as a result of any such finding, or a penalty imposed under subsection (d), is based on classified information (as defined in section 1(a) of the Classified Information Procedures Act (18 U.S.C. App.)) and a court reviews the finding or the imposition of the prohibition, condition, or penalty, the Secretary of the Treasury may submit such information to the court *ex parte* and *in camera*.

(2) RULE OF CONSTRUCTION.—Nothing in this subsection shall be construed to confer or imply any right to judicial review of any finding under subsection (c)(1), any prohibition, condition, or penalty imposed as a result of any such finding, or any penalty imposed under subsection (d).

(h) CONSULTATIONS IN IMPLEMENTATION OF REGULATIONS.—In implementing this section and the regulations prescribed under this section, the Secretary of the Treasury—

(1) shall consult with the Secretary of State; and

(2) may, in the sole discretion of the Secretary of the Treasury, consult with such other agencies and departments and such other interested parties as the Secretary considers appropriate.

(i) DEFINITIONS.—

(1) IN GENERAL.—In this section:

(A) ACCOUNT; CORRESPONDENT ACCOUNT; PAYABLE-THROUGH ACCOUNT.—The terms “account”, “correspondent account”, and “payable-through account” have the meanings given those terms in section 5318A of title 31, United States Code.

(B) AGENT.—The term “agent” includes an entity established by a person for purposes of conducting transactions on behalf of the person in order to conceal the identity of the person.

(C) FINANCIAL INSTITUTION.—The term “financial institution” means a financial institution specified in subparagraph (A), (B), (C), (D), (E), (F), (G), (H), (I), (J), (M), or (Y) of section 5312(a)(2) of title 31, United States Code.

(D) FOREIGN FINANCIAL INSTITUTION; DOMESTIC FINANCIAL INSTITUTION.—The terms “foreign financial institution” and “domestic financial institution” shall have the meanings of those terms as determined by the Secretary of the Treasury.

(E) MONEY LAUNDERING.—The term “money laundering” means the movement of illicit cash or cash equivalent proceeds into, out of, or through a country, or into, out of, or through a financial institution.

(2) OTHER DEFINITIONS.—The Secretary of the Treasury may further define the terms used in this section in the regulations prescribed under this section.

SEC. 105. IMPOSITION OF SANCTIONS ON CERTAIN PERSONS WHO ARE RESPONSIBLE FOR OR COMPLICIT IN HUMAN RIGHTS ABUSES COMMITTED AGAINST CITIZENS OF IRAN OR THEIR FAMILY MEMBERS AFTER THE JUNE 12, 2009, ELECTIONS IN IRAN.

(a) IN GENERAL.—The President shall impose sanctions described in subsection (c) with respect to each person on the list required by subsection (b).

(b) LIST OF PERSONS WHO ARE RESPONSIBLE FOR OR COMPLICIT IN CERTAIN HUMAN RIGHTS ABUSES.—

(1) IN GENERAL.—Not later than 90 days after the date of the enactment of this Act, the President shall submit to the appropriate congressional committees a list of persons who are officials of the Government of Iran or persons acting on behalf of that Government (including members of paramilitary organizations such as Ansar-e-Hezbollah and Basij-e Mostaz'afin), that the President determines, based on credible evidence, are responsible for or complicit in, or responsible for ordering, controlling, or otherwise directing, the commission of serious human rights abuses against citizens of Iran or their family members on or after June 12, 2009, regardless of whether such abuses occurred in Iran.

(2) UPDATES OF LIST.—The President shall submit to the appropriate congressional committees an updated list under paragraph (1)—

(A) not later than 270 days after the date of the enactment of this Act and every 180 days thereafter; and

(B) as new information becomes available.

(3) FORM OF REPORT; PUBLIC AVAILABILITY.—

(A) FORM.—The list required by paragraph (1) shall be submitted in unclassified form but may contain a classified annex.

(B) PUBLIC AVAILABILITY.—The unclassified portion of the list required by paragraph (1) shall be made available to the public and posted on the websites of the Department of the Treasury and the Department of State.

(4) CONSIDERATION OF DATA FROM OTHER COUNTRIES AND NONGOVERNMENTAL ORGANIZATIONS.—In preparing the list required by paragraph (1), the President shall consider credible data already obtained by other countries and nongovernmental organizations, including organizations in Iran, that monitor the human rights abuses of the Government of Iran.

(c) SANCTIONS DESCRIBED.—The sanctions described in this subsection are ineligibility for a visa to enter the United States and sanctions pursuant to the International Emergency Economic Powers Act (50 U.S.C. 1701 et seq.), including blocking of property and restrictions or prohibitions on financial transactions and the exportation and importation of property, subject to such regulations as the President may prescribe, including regulatory exceptions to permit the United States to comply with the Agreement between the United Nations and the United States of America regarding the Headquarters of the United Nations, signed June 26, 1947, and entered into force November 21, 1947, and other applicable international obligations.

(d) TERMINATION OF SANCTIONS.—The provisions of this section shall terminate on the date on which the President determines and certifies to the appropriate congressional committees that the Government of Iran has—

(1) unconditionally released all political prisoners, including the citizens of Iran detained in the aftermath of the June 12, 2009, presidential election in Iran;

(2) ceased its practices of violence, unlawful detention, torture, and abuse of citizens of Iran while engaging in peaceful political activity;

(3) conducted a transparent investigation into the killings, arrests, and abuse of peaceful political activists that occurred in the aftermath of the June 12, 2009, presidential election in Iran and prosecuted the individuals responsible for such killings, arrests, and abuse; and

(4) made public commitments to, and is making demonstrable progress toward—

(A) establishing an independent judiciary; and

(B) respecting the human rights and basic freedoms recognized in the Universal Declaration of Human Rights.

SEC. 106. PROHIBITION ON PROCUREMENT CONTRACTS WITH PERSONS THAT EXPORT SENSITIVE TECHNOLOGY TO IRAN.

(a) IN GENERAL.—Except as provided in subsection (b), and pursuant to such regulations as the President may prescribe, the head of an executive agency may not enter into or renew a contract, on or after the date that is 90 days after the date of the enactment of this Act, for the procurement of goods or services with a person that exports sensitive technology to Iran.

(b) AUTHORIZATION TO EXEMPT CERTAIN PRODUCTS.—The President is authorized to exempt from the prohibition under subsection (a) only eligible products, as defined in section 308(4) of the Trade Agreements Act of 1979 (19 U.S.C. 2518(4)), of any foreign country or instrumentality designated under section 301(b) of that Act (19 U.S.C. 2511(b)).

(c) SENSITIVE TECHNOLOGY DEFINED.—

(1) IN GENERAL.—The term “sensitive technology” means hardware, software, telecommunications equipment, or any other technology, that the President determines is to be used specifically—

(A) to restrict the free flow of unbiased information in Iran; or

(B) to disrupt, monitor, or otherwise restrict speech of the people of Iran.

(2) EXCEPTION.—The term “sensitive technology” does not include information or informational materials the exportation of which the President does not have the authority to regulate or prohibit pursuant to section 203(b)(3) of the International Emergency Economic Powers Act (50 U.S.C. 1702(b)(3)).

(d) GOVERNMENT ACCOUNTABILITY OFFICE REPORT ON EFFECT OF PROCUREMENT PROHIBITION.—Not later than 1 year after the date of the enactment of this Act, the Comptroller General of the United States shall submit to the appropriate congressional committees, the Committee on Armed Services of the Senate, and the Committee on Armed Services of the House of Representatives, a report assessing the extent to which executive agencies would have entered into or renewed contracts for the procurement of goods or services with persons that export sensitive technology to Iran if the prohibition under subsection (a) were not in effect.

SEC. 107. HARMONIZATION OF CRIMINAL PENALTIES FOR VIOLATIONS OF SANCTIONS.

(a) IN GENERAL.—

(1) VIOLATIONS OF UNITED NATIONS SECURITY COUNCIL RESOLUTIONS IMPOSING SANCTIONS.—Section 5(b) of the United Nations Participation Act of 1945 (22 U.S.C. 287c(b)) is amended—

(A) by striking “find not more than \$10,000” and inserting “fined not more than \$1,000,000”; and

(B) by striking “ten years” and all that follows and inserting “20 years, or both.”

(2) VIOLATIONS OF CONTROLS ON EXPORTS AND IMPORTS OF DEFENSE ARTICLES AND DEFENSE SERVICES.—Section 38(c) of the Arms Export Control Act (22 U.S.C. 2778(c)) is amended by striking “ten years” and inserting “20 years”.

(3) VIOLATIONS OF PROHIBITION ON TRANSACTIONS WITH COUNTRIES THAT SUPPORT ACTS OF INTERNATIONAL TERRORISM.—Section 40(j) of the Arms Export Control Act (22 U.S.C. 2780(j)) is amended by striking “10 years” and inserting “20 years”.

(4) VIOLATIONS OF THE TRADING WITH THE ENEMY ACT.—Section 16(a) of the Trading with the Enemy Act (50 U.S.C. App. 16(a)) is amended by striking “if a natural person” and all that follows and inserting “if a natural person, be imprisoned for not more than 20 years, or both.”

(b) STUDY BY UNITED STATES SENTENCING COMMISSION.—Not later than 1 year after the date of the enactment of this Act, the United States Sentencing Commission, pursuant to the authority under sections 994 and 995 of title 28, United States Code, and the responsibility of the United States Sentencing Commission to advise Congress on sentencing policy under section 995(a)(20) of title 28, United States Code, shall study and submit to Congress a report on the impact and advisability of imposing a mandatory minimum sentence for violations of—

(1) section 5(a) of the United Nations Participation Act of 1945 (22 U.S.C. 287c(a));

(2) sections 38, 39, and 40 of the Arms Export Control Act (22 U.S.C. 2778, 2779, and 2780); and

(3) the Trading with the enemy Act (50 U.S.C. App. 1 et seq.).

SEC. 108. AUTHORITY TO IMPLEMENT UNITED NATIONS SECURITY COUNCIL RESOLUTIONS IMPOSING SANCTIONS WITH RESPECT TO IRAN.

In addition to any other authority of the President with respect to implementing resolutions of the United Nations Security Council, the President may prescribe such regulations as may be necessary to implement a resolution that is agreed to by the United Nations Security Council and imposes sanctions with respect to Iran.

SEC. 109. INCREASED CAPACITY FOR EFFORTS TO COMBAT UNLAWFUL OR TERRORIST FINANCING.

(a) FINDINGS.—Congress finds the following:

(1) The work of the Office of Terrorism and Financial Intelligence of the Department of the Treasury, which includes the Office of Foreign Assets Control and the Financial Crimes Enforcement Network, is critical to ensuring that the international financial system is not used for purposes of supporting terrorism and developing weapons of mass destruction.

(2) The Secretary of the Treasury has designated, including most recently on June 16, 2010, various Iranian individuals and banking, military, energy, and shipping entities as proliferators of weapons of mass destruction pursuant to Executive Order 13382 (50 U.S.C. 1701 note), thereby blocking transactions subject to the jurisdiction of the United States by those individuals and entities and their supporters.

(3) The Secretary of the Treasury has also identified an array of entities in the insurance, petroleum, and petrochemicals industries that the Secretary has determined to be owned or controlled by the Government of Iran and added those entities to the list contained in Appendix A to part 560 of title 31, Code of Federal Regulations (commonly known as the “Iranian Transactions Regulations”), thereby prohibiting transactions between United States persons and those entities.

(b) AUTHORIZATION OF APPROPRIATIONS FOR OFFICE OF TERRORISM AND FINANCIAL INTELLIGENCE.—There are authorized to be appropriated to the Secretary of the Treasury for the Office of Terrorism and Financial Intelligence—

(1) \$102,613,000 for fiscal year 2011; and

(2) such sums as may be necessary for each of the fiscal years 2012 and 2013.

(c) AUTHORIZATION OF APPROPRIATIONS FOR THE FINANCIAL CRIMES ENFORCEMENT NETWORK.—Section 310(d)(1) of title 31, United States Code, is amended by striking “such sums as may be necessary for fiscal years 2002, 2003, 2004, and 2005” and inserting “\$100,419,000 for fiscal year 2011 and such sums as may be necessary for each of the fiscal years 2012 and 2013”.

(d) AUTHORIZATION OF APPROPRIATIONS FOR BUREAU OF INDUSTRY AND SECURITY OF THE DEPARTMENT OF COMMERCE.—There are authorized to be appropriated to the Secretary of Commerce for the Bureau of Industry and Security of the Department of Commerce—

(1) \$113,000,000 for fiscal year 2011; and

(2) such sums as may be necessary for each of the fiscal years 2012 and 2013.

SEC. 110. REPORTS ON INVESTMENTS IN THE ENERGY SECTOR OF IRAN.**(a) INITIAL REPORT.—**

(1) **IN GENERAL.**—Not later than 90 days after the date of the enactment of this Act, the President shall submit to the appropriate congressional committees a report—

(A) on investments in the energy sector of Iran that were made during the period described in paragraph (2); and

(B) that contains—

(i) an estimate of the volume of energy-related resources (other than refined petroleum), including ethanol, that Iran imported during the period described in paragraph (2); and

(ii) a list of all significant known energy-related joint ventures, investments, and partnerships located outside Iran that involve Iranian entities in partnership with entities from other countries, including an identification of the entities from other countries; and

(iii) an estimate of—

(I) the total value of each such joint venture, investment, and partnership; and

(II) the percentage of each such joint venture, investment, and partnership owned by an Iranian entity.

(2) **PERIOD DESCRIBED.**—The period described in this paragraph is the period beginning on January 1, 2006, and ending on the date that is 60 days after the date of the enactment of this Act.

(b) **UPDATED REPORTS.**—Not later than 180 days after submitting the report required by subsection (a), and every 180 days thereafter, the President shall submit to the appropriate congressional committees a report containing the matters required in the report under subsection (a)(1) for the 180-day period beginning on the date that is 30 days before the date on which the preceding report was required to be submitted by this section.

SEC. 111. REPORTS ON CERTAIN ACTIVITIES OF FOREIGN EXPORT CREDIT AGENCIES AND OF THE EXPORT-IMPORT BANK OF THE UNITED STATES.

(a) REPORT ON CERTAIN ACTIVITIES OF EXPORT CREDIT AGENCIES OF FOREIGN COUNTRIES.—

(1) **IN GENERAL.**—Not later than 90 days after the date of the enactment of this Act, the President shall submit to the appropriate congressional committees a report on any activity of an export credit agency of a foreign country that is an activity comparable to an activity described in subsection (a) or (b) of section 5 of the Iran Sanctions Act of 1996, as amended by section 102 of this Act.

(2) **UPDATES.**—The President shall update the report required by paragraph (1) as new information becomes available with respect to the activities of export credit agencies of foreign countries.

(b) REPORT ON CERTAIN FINANCING BY THE EXPORT-IMPORT BANK OF THE UNITED STATES.—Not later than 30 days (or, in extraordinary circumstances, not later than 15 days) before the Export-Import Bank of the United States approves cofinancing (including loans, guarantees, other credits, insurance, and reinsurance) in which an export credit agency of a foreign country identified in the report required by subsection (a) will participate, the President shall submit to the appropriate congressional committees a report identifying—

(1) the export credit agency of the foreign country; and

(2) the beneficiaries of the financing.

SEC. 112. SENSE OF CONGRESS REGARDING IRAN'S REVOLUTIONARY GUARD CORPS AND ITS AFFILIATES.

It is the sense of Congress that the United States should—

(1) persistently target Iran's Revolutionary Guard Corps and its affiliates with economic sanctions for its support for terrorism, its role in proliferation, and its oppressive activities against the people of Iran;

(2) identify, as soon as possible—

(A) any foreign individual or entity that is an agent, alias, front, instrumentality, official, or affiliate of Iran's Revolutionary Guard Corps;

(B) any individual or entity that—

(i) has provided material support to any individual or entity described in subparagraph (A); or

(ii) has conducted any financial or commercial transaction with any such individual or entity; and

(C) any foreign government that—

(i) provides material support to any such individual or entity; or

(ii) conducts any commercial transaction or financial transaction with any such individual or entity; and

(3) immediately impose sanctions, including travel restrictions, sanctions authorized pursuant to this Act or the Iran Sanctions Act of 1996, as amended by section 102 of this Act, and the full range of sanctions available to the President under the International Emergency Economic Powers Act (50 U.S.C. 1701 et seq.), on the individuals, entities, and governments described in paragraph (2).

SEC. 113. SENSE OF CONGRESS REGARDING IRAN AND HEZBOLLAH.

It is the sense of Congress that the United States should—

(1) continue to counter support received by Hezbollah from the Government of Iran and other foreign governments in response to Hezbollah's terrorist activities and the threat Hezbollah poses to Israel, the democratic sovereignty of Lebanon, and the national security interests of the United States;

(2) impose the full range of sanctions available to the President under the International Emergency Economic Powers Act (50 U.S.C. 1701 et seq.) on Hezbollah, affiliates and supporters of Hezbollah designated for the imposition of sanctions under that Act, and persons providing Hezbollah with commercial, financial, or other services;

(3) urge the European Union, individual countries in Europe, and other countries to classify Hezbollah as a terrorist organization to facilitate the disruption of Hezbollah's operations; and

(4) renew international efforts to disarm Hezbollah and disband its militias in Lebanon, as called for by United Nations Security Council Resolutions 1559 (2004) and 1701 (2006).

SEC. 114. SENSE OF CONGRESS REGARDING THE IMPOSITION OF MULTILATERAL SANCTIONS WITH RESPECT TO IRAN.

It is the sense of Congress that—

(1) in general, effective multilateral sanctions are preferable to unilateral sanctions in order to achieve desired results from countries such as Iran; and

(2) the President should continue to work with allies of the United States to impose such sanctions as may be necessary to prevent the Government of Iran from acquiring a nuclear weapons capability.

SEC. 115. REPORT ON PROVIDING COMPENSATION FOR VICTIMS OF INTERNATIONAL TERRORISM.

Not later than 180 days after the date of the enactment of this Act, the President shall submit to the appropriate congressional committees a report on equitable methods for providing compensation on a comprehensive basis to victims of acts of international terrorism who are citizens or residents of the United States or nationals of the United States (as defined in section 101(a) of the Immigration and Nationality Act (8 U.S.C. 1101(a))).

TITLE II—DIVESTMENT FROM CERTAIN COMPANIES THAT INVEST IN IRAN**SEC. 201. DEFINITIONS.**

In this title:

(1) **ENERGY SECTOR OF IRAN.**—The term "energy sector of Iran" refers to activities to develop petroleum or natural gas resources or nuclear power in Iran.

(2) **FINANCIAL INSTITUTION.**—The term "financial institution" has the meaning given that term in section 14 of the Iran Sanctions Act of 1996 (Public Law 104-172; 50 U.S.C. 1701 note).

(3) **IRAN.**—The term "Iran" includes the Government of Iran and any agency or instrumentality of Iran.

(4) **PERSON.**—The term "person" means—

(A) a natural person, corporation, company, business association, partnership, society, trust, or any other nongovernmental entity, organization, or group;

(B) any governmental entity or instrumentality of a government, including a multilateral development institution (as defined in section 1701(c)(3) of the International Financial Institutions Act (22 U.S.C. 262r(c)(3))); and

(C) any successor, subunit, parent entity, or subsidiary of, or any entity under common ownership or control with, any entity described in subparagraph (A) or (B).

(5) **STATE.**—The term "State" means each of the several States, the District of Columbia, the Commonwealth of Puerto Rico, the Commonwealth of the Northern Mariana Islands, American Samoa, Guam, the United States Virgin Islands, and any other territory or possession of the United States.

(6) **STATE OR LOCAL GOVERNMENT.**—The term "State or local government" includes—

(A) any State and any agency or instrumentality thereof;

(B) any local government within a State, and any agency or instrumentality thereof;

(C) any other governmental instrumentality of a State or locality; and

(D) any public institution of higher education within the meaning of the Higher Education Act of 1965 (20 U.S.C. 1001 et seq.).

SEC. 202. AUTHORITY OF STATE AND LOCAL GOVERNMENTS TO DIVEST FROM CERTAIN COMPANIES THAT INVEST IN IRAN.

(a) **SENSE OF CONGRESS.**—It is the sense of Congress that the United States should support the decision of any State or local government that for moral, prudential, or reputational reasons divests from, or prohibits the investment of assets of the State or local government in, a person that engages in investment activities in the energy sector of Iran, as long as Iran is subject to economic sanctions imposed by the United States.

(b) **AUTHORITY TO DIVEST.**—Notwithstanding any other provision of law, a State or local government may adopt and enforce measures that meet the requirements of subsection (d) to divest the assets of the State or local government from, or prohibit investment of the assets of the State or local government in, any person that the State or local government determines, using credible information available to the public, engages in investment activities in Iran described in subsection (c).

(c) **INVESTMENT ACTIVITIES DESCRIBED.**—A person engages in investment activities in Iran described in this subsection if the person—

(1) has an investment of \$20,000,000 or more in the energy sector of Iran, including in a person that provides oil or liquefied natural gas tankers, or products used to construct or maintain pipelines used to transport oil or liquefied natural gas, for the energy sector of Iran; or

(2) is a financial institution that extends \$20,000,000 or more in credit to another person, for 45 days or more, if that person will use the credit for investment in the energy sector of Iran.

(d) **REQUIREMENTS.**—Any measure taken by a State or local government under subsection (b) shall meet the following requirements:

(1) **NOTICE.**—The State or local government shall provide written notice to each person to which a measure is to be applied.

(2) **TIMING.**—The measure shall apply to a person not earlier than the date that is 90 days after the date on which written notice is provided to the person under paragraph (1).

(3) **OPPORTUNITY FOR HEARING.**—The State or local government shall provide an opportunity to comment in writing to each person to which a measure is to be applied. If the person demonstrates to the State or local government that the person does not engage in investment activities in Iran described in subsection (c), the measure shall not apply to the person.

(4) **SENSE OF CONGRESS ON AVOIDING ERRONEOUS TARGETING.**—It is the sense of Congress that a State or local government should not adopt a measure under subsection (b) with respect to a person unless the State or local government has made every effort to avoid erroneously targeting the person and has verified that the person engages in investment activities in Iran described in subsection (c).

(e) **NOTICE TO DEPARTMENT OF JUSTICE.**—Not later than 30 days after adopting a measure pursuant to subsection (b), a State or local government shall submit written notice to the Attorney General describing the measure.

(f) **NONPREEMPTION.**—A measure of a State or local government authorized under subsection (b) or (i) is not preempted by any Federal law or regulation.

(g) **DEFINITIONS.**—In this section:

(1) **ASSETS.**—

(A) **IN GENERAL.**—Except as provided in subparagraph (B), the term “assets” refers to public monies and includes any pension, retirement, annuity, or endowment fund, or similar instrument, that is controlled by a State or local government.

(B) **EXCEPTION.**—The term “assets” does not include employee benefit plans covered by title I of the Employee Retirement Income Security Act of 1974 (29 U.S.C. 1001 et seq.).

(2) **INVESTMENT.**—The “investment” includes—

(A) a commitment or contribution of funds or property;

(B) a loan or other extension of credit; and

(C) the entry into or renewal of a contract for goods or services.

(h) **EFFECTIVE DATE.**—

(1) **IN GENERAL.**—Except as provided in paragraph (2) or subsection (i), this section applies to measures adopted by a State or local government before, on, or after the date of the enactment of this Act.

(2) **NOTICE REQUIREMENTS.**—Except as provided in subsection (i), subsections (d) and (e) apply to measures adopted by a State or local government on or after the date of the enactment of this Act.

(i) **AUTHORIZATION FOR PRIOR ENACTED MEASURES.**—

(1) **IN GENERAL.**—Notwithstanding any other provision of this section or any other provision of law, a State or local government may enforce a measure (without regard to the requirements of subsection (d), except as provided in paragraph (2)) adopted by the State or local government before the date of the enactment of this Act that provides for the divestment of assets of the State or local government from, or prohibits the investment of the assets of the State or local government in, any person that the State or local government determines, using credible information available to the public, engages in investment activities in Iran (determined without regard to subsection (c)) or other business activities in Iran that are identified in the measure.

(2) **APPLICATION OF NOTICE REQUIREMENTS.**—A measure described in paragraph (1) shall be subject to the requirements of paragraphs (1) and (2) and the first sentence of paragraph (3) of subsection (d) on and after the date that is 2 years after the date of the enactment of this Act.

SEC. 203. SAFE HARBOR FOR CHANGES OF INVESTMENT POLICIES BY ASSET MANAGERS.

(a) **IN GENERAL.**—Section 13(c)(1) of the Investment Company Act of 1940 (15 U.S.C. 80a-13(c)(1)) is amended to read as follows:

“(1) **IN GENERAL.**—Notwithstanding any other provision of Federal or State law, no person

may bring any civil, criminal, or administrative action against any registered investment company, or any employee, officer, director, or investment adviser thereof, based solely upon the investment company divesting from, or avoiding investing in, securities issued by persons that the investment company determines, using credible information available to the public—

“(A) conduct or have direct investments in business operations in Sudan described in section 3(d) of the Sudan Accountability and Divestment Act of 2007 (50 U.S.C. 1701 note); or

“(B) engage in investment activities in Iran described in section 202(c) of the Comprehensive Iran Sanctions, Accountability, and Divestment Act of 2010.”

(b) **SEC REGULATIONS.**—Not later than 120 days after the date of the enactment of this Act, the Securities and Exchange Commission shall issue any revisions the Commission determines to be necessary to the regulations requiring disclosure by each registered investment company that divests itself of securities in accordance with section 13(c) of the Investment Company Act of 1940 to include divestments of securities in accordance with paragraph (1)(B) of such section, as added by subsection (a) of this section.

SEC. 204. SENSE OF CONGRESS REGARDING CERTAIN ERISA PLAN INVESTMENTS.

It is the sense of Congress that a fiduciary of an employee benefit plan, as defined in section 3(3) of the Employee Retirement Income Security Act of 1974 (29 U.S.C. 1002(3)), may divest plan assets from, or avoid investing plan assets in, any person the fiduciary determines engages in investment activities in Iran described in section 202(c) of this Act, without breaching the responsibilities, obligations, or duties imposed upon the fiduciary by subparagraph (A) or (B) of section 404(a)(1) of the Employee Retirement Income Security Act of 1974 (29 U.S.C. 1104(a)(1)), if—

(1) the fiduciary makes such determination using credible information that is available to the public; and

(2) the fiduciary prudently determines that the result of such divestment or avoidance of investment would not be expected to provide the employee benefit plan with—

(A) a lower rate of return than alternative investments with commensurate degrees of risk; or

(B) a higher degree of risk than alternative investments with commensurate rates of return.

SEC. 205. TECHNICAL CORRECTIONS TO SUDAN ACCOUNTABILITY AND DIVESTMENT ACT OF 2007.

(a) **ERISA PLAN INVESTMENTS.**—Section 5 of the Sudan Accountability and Divestment Act of 2007 (Public Law 110-174; 50 U.S.C. 1701 note) is amended—

(1) by striking “section 404 of the Employee Retirement Income Security Act of 1974 (29 U.S.C. 1104)” and inserting “subparagraph (A) or (B) of section 404(a)(1) of the Employee Retirement Income Security Act of 1974 (29 U.S.C. 1104(a)(1))”; and

(2) by striking paragraph (2) and inserting the following:

“(2) the fiduciary prudently determines that the result of such divestment or avoidance of investment would not be expected to provide the employee benefit plan with—

“(A) a lower rate of return than alternative investments with commensurate degrees of risk; or

“(B) a higher degree of risk than alternative investments with commensurate rates of return.”

(b) **SAFE HARBOR FOR CHANGES OF INVESTMENT POLICIES BY ASSET MANAGERS.**—

(1) **IN GENERAL.**—Section 13(c)(2)(A) of the Investment Company Act of 1940 (15 U.S.C. 80a-13(c)(2)(A)) is amended to read as follows:

“(A) **RULE OF CONSTRUCTION.**—Nothing in paragraph (1) shall be construed to create, imply, diminish, change, or affect in any way whether or not a private right of action exists under subsection (a) or any other provision of this Act.”

(2) **APPLICABILITY.**—The amendment made by paragraph (1) shall apply as if included in the Sudan Accountability and Divestment Act of 2007 (Public Law 110-174; 50 U.S.C. 1701 note).

TITLE III—PREVENTION OF DIVERSION OF CERTAIN GOODS, SERVICES, AND TECHNOLOGIES TO IRAN

SEC. 301. DEFINITIONS.

In this title:

(1) **ALLOW.**—The term “allow”, with respect to the diversion through a country of goods, services, or technologies, means the government of the country knows or has reason to know that the territory of the country is being used for such diversion.

(2) **APPROPRIATE CONGRESSIONAL COMMITTEES.**—The term “appropriate congressional committees” means—

(A) the Committee on Banking, Housing, and Urban Affairs, the Committee on Foreign Relations, and the Select Committee on Intelligence of the Senate; and

(B) the Committee on Foreign Affairs and the Permanent Select Committee on Intelligence of the House of Representatives.

(3) **COMMERCE CONTROL LIST.**—The term “Commerce Control List” means the list maintained pursuant to part 774 of the Export Administration Regulations (or any corresponding similar regulation or ruling).

(4) **DIVERT; DIVERSION.**—The terms “divert” and “diversion” refer to the transfer or release, directly or indirectly, of a good, service, or technology to an end-user or an intermediary that is not an authorized recipient of the good, service, or technology.

(5) **END-USER.**—The term “end-user”, with respect to a good, service, or technology, means the person that receives and ultimately uses the good, service, or technology.

(6) **EXPORT ADMINISTRATION REGULATIONS.**—The term “Export Administration Regulations” means subchapter C of chapter VII of title 15, Code of Federal Regulations (or any corresponding similar regulation or ruling).

(7) **GOVERNMENT.**—The term “government” includes any agency or instrumentality of a government.

(8) **INTERMEDIARY.**—The term “intermediary” means a person that receives a good, service, or technology while the good, service, or technology is in transit to the end-user of the good, service, or technology.

(9) **INTERNATIONAL TRAFFIC IN ARMS REGULATIONS.**—The term “International Traffic in Arms Regulations” means subchapter M of chapter I of title 22, Code of Federal Regulations (or any corresponding similar regulation or ruling).

(10) **IRAN.**—The term “Iran” includes the Government of Iran and any agency or instrumentality of Iran.

(11) **IRANIAN END-USER.**—The term “Iranian end-user” means an end-user that is the Government of Iran or a person in, or an agency or instrumentality of, Iran.

(12) **IRANIAN INTERMEDIARY.**—The term “Iranian intermediary” means an intermediary that is the Government of Iran or a person in, or an agency or instrumentality of, Iran.

(13) **STATE SPONSOR OF TERRORISM.**—The term “state sponsor of terrorism” means any country the government of which the Secretary of State has determined has repeatedly provided support for acts of international terrorism pursuant to—

(A) section 6(j)(1)(A) of the Export Administration Act of 1979 (50 U.S.C. App. 2405(j)(1)(A)) (or any successor thereto);

(B) section 40(d) of the Arms Export Control Act (22 U.S.C. 2780(d)); or

(C) section 620A(a) of the Foreign Assistance Act of 1961 (22 U.S.C. 2371(a)).

(14) **UNITED STATES MUNITIONS LIST.**—The term “United States Munitions List” means the list maintained pursuant to part 121 of the International Traffic in Arms Regulations (or any corresponding similar regulation or ruling).

SEC. 302. IDENTIFICATION OF COUNTRIES OF CONCERN WITH RESPECT TO THE DIVERSION OF CERTAIN GOODS, SERVICES, AND TECHNOLOGIES TO OR THROUGH IRAN.

(a) *IN GENERAL.*—Not later than 180 days after the date of the enactment of this Act, the Director of National Intelligence shall submit to the President, the Secretary of Defense, the Secretary of Commerce, the Secretary of State, the Secretary of the Treasury, and the appropriate congressional committees a report that identifies each country the government of which the Director believes, based on all information available to the Director, is allowing the diversion through the country of goods, services, or technologies described in subsection (b) to Iranian end-users or Iranian intermediaries.

(b) *GOODS, SERVICES, AND TECHNOLOGIES DESCRIBED.*—Goods, services, or technologies described in this subsection are goods, services, or technologies—

- (1) that—
 - (A) originated in the United States;
 - (B) would make a material contribution to Iran's—
 - (i) development of nuclear, chemical, or biological weapons;
 - (ii) ballistic missile or advanced conventional weapons capabilities; or
 - (iii) support for international terrorism; and
- (C) are—
 - (i) items on the Commerce Control List or services related to those items; or
 - (ii) defense articles or defense services on the United States Munitions List; or
- (2) that are prohibited for export to Iran under a resolution of the United Nations Security Council.

(c) *UPDATES.*—The Director of National Intelligence shall update the report required by subsection (a)—

- (1) as new information becomes available; and
 - (2) not less frequently than annually.
- (d) *FORM.*—The report required by subsection (a) and the updates required by subsection (c) may be submitted in classified form.

SEC. 303. DESTINATIONS OF DIVERSION CONCERN.

(a) *DESIGNATION.*—

(1) *IN GENERAL.*—The President shall designate a country as a Destination of Diversion Concern if the President determines that the government of the country allows substantial diversion of goods, services, or technologies described in section 302(b) through the country to Iranian end-users or Iranian intermediaries.

(2) *DETERMINATION OF SUBSTANTIAL.*—For purposes of paragraph (1), the President shall determine whether the government of a country allows substantial diversion of goods, services, or technologies described in section 302(b) through the country to Iranian end-users or Iranian intermediaries based on criteria that include—

- (A) the volume of such goods, services, and technologies that are diverted through the country to such end-users or intermediaries;
- (B) the inadequacy of the export controls of the country;
- (C) the unwillingness or demonstrated inability of the government of the country to control the diversion of such goods, services, and technologies to such end-users or intermediaries; and
- (D) the unwillingness or inability of the government of the country to cooperate with the United States in efforts to interdict the diversion of such goods, services, or technologies to such end-users or intermediaries.

(b) *REPORT ON DESIGNATION.*—Upon designating a country as a Destination of Diversion Concern under subsection (a), the President shall submit to the appropriate congressional committees a report—

- (1) notifying those committees of the designation of the country; and
- (2) containing a list of the goods, services, and technologies described in section 302(b) that the

President determines are diverted through the country to Iranian end-users or Iranian intermediaries.

(c) *LICENSING REQUIREMENT.*—Not later than 45 days after submitting a report required by subsection (b) with respect to a country designated as a Destination of Diversion Concern under subsection (a), the President shall require a license under the Export Administration Regulations or the International Traffic in Arms Regulations (whichever is applicable) to export to that country a good, service, or technology on the list required under subsection (b)(2), with the presumption that any application for such a license will be denied.

(d) *DELAY OF IMPOSITION OF LICENSING REQUIREMENT.*—

(1) *IN GENERAL.*—The President may delay the imposition of the licensing requirement under subsection (c) with respect to a country designated as a Destination of Diversion Concern under subsection (a) for a 12-month period if the President—

- (A) determines that the government of the country is taking steps—
 - (i) to institute an export control system or strengthen the export control system of the country;
 - (ii) to interdict the diversion of goods, services, or technologies described in section 302(b) through the country to Iranian end-users or Iranian intermediaries; and
 - (iii) to comply with and enforce United Nations Security Council Resolutions 1696 (2006), 1737 (2006), 1747 (2007), 1803 (2008), and 1929 (2010), and any other resolution that is agreed to by the Security Council and imposes sanctions with respect to Iran;
- (B) determines that it is appropriate to carry out government-to-government activities to strengthen the export control system of the country; and
- (C) submits to the appropriate congressional committees a report describing the steps specified in subparagraph (A) being taken by the government of the country.

(2) *ADDITIONAL 12-MONTH PERIODS.*—The President may delay the imposition of the licensing requirement under subsection (c) with respect to a country designated as a Destination of Diversion Concern under subsection (a) for additional 12-month periods after the 12-month period referred to in paragraph (1) if the President, for each such 12-month period—

- (A) makes the determinations described in subparagraphs (A) and (B) of paragraph (1) with respect to the country; and
 - (B) submits to the appropriate congressional committees an updated version of the report required by subparagraph (C) of paragraph (1).
- (3) *STRENGTHENING EXPORT CONTROL SYSTEMS.*—If the President determines under paragraph (1)(B) that it is appropriate to carry out government-to-government activities to strengthen the export control system of a country designated as a Destination of Diversion Concern under subsection (a), the United States shall initiate government-to-government activities that may include—

- (A) cooperation by agencies and departments of the United States with counterpart agencies and departments in the country—
 - (i) to develop or strengthen the export control system of the country;
 - (ii) to strengthen cooperation among agencies of the country and with the United States and facilitate enforcement of the export control system of the country; and
 - (iii) to promote information and data exchanges among agencies of the country and with the United States;
- (B) training officials of the country to strengthen the export control systems of the country—
 - (i) to facilitate legitimate trade in goods, services, and technologies; and
 - (ii) to prevent terrorists and state sponsors of terrorism, including Iran, from obtaining nu-

clear, biological, and chemical weapons, defense technologies, components for improvised explosive devices, and other defense articles; and

(C) encouraging the government of the country to participate in the Proliferation Security Initiative, such as by entering into a ship boarding agreement pursuant to the Initiative.

(e) *TERMINATION OF DESIGNATION.*—The designation of a country as a Destination of Diversion Concern under subsection (a) shall terminate on the date on which the President determines, and certifies to the appropriate congressional committees, that the country has adequately strengthened the export control system of the country to prevent the diversion of goods, services, and technologies described in section 302(b) to Iranian end-users or Iranian intermediaries.

(f) *FORM OF REPORTS.*—A report required by subsection (b) or (d) may be submitted in classified form.

SEC. 304. REPORT ON EXPANDING DIVERSION CONCERN SYSTEM TO ADDRESS THE DIVERSION OF UNITED STATES ORIGIN GOODS, SERVICES, AND TECHNOLOGIES TO CERTAIN COUNTRIES OTHER THAN IRAN.

(a) *IN GENERAL.*—Not later than 1 year after the date of the enactment of this Act, the President shall submit to the appropriate congressional committees a report that—

(1) identifies any country that the President determines is allowing the diversion, in violation of United States law, of items on the Commerce Control List or services related to those items, or defense articles or defense services on the United States Munitions List, that originated in the United States to another country if such other country—

- (A) is seeking to obtain nuclear, biological, or chemical weapons, or ballistic missiles; or
- (B) provides support for acts of international terrorism; and

(2) assesses the feasibility and advisability of expanding the system established under section 303 for designating countries as Destinations of Diversion Concern to include countries identified under paragraph (1).

(b) *FORM.*—The report required by subsection (a) may be submitted in classified form.

SEC. 305. ENFORCEMENT AUTHORITY.

The Secretary of Commerce may designate any employee of the Office of Export Enforcement of the Department of Commerce to conduct activities specified in clauses (i), (ii), and (iii) of section 12(a)(3)(B) of the Export Administration Act of 1979 (50 U.S.C. App. 2411(a)(3)(B)) when the employee is carrying out activities to enforce—

- (1) the provisions of the Export Administration Act of 1979 (50 U.S.C. App. 2401 et seq.) (as in effect pursuant to the International Emergency Economic Powers Act (50 U.S.C. 1701 et seq.));
- (2) the provisions of this title, or any other provision of law relating to export controls, with respect to which the Secretary of Commerce has enforcement responsibility; or
- (3) any license, order, or regulation issued under—

- (A) the Export Administration Act of 1979 (50 U.S.C. App. 2401 et seq.) (as in effect pursuant to the International Emergency Economic Powers Act (50 U.S.C. 1701 et seq.)); or
- (B) a provision of law referred to in paragraph (2).

TITLE IV—GENERAL PROVISIONS

SEC. 401. GENERAL PROVISIONS.

(a) *SUNSET.*—The provisions of this Act (other than sections 105 and 305 and the amendments made by sections 102, 107, 109, and 205) shall terminate, and section 13(c)(1)(B) of the Investment Company Act of 1940, as added by section 203(a), shall cease to be effective, on the date that is 30 days after the date on which the President certifies to Congress that—

- (1) the Government of Iran has ceased providing support for acts of international terrorism and no longer satisfies the requirements

for designation as a state sponsor of terrorism (as defined in section 301) under—

(A) section 6(j)(1)(A) of the Export Administration Act of 1979 (50 U.S.C. App. 2405(j)(1)(A)) (or any successor thereto);

(B) section 40(d) of the Arms Export Control Act (22 U.S.C. 2780(d)); or

(C) section 620A(a) of the Foreign Assistance Act of 1961 (22 U.S.C. 2371(a)); and

(2) Iran has ceased the pursuit, acquisition, and development of nuclear, biological, and chemical weapons and ballistic missiles and ballistic missile launch technology.

(b) PRESIDENTIAL WAIVERS.—

(1) IN GENERAL.—The President may waive the application of sanctions under section 103(b), the requirement to impose or maintain sanctions with respect to a person under section 105(a), the requirement to include a person on the list required by section 105(b), the application of the prohibition under section 106(a), or the imposition of the licensing requirement under section 303(c) with respect to a country designated as a Destination of Diversion Concern under section 303(a), if the President determines that such a waiver is in the national interest of the United States.

(2) REPORTS.—

(A) IN GENERAL.—If the President waives the application of a provision pursuant to paragraph (1), the President shall submit to the appropriate congressional committees a report describing the reasons for the waiver.

(B) SPECIAL RULE FOR REPORT ON WAIVING IMPOSITION OF LICENSING REQUIREMENT UNDER SECTION 303(C).—In any case in which the President waives, pursuant to paragraph (1), the imposition of the licensing requirement under section 303(c) with respect to a country designated as a Destination of Diversion Concern under section 303(a), the President shall include in the report required by subparagraph (A) of this paragraph an assessment of whether the government of the country is taking the steps described in subparagraph (A) of section 303(d)(1).

(C) AUTHORIZATIONS OF APPROPRIATIONS.—

(1) AUTHORIZATION OF APPROPRIATIONS FOR THE DEPARTMENT OF STATE AND THE DEPARTMENT OF THE TREASURY.—There are authorized to be appropriated to the Secretary of State and to the Secretary of the Treasury such sums as may be necessary to implement the provisions of, and amendments made by, titles I and III of this Act.

(2) AUTHORIZATION OF APPROPRIATIONS FOR THE DEPARTMENT OF COMMERCE.—There are authorized to be appropriated to the Secretary of Commerce such sums as may be necessary to carry out title III.

SEC. 402. DETERMINATION OF BUDGETARY EFFECTS.

The budgetary effects of this Act, for the purpose of complying with the Statutory Pay-As-You-Go Act of 2010, shall be determined by reference to the latest statement titled “Budgetary Effects of PAYGO Legislation” for this Act, jointly submitted for printing in the Congressional Record by the Chairmen of the House and Senate Budget Committees, provided that such statement has been submitted prior to the vote on passage in the House acting first on this conference report or amendment between the Houses.

And the Senate agree to the same. From the Committee on Foreign Affairs, for consideration of the House bill and the Senate amendment, and modifications committed to conference:

HOWARD L. BERMAN,
GARY L. ACKERMAN,
BRAD SHERMAN,
JOSEPH CROWLEY,
DAVID SCOTT,
JIM COSTA,
RON KLEIN,
ILEANA ROS-LEHTINEN,
DAN BURTON,
EDWARD R. ROYCE,

MIKE PENCE,

From the Committee on Financial Services, for consideration of secs. 3 and 4 of the House bill, and secs. 101–103, 106, 203, and 401 of the Senate amendment, and modifications committed to conference:

BARNEY FRANK,
GREGORY W. MEEKS,
SCOTT GARRETT,

From the Committee on Ways and Means, for consideration of secs. 3 and 4 of the House bill, and secs. 101–103 and 401 of the Senate amendment, and modifications committed to conference:

SANDER M. LEVIN,
JOHN S. TANNER,
DAVE CAMP,

Managers on the Part of the House.

CHRISTOPHER J. DODD,
JOHN F. KERRY,
JOSEPH I. LIEBERMAN,
ROBERT MENEDEZ,
RICHARD C. SHELBY,
ROBERT F. BENNETT,
RICHARD G. LUGAR,

Managers on the Part of the Senate.

JOINT EXPLANATORY STATEMENT OF THE COMMITTEE OF CONFERENCE

The managers on the part of the House and the Senate at the conference on the disagreeing votes of the two Houses on the amendment of the Senate to the bill (H.R. 2194), to amend the Iran Sanctions Act of 1996 to enhance United States diplomatic efforts with respect to Iran by expanding economic sanctions against Iran, submit the following joint statement to the House and the Senate in explanation of the effect of the action agreed upon by the managers and recommended in the accompanying conference report:

The Senate amendment struck all of the House bill after the enacting clause and inserted a substitute text.

The House recedes from its disagreement to the amendment of the Senate with an amendment that is a substitute for the House bill and the Senate amendment. The differences between the House bill, the Senate amendment, and the substitute agreed to in conference are noted below, except for clerical corrections, conforming changes made necessary by agreements reached by the conferees, and minor drafting and clerical changes.

SUMMARY AND PURPOSE

H.R. 2194, the Comprehensive Iran Sanctions, Accountability, and Divestment Act of 2010, would strengthen the underlying Iran Sanctions Act (ISA) by imposing an array of tough new economic penalties aimed at persuading Iran to change its conduct. The Act reinforces and goes far beyond recently-enacted UN Sanctions. Targets of the Act range from business entities involved in refined petroleum sales to Iran or support for Iran’s domestic refining efforts to international banking institutions involved with Iran’s Islamic Revolutionary Guards Corps (IRGC) or with Iran’s illicit nuclear program or its support for terrorism.

The Conference text would augment the sanctions regime envisioned in the earlier versions of the Act passed by the House and the Senate by supplementing the energy sanctions in those versions with an additional, powerful set of banking prohibitions. The Act would impose severe restrictions on foreign financial institutions doing business with key Iranian banks or the IRGC. In effect, the Act presents foreign banks doing business with blacklisted Iranian entities a stark choice—cease your activities or be denied critical access to America’s financial system. The Act also would hold U.S. banks accountable for actions by their foreign sub-

sidiaries (U.S. companies have long been banned from all the activities for which foreign entities will be sanctionable under this Act).

In addition to new financial sector and refined petroleum-focused sanctions, the Act would also provide a legal framework by which U.S. states, local governments, and certain other investors can divest their portfolios of foreign companies involved in Iran’s energy sector and establishes a mechanism to address concerns about diversion of sensitive technologies to Iran through other countries. Sanctions under this Act are subject to several waivers with varying thresholds. The sanctions could terminate either in 2016 or, as provided for in the Sunset clause of the Conference text, could terminate once the President certifies to Congress that Iran (1) has ceased its support for acts of international terrorism and no longer satisfies the requirements for designation as a state-sponsor of terrorism under U.S. law; and (2) has ceased its efforts to develop or acquire nuclear, biological, and chemical weapons and ballistic missiles and ballistic-missile launch technology.

The effectiveness of this Act will depend on its forceful implementation. The Conferees urge the President to vigorously impose the sanctions provided for in this Act.

Conferees urge friends and allies of the United States to follow the U.S. lead in cutting off key economic relationships with Iran until Iran terminates its illicit nuclear program. Few objective observers now dispute that Iran’s nuclear program represents a threat to global stability. All concur that Iran is pursuing its nuclear program in defiance of the demands of the international community. Conferees believe it is time for responsible actors to cease any economic involvement with Iran that contributes to its ability to finance its nuclear weapons capability.

BACKGROUND AND NEED FOR THE LEGISLATION

Iran poses a significant threat to the United States and its allies in the Middle East and elsewhere. A nuclear Iran would intimidate its neighbors; be further emboldened in pursuing terrorism abroad and oppression at home; represent an imminent threat to Israel and other friends and allies of the United States; and likely spark a destabilizing Middle East arms race that would deal a major blow to U.S. and international non-proliferation efforts and threaten vital U.S. national security interests.

Iran’s persistent deception regarding its nuclear program, its general unresponsiveness to diplomacy, and its rejection of international community demands regarding its nuclear program have deepened Congressional concerns about that program. Since 2006 the UN Security Council has been calling on Iran to suspend its uranium enrichment program and increase its cooperation with the International Atomic Energy Agency (IAEA)—to no avail.

Notwithstanding the additional costs imposed on Iran as a result of previous U.S. and UN Security Council sanctions, Iran’s development of its nuclear program continues. The International Atomic Energy Agency (IAEA) now estimates that Iran has produced and stockpiled sufficient low-enriched uranium, if further enriched, for two nuclear explosive devices. For these reasons, Conferees assess that additional and tougher sanctions are needed in order to persuade Iran to cease its nuclear program. Conferees believe that the imminence and seriousness of the threat posed to U.S. interests by Iran’s nuclear weapons program warrants the enactment of H.R. 2194.

Conferees take note of and applaud recent adoption by the U.N. Security Council of

Resolution 1929 regarding Iran's nuclear program. Conferees believe the resolution is a powerful statement of opposition by the international community to Iran's ongoing illicit nuclear activities and a critical step in strengthening the multilateral sanctions regime intended to persuade Iran to suspend those activities. Conferees believe this legislation will complement UNSCR 1929 and will deepen efforts to thwart Iran's efforts to obtain a nuclear weapons capability.

BACKGROUND: U.S. SANCTIONS

Iran's economy, and Iran's ability to fund its nuclear program, is heavily dependent on the revenue derived from energy exports. Accordingly, an important part of U.S. efforts to prevent Iran from acquiring nuclear weapons has focused on deterring investment in Iran's energy sector.

U.S. individuals and companies have been prohibited from investing in Iran's petroleum sector since Executive Order 12957 was issued on March 15, 1995, by President William J. Clinton as a follow-on to his Administration's assessment that "the actions and policies of the Government of Iran constitute an unusual and extraordinary threat to the national security, foreign policy, and economy of the United States." The White House spokesman at that time, Michael McCurry, made clear that the objectionable activities were Iran's pursuit of weapons of mass destruction, its support of international terrorism, and its efforts to undermine the Middle East peace process.

A subsequent executive order, E.O. 12959, issued on May 8, 1995, banned all new investment in Iran by U.S. individuals and companies. The same executive order banned virtually all trade with Iran. In conjunction with the latter executive order, then-Secretary of State Warren Christopher warned the international community that the path Iran was following was a mirror image of the steps taken by other nations that had sought nuclear weapons capabilities. A trade embargo was thus implemented in furtherance of the President's powers exercised pursuant to the International Emergency Powers Act (IEEPA, 50 U.S.C. 1701 et seq.), which authorizes the President to block transactions and freeze assets to deal with the "unusual and extraordinary threat," in this case posed by Iran.

With the U.S. having voluntarily removed itself from the Iran market, Congress in 1996 passed the Iran and Libya Sanctions Act, P.L. 104-172 ('ILSA,' now usually referred to as the Iran Sanctions Act, or 'ISA,' following termination of applicability of sanctions to Libya in 2006), to encourage foreign persons to withdraw from the Iranian market. ILSA authorized the President to impose sanctions on any foreign entity that invested \$20 million or more in Iran's energy sector. ILSA was passed in 1996 for a five-year period and has been renewed twice, in 2001 and 2006, for additional five-year periods. (H.R. 2194 would extend ISA another five years, through 2016.)

Although ILSA was enacted more than a decade ago, no Administration has sanctioned a foreign entity for investing \$20 million or more in Iran's energy sector, despite a number of such investments. Indeed, on only one occasion, in 1998, did the Administration make a determination regarding a sanctions-triggering investment, but the Administration waived sanctions against the offending persons. Conferees believe that the lack of enforcement of relevant enacted sanctions may have served to encourage rather than deter Iran's efforts to pursue nuclear weapons.

Despite successive Executive Branch failures to implement ISA, the legislation has made a positive contribution to United States national security. Arguably, the sup-

ply of capital to the Iranian petroleum sector has been constrained by the mere threat of sanctions. Further, by highlighting the threat from Iran, ISA has emerged as a deterrent to additional investment, and it has encouraged increased international community involvement with the Iranian nuclear issue.

To further strengthen sanctions targeting foreign investment in Iran's energy sector, Congress passed the 'Iran Freedom Support Act' (IFSA), a bill subsequently signed into law (P.L. 109-293) by President George W. Bush in September 2006. Among other provisions, the IFSA strengthened sanctions under ISA, including raising certain waiver thresholds to 'vital to the national security interests of the United States,' enlarging the scope of those who might be subject to sanctions, and enhancing tools for using financial means to address Iran's activities of concern.

In addition, in June 2007, the Senate passed the International Emergency Powers Enhancement Act, with the House following suit and the President's signing it into law (P.L. 110-96) four months later. The Act greatly increased penalties for violators of U.S. sanctions. As a result, U.S. persons who illegally trade with Iran now face civil fines up to \$250,000 or twice the amount of the transaction. In addition, the Act increased criminal penalties to \$1 million with a maximum jail sentence of 20 years. Unlike ISA, these measures have been exercised extensively by the Department of the Treasury's Office of Foreign Assets Control and the Department of Justice to enforce the U.S. trade embargo on Iran.

MULTILATERAL SANCTIONS EFFORTS

Conferees strongly support multilateral efforts aimed at curbing Iran's nuclear program. The United Nations Security Council (UNSC) has passed a number of resolutions condemning Iran's nuclear activities and urging compliance with its international obligations. For example, on December 23, 2006, UNSC Resolution 1737 was unanimously approved, banning supply of nuclear technology and equipment to Iran and freezing the assets of organizations and individuals involved in Iran's nuclear program, until Iran suspends enrichment of uranium and halts Plutonium reprocessing-related activities. UNSC Resolution 1747 was unanimously approved on March 24, 2007, imposing a ban on Iranian arms sales, expanding the freeze on assets, and setting a deadline for Iranian compliance two months later.

Absent compliance, further sanctions were adopted in UNSC Resolution 1803 on March 3, 2008, including a ban on sales of dual-use items; authorization of inspections of cargo suspected of containing WMD-related goods; an expanded Iranian travel-ban list; and a call to ban transactions with Iran's Bank Melli and Bank Saderat. On August 7, 2008, the European Union (EU) implemented the sanctions specified in Resolution 1803, including an assertion of authority to inspect suspect shipments, and called on its members to refrain from providing new credit guarantees on exports to Iran. On September 27, 2008, the Security Council adopted Resolution 1835, calling on Iran to comply with previous resolutions. On June 9, 2010, Resolution 1929 was adopted, strengthening existing sanctions in a variety of ways, including further targeting Iran's Revolutionary Guard Corps; authorizing an inspection regime for ships suspected to be carrying contraband to Iran; prohibiting countries from allowing Iran to invest in uranium mining and related nuclear technologies, or nuclear-capable ballistic missile technology; banning sales of most heavy arms to Iran; requiring countries to insist that their companies refrain from doing business with Iran if there is reason to

believe that such business could further Iran's WMD programs; and adopting other similar measures. Iran has contemptuously dismissed all of these UNSC resolutions, with President Ahmadinejad labeling them "illegal."

CONTENTS OF H.R. 2194

H.R. 2194 contains four Titles: Title I (Sanctions), Title II (Divestment from Certain Companies That Invest in Iran); Title III (Prevention of Diversion of Certain Goods, Services, and Technologies to Iran); and Title IV (General Provisions).

TITLE I: SANCTIONS

Title I of H.R. 2194 strengthens the U.S. sanctions regime by requiring severe limitations on U.S. correspondent banking for foreign financial institutions doing business with relevant Iranian banks. The Act further strengthens existing legislation by broadening the categories of transactions that trigger sanctions, increasing the number of sanctions the President can impose on foreign companies whose activities trigger sanctions, and requiring the President to investigate reports of sanctionable activities to determine whether sanctionable activity has indeed occurred.

In broadening the categories of transactions that trigger sanctions, the bill focuses on sales to Iran of refined petroleum and assistance to Iran for its own domestic refining capacity. Under H.R. 2194, companies engaged in either of these activities would be subject to the same sanctions as companies that invest \$20 million or more in Iran's energy sector (the original category of sanctionable activity established under ISA). Despite being one of the world's leading oil producers, Iran reportedly imports between 25 and 40 percent of its refined oil needs, due to its limited domestic refining capacity. Accordingly, Conferees believe that imposition of refined-petroleum-related sanctions could have a powerful impact on Iran's economy and, as a result, on its decision-making regarding its nuclear program.

The bill likewise imposes sanctions on companies that sell Iran goods, services, or know-how that assist it in developing its energy sector. As is the case with refined-petroleum-related sanctions, companies that engage in such transactions would be subject to the same sanctions as companies that invest \$20 million or more in Iran's energy sector. Furthermore, energy investment now covers the sale of petroleum-related goods, services, and technology to Iran, which was a category of activity that was not previously covered by the U.S. sanctions regime.

The bill also expands in other ways the universe of activities to be considered sanctionable.

H.R. 2194 establishes three new sanctions, in addition to the menu of six sanctions that already exists under ISA. The three new sanctions are, respectively, a prohibition on access to foreign exchange in the U.S., a prohibition on access to the U.S. banking system, and a prohibition on property transactions in the United States. H.R. 2194 requires the President to impose at least three of the nine sanctions on a company involved in sanctionable activity, in addition to other mandatory sanctions.

The bill also toughens the sanctions regime by requiring the President (a) to investigate any report of sanctionable activity for which there is credible evidence; and (b) to make a determination in writing to Congress whether such activity has indeed occurred. The President would then be expected either to impose or waive sanctions. Under current law, the President is authorized to investigate and make a determination but is not required to do so. In fact, the President has

made only one determination under current law, despite at least two dozen credible reports of sanctionable activity. That determination, in 1998, was made for the purpose of waiving sanctions.

H.R. 2194 is designed to impose considerable additional pressure on Iran by mandating a new financial sanction that, if implemented appropriately, will substantially reduce Iran's access to major segments of the global financial system. The Act requires the Secretary of the Treasury to prohibit or impose strict conditions on U.S. banks' correspondent relationships with foreign financial institutions that (1) engage in financial transactions that facilitate Iranian efforts to develop WMD or promote terrorist activities, including through money-laundering or through enabling an Iranian financial institution—including the Central Bank of Iran, for example—to facilitate such efforts; (2) facilitate or otherwise contribute to a transaction or provides financial services for a financial institution that the Office of Foreign Assets Control at the Department of the Treasury has designated to be supporting the proliferation of weapons of mass destruction or financing of international terrorism; or (3) involve the Islamic Revolutionary Guard Corps (IRGC) or its affiliates or agents. In addition, H.R. 2194 prohibits any US financial institution or its foreign subsidiaries from engaging in any financial transaction with IRGC entities.

Indeed, the IRGC, its affiliates, and agents have reportedly extended their reach heavily into various parts of the Iranian economy, dominating critical financial services, construction, energy, shipping, telecommunications, and certain manufacturing sectors throughout the country. Thus, in addition to playing pivotal roles in Tehran's proliferation of weapons of mass destruction, financing of international terrorism, and gross human rights abuses, the IRGC is now a key source of wealth for the Iranian regime. Conferees join the administration and international community in seeking to combat the IRGC's growing power, and to curb the IRGC's access to capital, which is used to further Tehran's various ambitions.

Other major measures in Title I include:

- visa, property, and financial sanctions on Iranians the President determines to be complicit in serious human rights abuses against other Iranians on or after June 12, 2009, the date of Iran's most recent Presidential election;

- a ban on U.S. government procurement contracts for any company that exports to Iran technology used to restrict the free flow of information or to disrupt, monitor, or otherwise restrict freedom of speech;

- an authorization for the President to prescribe regulations for the purpose of implementing Iran-related sanctions in UN Security Council resolutions; and

- an authorization for FY 2011 appropriations of slightly more than \$100 million each to the Secretary of the Treasury for the Office of Terrorism and Financial Intelligence; to the Secretary of the Treasury for the Financial Crimes Enforcement Network; and to the Secretary of Commerce for the Bureau of Industry and Security, for the purposes of reinforcing the U.S. trade embargo, combating diversion of sensitive technology to Iran, and preventing the international financial system from being used to support terrorism or develop WMD.

TITLE II: DIVESTMENT FROM CERTAIN COMPANIES THAT INVEST IN IRAN

State and local divestment efforts.—In recent years, there has been increasing interest by U.S. state and local governments, educational institutions, and private institutions to divest from companies and financial

institutions that directly or indirectly provide support for the Government of Iran. Financial advisors, policy-makers, and fund managers may find prudential or reputational reasons to divest from companies that accept the business risk of operating in countries subject to international economic sanctions or that have business relationships with countries, governments, or entities with which any United States company would be prohibited from dealing because of economic sanctions imposed by the United States.

In addition to the wide range of diplomatic and economic sanctions that have been imposed by the U.N. Security Council, the U.S. and other national governments, many U.S. states and localities have begun to enact measures restricting their agencies' economic transactions with firms that do business with, or in, Iran. More than twenty states and the District of Columbia have already enacted some form of divestment legislation or otherwise adopted divestment measures, and legislation is pending in additional state legislatures. Other states and localities have taken administrative action to facilitate divestment. Also joining this movement are colleges and universities, large cities, non-profit organizations, and pension and mutual funds.

Conferees concluded that Congress and the President have the constitutional power to authorize states to enact divestment measures and that Federal consent removes any doubt as to the constitutionality of those measures. Thus, the Act explicitly states the sense of Congress that the United States should support the decisions of state and local governments to divest from firms conducting business operations in Iran's energy sector and clearly authorizes divestment decisions made consistent with the standards the legislation articulates. It also provides a 'safe harbor' for changes of investment policies by private asset managers, and it expresses the sense of Congress that certain divestments, or avoidance of investment, do not constitute a breach of fiduciary duties under the Employee Retirement Income Security Act (ERISA). With regard to preemption, the legislation supports state and local efforts to divest from companies conducting business operations in Iran by clearly stating that these efforts are not preempted by any Federal law or regulation.

TITLE III: PREVENTION OF DIVERSION OF CERTAIN GOODS, SERVICES, AND TECHNOLOGIES TO IRAN

In recent years, studies by the Government Accountability Office, the Commerce Department, and others have asserted that Iran continues to circumvent sanctions and receive sensitive equipment, including some of U.S. origin. This equipment, which facilitates Iran's nuclear activities, may be transshipped illegally to Iran via other countries.

Title III is meant to disrupt international black-market proliferation networks that have reportedly thrived for years, even after the discovery and subsequent arrest of notorious weapons technology peddler A. Q. Khan. This provision requires the Director of National Intelligence to report to the President and Congress as to which governments he believes are allowing the re-export, transshipment, transfer, re-transfer, or diversion to Iranians of key goods, services, or technologies that could be used for weapons of mass destruction proliferation or acts of terrorism. Following receipt of that report, the President may designate a country a Destination of Diversion Concern. Such a designation would provide for the U.S. to work with the host government of that country to help it strengthen its export control system. If the President determines that the govern-

ment of that country is unresponsive or otherwise fails to strengthen its export control system so that substantial re-export, transshipment, transfer, re-transfer, or diversion of certain goods, services, or technologies continues, the President shall impose severe restrictions on U.S. exports to that country.

TITLE IV: GENERAL PROVISIONS

The Act will terminate once the President certifies to Congress that Iran both (1) has ceased its support for acts of international terrorism and no longer satisfies the requirements for designation as a state-sponsor of terrorism under U.S. law; and (2) has ceased its efforts to develop or acquire nuclear, biological, and chemical weapons, as well as ballistic missiles and ballistic-missile launch technology. The Act also provides various waivers related to economic sanctions and exchange of technology. Finally, the Act authorizes such sums as may be necessary for the Departments of State, Treasury, and Commerce to implement the Act.

SECTION-BY-SECTION ANALYSIS AND DISCUSSION

Section 2. Findings

This section articulates the findings that frame the basis for the additional sanctions and the purpose of the bill. The findings in section 2 draw from both S. 2799 and H.R. 2194.

Subsection (1) finds that the illicit nuclear activities of the Government of Iran, combined with its development of unconventional weapons and ballistic missiles and its support for international terrorism, represent a threat to the security of the United States, its strong ally Israel, and other allies of the United States around the world.

Subsection (2) asserts that the United States and other responsible countries have a vital interest in working together to prevent the Iranian regime from acquiring a nuclear weapons capability.

Subsection (3) finds that the International Atomic Energy Agency has repeatedly called attention to Iran's illicit nuclear activities and, as a result, the United Nations Security Council has adopted a range of sanctions designed to encourage the Government of Iran to suspend those activities and comply with its obligations under the Treaty on Non-Proliferation of Nuclear Weapons, done at Washington, London, and Moscow July 1, 1968, and entered into force March 5, 1970 (commonly known as the "Nuclear Non-Proliferation Treaty").

Subsection (4) finds that the serious and urgent nature of the threat from Iran demands that the United States work together with its allies to do everything possible—diplomatically, politically, and economically—to prevent Iran from acquiring a nuclear weapons capability.

Subsection (5) finds the United States and its major European allies, including the United Kingdom, France, and Germany, have advocated that sanctions be strengthened should international diplomatic efforts fail to achieve verifiable suspension of Iran's uranium enrichment program and an end to its nuclear weapons program and other illicit nuclear activities.

Subsection (6) finds that the Government of Iran continues to engage in serious, systematic, and ongoing violations of human rights, including suppression of freedom of expression and religious freedom, illegitimately prolonged detention, torture, and executions. Such violations have increased in the aftermath of the fraudulent presidential election in Iran on June 12, 2009.

Subsection (7) finds that the Iranian regime has been unresponsive to President Obama's unprecedented and serious efforts at engagement, revealing that the Government

of Iran does not appear to be interested in a diplomatic resolution, as made clear by its recent actions detailed in this section.

Subsection (8) finds that there is an increasing interest by State governments, local governments, educational institutions, and private institutions, business firms, and other investors to disassociate themselves from companies that conduct business activities in the energy sector of Iran, since such business activities may directly or indirectly support the efforts of the Government of Iran to achieve a nuclear weapons capability.

Subsection (9) finds that black market proliferation networks continue to flourish in the Middle East, allowing countries like Iran to gain access to sensitive dual-use technologies.

Subsection (10) finds that economic sanctions imposed pursuant to the provisions of this Act, the Iran Sanctions Act of 1996, as amended by this Act, and the International Emergency Economic Powers Act (50 U.S.C. 1701 et seq.), and other authorities available to the United States to impose economic sanctions to prevent Iran from developing nuclear weapons, are necessary to protect the essential security interest of the United States.

Section 3—Sense of Congress Regarding Illicit Nuclear Activities and Violations of Human Rights in Iran. Section 3 of the Senate bill expresses the Sense of Congress regarding Iran's continuing illicit nuclear activities and ongoing violations of human rights in Iran. The House bill contains no such provision. The House recedes.

Paragraph (1) states that international diplomatic efforts to address Iran's illicit nuclear efforts and support for international terrorism are more likely to be effective if strong additional sanctions are imposed on the Government of Iran.

Paragraph (2) states that concerns of the United States regarding Iran are strictly the result of the Government of Iran's behavior.

Paragraph (3) states that the revelation in September 2009 that Iran is developing a secret uranium enrichment site on a base of Iran's Revolutionary Guard Corps near Qom, which appears to have no civilian application, highlights the urgency for Iran to disclose fully the nature of its nuclear program, including any other secret locations; to provide the International Atomic Energy Agency unfettered access to its facilities pursuant to Iran's legal obligations under the Nuclear Non-Proliferation Treaty and Iran's Safeguards Agreement with the International Atomic Energy Agency.

Paragraph (4) states that due to the Iranian Revolutionary Guard Corps' involvement in Iran's nuclear program, international terrorism activities, and domestic human rights abuses, the President should impose the full range of applicable sanctions against them. Those liable for sanctions would include any individual or entity that is an agent, alias, front, instrumentality, representative, official, or affiliate of Iran's Revolutionary Guard Corps, and any individual or entity that has conducted any commercial or financial transaction with such an individual or entity.

Paragraph (5) states that additional measures should be adopted by the United States to prevent the diversion and transshipment of sensitive dual-use technologies to Iran.

Paragraph (6) outlines Congress' view of appropriate Executive Branch responses to the human rights situation in Iran. It states that the President should continue to press the Government of Iran to respect the internationally-recognized human rights and religious freedoms of its citizens, and identify the officials of the Government of Iran that are responsible for continuing and severe

violations of human rights and religious freedom in Iran. The paragraph also urges the President to take appropriate measures to respond to such violations by prohibiting officials the President identifies as being responsible for such violations from entry into the United States and freezing the assets of those officials.

Paragraph (7) states that additional funding should be provided to the Secretary of State to document, collect, and disseminate information about human rights abuses in Iran, including serious abuses that have taken place since the presidential election in Iran conducted on June 12, 2009.

Paragraph (8) states that it is in the national interest of the United States for responsible nongovernmental organizations based in the United States to establish and carry out operations in Iran to promote civil society and foster humanitarian goodwill among the people of Iran and the United States should ensure that such nongovernmental organizations are not unnecessarily hindered from working in Iran.

Paragraph (9) states that the United States should not issue a license pursuant to an agreement for cooperation (a '123 agreement' for civil nuclear cooperation) for the export of nuclear material, facilities, components, or other goods, services, or technology that are or would be subject to such an agreement to a country that is providing similar nuclear material, facilities, components, or other goods, services, or technology to another country that is not in full compliance with its obligations under the Nuclear Non-Proliferation Treaty.

Paragraph (10) states that the people of the United States have feelings of friendship for the people of Iran; regret that developments in recent decades have created impediments to that friendship; and hold the people of Iran, their culture, and their ancient and rich history in the highest esteem.

TITLE I—SANCTIONS

Section 101. Definitions. S. 2799 included definitions for sanctions. H.R. 2194 contained no such provisions. Reflecting the approach in S. 2799, this section defines terms used in this title, including: agricultural commodity, executive agency, family member, knowingly, appropriate Congressional Committees, information and informational materials, investment, Iranian diplomats and representatives of other government and military or quasi-governmental institutions of Iran, United States person, U.S. state, medical device, and medicine.

Section 102. Expansion of Sanctions under the Iran Sanctions Act of 1996.

Summary. The amendments to the ISA in this section address the major role of Iran's oil and gas industry in generating revenue for the regime's proliferation and international terrorism activities; they require the President to impose at least three out of a menu of nine sanctions on 'persons' that knowingly engage in activities related to Iran's refined petroleum industry, in addition to other mandatory sanctions. These activities include making an 'investment' of more than \$20 million annually in Iran's energy sector; selling, leasing or providing to Iran goods, services, or other support to facilitate Iran's domestic oil production of refined petroleum; or providing Iran with refined petroleum products with an aggregate fair market value of \$5 million. The sanctions (Section 6 of the ISA) include the following underlying six sanctions: (1) denial of any guarantee, insurance, or extension of credit from the U.S. Export-Import Bank; (2) denial of licenses for the U.S. export of military or militarily-useful technology to the entity; (3) denial of U.S. bank loans exceeding \$10 million in one year to the entity; (4)

if the entity is a financial institution, a prohibition on its service as a primary dealer in U.S. government bonds; and/or a prohibition on its serving as a repository for U.S. government funds (each counts as one sanction); (5) prohibition on U.S. government procurement from the entity; and (6) restriction on imports from the entity, in accordance with the International Emergency Economic Powers Act (IEEPA, 50 U.S.C. 1701). The Act would provide for three new sanctions: (1) prohibitions on any transactions in foreign exchange that are subject to the jurisdiction of the United States and in which a sanctioned person has any interest; (2) prohibitions on any transfers of credit or payments between, by, through, or to any financial institution, to the extent such transfers or payments are subject to the jurisdiction of the United States and involve any interest of the sanctioned person; and (3) restrictions on property transactions with respect to which a sanctioned person has any interest. The President may waive the sanctions if he determines that it is necessary to the national interest of the U.S. to do so.

Development of Petroleum Resources of Iran. Subsection (a) amends section 5(a) of the Iran Sanctions Act of 1996 (ISA) by requiring the President to impose three or more sanctions under ISA if a person has knowingly made an investment of \$20 million or more (or any combination of investments of at least \$5 million each, which in the aggregate equals or exceeds \$20 million in any 12-month period) that directly and significantly contributed to Iran's ability to develop its petroleum resources.

In the context of investment, the House-passed legislation amends section 5(a) by shifting the *mens rea* standard for investment in petroleum resources from 'actual knowledge' to 'knowingly.' The Senate amendment contained no such provision. The Senate recedes to the House language. The new standard will expand the range of conduct potentially subject to sanctions, thereby making it easier to implement sanctions under ISA.

Production and Exportation of Refined Petroleum Products. Subsection (a) further amends section 5(a) of ISA to require that the President impose three or more mandatory sanctions described in section 6(a) of the Act if a person: (1) knowingly sells, leases, or provides to Iran any goods, services, technology, information, or support, that could directly and significantly facilitate the maintenance or expansion of Iran's domestic production of refined petroleum products, including any direct and significant assistance with respect to construction, modernization, or repair of petroleum refineries; or (2) if a person knowingly provides Iran with refined petroleum products or provides goods, services, technology, information, or support that could directly and significantly contribute to Iran's ability to refine petroleum or import refined petroleum resources, including providing ships, vehicles, or other means of transportation to deliver refined petroleum products to Iran or providing insurance or financing services for such activities.

Subsection (a) of the Act further clarifies the categories of persons against which sanctions are to be imposed to include the parent and foreign subsidiary of a person determined by the President to be engaged in sanctionable activities. The Act further amends the *mens rea* standard for a parent by: (1) requiring sanctions to be imposed on a parent that either had actual knowledge or "should have known" that its affiliate or subsidiary engaged in the sanctionable activities described in section 5(a); and (2) requiring sanctions to be imposed on an affiliate or a subsidiary of a person determined to be carrying out sanctionable activities if the affiliate or subsidiary knowingly engaged in sanctionable activities.

The Act provides a “safe harbor” for a person that provides underwriting services or insurance or reinsurance, if that person exercises due diligence to ensure it does not provide insurance or reinsurance for the sale, lease, or provision of goods, services, technology, information, or support that could directly and significantly contribute to the enhancement of Iran’s ability to import refined petroleum products. Such due diligence would include procedures and controls to prevent such underwriting or the entry into contracts for such purposes, and the designation of an official with responsibility for enforcing the policy. The Act further establishes that the fair market value of the goods, services, technology, information, or support provided by such activities must exceed \$1 million to be subject to the requirement of Section 102(a). The combination of such sales, leases, or provision of support in any 12-month period, or to be provided under contracts entered into in any 12-month period, must exceed \$5 million.

Subsection (a) also prohibits the issuance of export licenses pursuant to an agreement for peaceful civil nuclear cooperation for any country whose nationals have engaged in activities with Iran relating to the acquisition or development of nuclear weapons or related technology, or of missiles or other advanced conventional weapons that have been designed or modified to deliver a nuclear weapon.

This prohibition can be set aside for a government if the President determines and notifies the appropriate Congressional committees that such government does not know or have reason to know about the activity, or has taken, or is taking, all reasonable steps necessary to prevent a recurrence of the activity and penalize the person(s) involved. Further, notwithstanding the prohibition on issuance of export licenses, the President may, on a case-by-case basis, approve the issuance of a license for the export, or approve the transfer or retransfer, of any nuclear material, facilities, components, or other goods, services, or technology that are or would be subject to an agreement for cooperation, to a person in a country otherwise restricted by this paragraph (except to a person that is subject to sanctions under paragraph (1)) if the President determines that such approval is vital to U.S. national security interests and pre-notifies Congress not less than 15 days before approving the license, transfer, or retransfer. This sanction would apply only in a case in which a person is subject to sanctions for an activity engaged on or after the date of enactment of the Act.

The Conferees believe that as a general principle, the United States cannot and should not reward any country with U.S. civil nuclear trade if that country’s nationals are able to advance Iran’s nuclear weapons programs and/or their means of delivery.

Subsection 102(b) of the Act adds three new, sweeping sanctions to the now nine possible sanctions from which the President must choose three. If invoked, the sanctions would prohibit, respectively, foreign exchange, banking, and property transactions with persons involved in activities related to refined petroleum products, as specified in section 5(a) of the ISA, as amended. The Act clarifies that the prohibition on banking activities extends solely to those transfers or payments that are subject to the jurisdiction of the United States and involve any interest of the sanctioned person. The banking sanction in the Act will complement restrictions on financial institutions available in the underlying ISA, including a prohibition on US financial institutions from making loans or providing credits to any sanctioned person totaling more than \$10 million in any 12 month period.

Finally, subsection 102(b) amends ISA by adding a new section which requires each prospective contractor submitting a bid to the Federal Government to certify that the contractor or a person owned or controlled by the contractor does not conduct any activity for which sanctions may be imposed under section (5). Conferees believe that exercising control as a “parent company” over subsidiaries or affiliates should be considered in functional terms, as the ability to exercise certain powers over important matters affecting an entity. “Control” may also be defined according to ownership of a majority or a dominant minority of the total outstanding voting interest in an entity, board representation, proxy voting, a special share, or contractual arrangements, to direct important matters affecting an entity. The prospective contractor, when making the certification pursuant to this subsection, must certify that it is not engaged in any activity sanctionable under section 5 of ISA. The Act mandates the head of an executive agency that determines that a person has submitted a false certification under paragraph (1) after the date on which the Federal Acquisition Regulation is revised to implement the requirements of this subsection, to terminate a contract or agreement or debar or suspend such person from eligibility for Federal contracts or such agreements for a period not to exceed 3 years. The Act requires the Administrator of General Services to include on the List of Parties Excluded from Federal Procurement and Nonprocurement Programs each person that is debarred, suspended, proposed for debarment, or declared ineligible by the head of an executive agency on the basis of a determination of a false certification. The Act authorizes the President to waive the certification requirement on a case-by-case basis if the President determines and certifies that it is in the national interest to do so. Conferees believe that one of the instances where the President may exercise the waiver is where a company has demonstrated that it is taking steps to extricate itself from all sanctionable activities with Iran.

Subsection 102(c) amends the standard for the President to waive sanctions under ISA to “necessary to the national interest of the United States”. The Senate recedes to the House in elevating the waiver standard. Subsection (c) further amends the reporting requirements of section 9(c)(2) of ISA relating to a waiver by requiring the President to include (1) an estimate of the significance of a sanctioned action to Iran’s ability to develop its petroleum resources, produce refined petroleum products, or import refined petroleum products; or (2) acquire or develop chemical, biological, or nuclear weapons or related technologies or destabilizing numbers and types of advanced conventional weapons.

Subsection 102(d) incorporates a reporting requirement in H.R. 2194 on the dollar value amount of trade, including in the energy sector, between Iran and each country maintaining membership in the Group of Twenty Finance Ministers and Central Bank Governors.

Consistent with subsection (h) of section 3 of the House bill, Subsection 102(e) amends ISA to extend the operative date of that legislation from 2011 to 2016. The Senate bill has no such provision. The Senate recedes. ISA was initially passed for a five-year period. It was extended for five years in 2001 and again in 2006. Given the urgency of the Iranian nuclear problem and the conviction of Conferees that this problem will persist beyond 2011 and that Iran almost certainly will not meet the criteria for terminating ISA in 2011, Conferees have decided to extend the law for another five years.

Finally, subsection (f) amends ISA to expand the definition of a ‘person’ subject to sanctions to include a financial institution, insurer, underwriter, guarantor, any other business organization, including any foreign subsidiary, parent, or affiliate of such a business organization, any other nongovernmental entity, organization, or group, and any governmental entity operating as a business enterprise. The term “person” does not include a government or governmental entity that is not operating as a business enterprise.

Subsection (f) also defines the term “knowingly” to include a person who has actual knowledge of sanctionable activities or should have known, of the conduct, the circumstance, or the result. The Conferees intend to prevent persons from evading sanctions by relying on the prior standard of “actual knowledge.” This prior standard might otherwise be used to enable certain persons to deliberately avoid knowledge of sanctionable activities.

Subsection (f) amends the definition of “investment” in the underlying ISA to include entry into, performance, or financing of a contract to sell or purchase goods, services, or technology. The Conferees believe that expanding the definition of investment to include the activities above, will deter persons from doing business in the Iranian energy sector. Based on the expanded definition of “investment” and “petroleum resources,” the Conferees intend that, for example, sales of technology for natural gas would now be considered a sanctionable offense falling into the category of “investment,” provided such a sale reached the \$20 million threshold.

Subsection (f) expands the term ‘petroleum resources’ to include petroleum, refined petroleum products, oil or liquefied natural gas, natural gas resources, oil or liquefied natural gas tankers, and products used to construct or maintain pipelines used to transport oil or liquefied natural gas.

The House version of H.R. 2194 defines the term ‘refined petroleum products’ to include gasoline, kerosene, diesel fuel, residual fuel oil, and distillates and other goods classified in headings 2709 and 2710 of the Harmonized Tariff Schedule of the United States. The Senate bill defines “refined petroleum products” as “diesel, gasoline, jet fuel (including naphtha-type and kerosene-type jet fuel), and aviation gasoline.

The House recedes.

Section 102(g) Waiver for certain persons in certain countries, mandatory investigations and reporting; conforming amendments

Waiver for Certain Persons in Certain Countries. The conference agreement amends subsection (c) of Section 4 of the Iran Sanctions Act to provide an additional exception to the underlying requirement that the President impose sanctions for certain activities. Under this additional exception, the President would be authorized to waive sanctions for a period not longer than 12 months (as opposed to the 6 months now authorized) on a case by case basis for persons under the jurisdiction of governments that are closely cooperating with the United States in multilateral efforts to prevent Iran from acquiring or developing chemical, biological, or nuclear weapons or related technologies, including ballistic missiles or delivery systems; or acquiring or developing destabilizing numbers and types of conventional weapons. The President must further certify that the waiver is vital to the national security interests of the United States and submit a report to the appropriate congressional committees. It is the understanding of the Conferees that this waiver would not be available as a preemptive waiver; rather, in

order to exercise the waiver, the President must initiate an investigation and make a determination pursuant to section 4(f).

To utilize this exception, the President would have to provide advance notice to Congress and provide a certification of the person with respect to which the President will waive the application of sanctions; the actions taken by the government cooperating in multilateral efforts; and that the waiver is vital to the national security interests of the United States. "Cooperating actions" must include a substantial number of the following types of actions:

- restricting Iran's access to the global financial system;
- limiting Iran's import of refined petroleum products and refinery equipment;
- strictly enforcing UN sanctions
- prohibiting commercial activities with the Iran Revolutionary Guard Corps;
- cooperating with U.S. anti-terrorism initiatives against the IRGC and other Iranian elements;
- taking concrete, verifiable steps to impede Iran's WMD programs and its support for international terrorism;
- restricting trade with Iran, including provision of export credits.

The President may renew the waiver in six month increments if the President determines that the waiver threshold is met.

Investigations. H.R. 2194 requires that the President shall immediately investigate a person upon receipt of credible information that such person is engaged in sanctionable activity as described in section 5. The House-passed bill further requires the President, not later than 180 days after an investigation is initiated, to make a determination whether a person has engaged in sanctionable activity described in section 5. The Senate-passed bill contained no such language. The Senate recedes. The Conferees believe that a statutory mandate is required to ensure sanctionable entities are pursued and prosecuted. By not enforcing current sanctions law, the United States has sent mixed messages to the corporate world when it comes to doing business in Iran by rewarding companies whose commercial interests conflict with American security goals.

Special Rule. However, in order to provide an incentive for companies that are withdrawing from Iran, the Act provides that the President need not initiate an investigation, and may terminate an investigation, if the President certifies that the person whose activities were the basis for the investigation is no longer engaging in such activities; and the President has received reliable, verifiable assurances that the person will not knowingly engage in such activities in the future.

The Conferees provided this Special Rule to allow firms to avoid sanction for activities described in the revised Section 5 of the Iran Sanctions Act by taking steps to curtail and eventually eliminate such activities. Ideally, in order to benefit, a firm would provide the President the required assurances that it will not undertake Section 5 activity in the future, and any other assurances required by the president, in writing. Such assurances should be credible and transparently verifiable by the United States government. Firms should also be strongly encouraged to provide the President a detailed catalog of their existing activity in Iran, and a plan for winding down any activity covered by Section 5 as soon as possible. The goal of this measure is to facilitate their withdrawal from such activities.

To the extent a person benefitting from the special rule continues activities described in section 5, such continuing activities should be pursuant solely to a contract or other legally binding commitment. Con-

ferrees expect that any firm seeking to take advantage of this special rule will commit to refuse any expansion or extension of business or investment pursuant to a clause in a contract that allows the firm to elect to do so. Binding commitments should be narrowly construed and any firm seeking to benefit from this rule should be encouraged to provide assurances that it will do only the minimum required by an agreement involving Iran. The Conferees intend to evaluate carefully any certifications under this Special Rule.

Section 102(h). Effective Date. In order to clarify the timing of application of the Act, subsection 102(h) further provides that the provisions of section 102 shall take effect on the date of enactment of the Act. Investments sanctionable under the underlying ISA shall continue to be unlawful. However, pursuant to subsection (g) of this section, the President shall, in the context of investment, commence an investigation of a person which engaged in conduct prior to the passage of this Act that would be sanctionable under ISA and that continues after the date of enactment. This differs from the underlying ISA by requiring the President to commence an investigation of sanctionable activities. Likewise, a person that conducts activities related to the development of Iranian chemical, biological, or nuclear weapons or related technologies shall be subject immediately upon enactment of the Act to the new provisions under the Act. With respect to refined petroleum-related activities described in paragraph (2) or (3) of section 5(a) of ISA (as amended by subsection 102(a) of the Act), the new requirement to commence an investigation shall apply one year after the date of enactment.

Not later than 30 days before the date that is one year after the date of enactment, the President shall issue a report describing the President's efforts to dissuade foreign persons from engaging in sanctionable activity described in paragraphs (2) and (3) (facilitation of Iran's production and import of refined petroleum), along with a list of each investment under section 4(e) of ISA, that is initiated or ongoing during the previous one-year period. If the President certifies that there was a substantial reduction in the sanctionable activities described in paragraphs (2) and (3) of ISA, the requirement to commence an investigation shall be delayed by six months. Conferees understand "substantial reduction" to mean a roughly 20-30% reduction in such activities, a similar reduction in the volume of refined petroleum imported by Iran, and/or a similar reduction in the amount of refined petroleum Iran produces domestically. The President may continue to defer the requirement to commence an investigation every six months by issuing a report containing the above-mentioned items, along with a certification regarding reduction of activities, for the previous six-month period. If the President fails to make the certification, the requirement to commence an investigation shall apply on the date the certification was due, and he would then be required to make a determination in 45 days.

Section 103. Economic Sanctions Relating to Iran.

The Senate bill contained a provision building on actions taken under the Iran Freedom Support Act (IFSA) (P.L. 109-293) codifying critical restrictions on imports from and exports to Iran, currently authorized by the President in accordance with IEEPA. The House-passed bill contained no such provision. The House recedes. This provision strengthens the current trade embargo by eliminating certain import exceptions for luxury and other goods from Iran made

under the Clinton administration. Consistent with IEEPA, exceptions to the import ban are made for informational materials that may be used, for example, in the conduct of news reporting, or in mapping for air travel over land. Similarly, exceptions to the export ban include food, medicine, humanitarian assistance, informational materials, goods used to ensure safety of flight for U.S.-made aircraft, aid necessary to support IAEA efforts in Iran, and democracy promotion initiatives. The exception related to internet communications extends to personal communications, as provided for in section 560.540 of the Code of Federal Regulations; it does not apply to the Iranian Government or any affiliated entities. Notwithstanding the exceptions, the standard requirements pursuant to IEEPA to seek a license for such activities remain in effect.

Consistent with his existing regulatory authority, the President is authorized to issue regulations, orders, and licenses to implement these provisions. In addition, this section requires asset freezes for persons, including officials of Iranian agencies specified in ISA and certain of their affiliates that have engaged in activities such as terrorism or weapons proliferation under IEEPA sanction. To limit sanctioned persons' ability to evade U.S. scrutiny and penalty, this section further stipulates that the assets freeze should extend to those assets which sanctioned persons transfer to family members or associates. The Conferees recognize that agencies involved in implementing these measures will require time to prepare appropriate evidentiary materials before executing corresponding sanctions, which this section requires to be imposed as soon as possible.

Section 104—Mandatory Sanctions with Respect to Financial Institutions that Engage in Certain Transactions. Section 104 establishes a sanction in addition to those enumerated in section 6(a) of ISA, as amended. The additional sanction would require the Secretary of the Treasury to prohibit from or impose strict sanctions on U.S. financial institutions that establish, maintain, administer, or manage a correspondent or payable-through account by a foreign financial institution if that institution engages in certain financial transactions. Targets of this provision include foreign banks that: (A) Facilitate the Iranian government's efforts to acquire weapons of mass destruction (WMD) or to support international terrorism; (B) Engage in dealings with Iranian companies sanctioned by the U.N. Security Council; (C) Help launder money, to aid Iran's WMD programs, to support Iran's sponsorship of terrorism, or to support companies/persons under sanction by the U.N. Security Council; (D) Facilitate efforts by the Central Bank of Iran to aid Iran's WMD programs, to support Iran's sponsorship of terrorism, or to support companies sanctioned by the U.N. Security Council; or (E) Conduct significant business with Iran's Revolutionary Guard Corps, its front companies, or its affiliates, and other key Iranian financial institutions currently blacklisted by the U.S. Department of the Treasury. These measures are roughly patterned after Section 311 of the USA Patriot Act (31 U.S.C. 5318A), which Conferees recognize as some of our government's most effective targeted financial sanctions. However, while the USA Patriot Act measures are generally regarded as *defensive* of the U.S. financial system from special money laundering concerns, these new sanctions are to be deployed in an *offensive* fashion. Under the Comprehensive Iran Sanctions, Accountability, and Divestment Act, the Department of the Treasury is mandated to pursue relentlessly foreign banks engaged in business with blacklisted Iranian entities. Conferees

expect any conditions imposed on U.S. correspondent accounts under this Act to be stringent and temporary. Most important, if foreign institutions do not cease their business with blacklisted Iranian entities, after an appropriate warning, the Treasury Department is to direct U.S. banks to sever immediately their correspondent or payable through account services with these foreign institutions.

Under the Act, U.S. banks maintaining *correspondent* or *payable through* accounts for foreign financial institutions will be required to take appropriate steps to ensure that they remain in full compliance with this law, which may include due diligence policies, procedures and controls. Subsection (f) provides for a mechanism for domestic financial institutions to conduct audits of their correspondent or payable-through accounts report to the Treasury Department on compliance, and certify that the foreign financial institutions using such accounts are not engaged in sanctionable activities. Subsection (g) authorizes the Secretary of the Treasury to waive the application of sanctions with respect to a foreign financial institution opening a correspondent or payable-through account and with respect to a domestic institution engaging in transactions with the IRGC if the Secretary determines that such a waiver is necessary to the national interest of the United States. Those U.S. financial institutions that fail to comply with the directives of the Department of the Treasury—imposing strict conditions, prohibiting correspondent or payable through accounts, following appropriate auditing, reporting, due diligence, or certification measures—are to be subject to the same penalties as U.S. banks that fail to comply with Title III of the USA PATRIOT Act.

Once the legislation is enacted, the Conferees expect representatives of the Administration to take all necessary actions to fully implement this section, including by directly engaging the numerous foreign financial institutions banking with Iranian financiers and supporters of WMD proliferation and international terrorism. Severing U.S. correspondent relations with these foreign financial institutions is merely a means to an end. The goal is the termination of international commerce with Iranian businesses that threaten global peace and security.

In general, subparagraph (c)(2)(A) is a conduct-based prohibition. Thus, if the Secretary of the Treasury determines that a foreign financial institution has engaged in transactions that facilitate Iran's efforts to develop WMD or support terrorism, among other activities, the Secretary need not designate such entities before restricting that entity's opening or maintaining a correspondent account or a payable-through account in the United States. However, a financial institution doing business with an entity on the designated list pursuant to IEEPA would also be barred. Subparagraph (c)(2)(E) further requires that the Secretary prohibit or impose strict conditions on a foreign financial institution that (1) facilitates a transaction involving the IRGC, regardless of what the transaction was for; or (2) facilitates a transaction with any entity on the designated list maintained by the Department of Treasury pursuant to its authority under IEEPA, regardless of the type or reason for the transaction.

Section 104 would further require the Secretary to prohibit foreign subsidiaries of U.S. financial institutions from engaging in any transaction involving Iran's Islamic Revolutionary Guard Corps (IRGC), its agents or affiliates. U.S. companies already face severe civil and criminal penalties for doing business in Iran under IEEPA, as amended by the

International Emergency Economic Powers Enhancement Act of 2007 (P.L. 110-96). This provision imposes similar judicial procedures and penalties on U.S. banks if their foreign subsidiaries are doing any business with the IRGC, its front companies, or affiliates. Thus, companies and financial institutions may be subjected to civil penalties of as much as either \$250,000 or an amount twice the value of the actual transaction. Criminal penalties may be as high as \$1 million per transaction and/or entail prison sentences of up to 20 years.

Subsection (j) defines key terms, including "correspondent" and "payable-through" account.

Section 105—Imposition of sanctions on certain persons who are complicit in human rights abuses committed against citizens of Iran or their family members after the June 12, 2009, elections in Iran.

Section 105 requires the President to impose sanctions on persons who are citizens of Iran that the President determines, based on credible evidence, are complicit in, or responsible for ordering, controlling, or otherwise directing the commission of serious human rights abuses against citizens of Iran or their family members on or after the Presidential elections of June 12, 2009, regardless of whether such abuses occurred in Iran. The President is to do so no later than 90 days after the date of enactment of this legislation. The President will also provide appropriate Congressional committees with a list of those persons the President determines meet the criteria for sanctions, and the President will also be required to submit to the appropriate Congressional committees updates to the list of Iranian citizens eligible for sanction not later than 270 days after the date of enactment and every 180 days thereafter, and as new information becomes available. Furthermore, the unclassified portion of this list will be made available to the public on the websites of the Department of the Treasury and the Department of State. In addition, the President's list must consider credible data already obtained by other countries and non-governmental organizations, including in Iran, that monitor the human rights abuses of the Government of Iran.

The President shall impose two sanctions on the Iranian human rights violators listed in his report to the appropriate Congressional committees. The first is a visa ban making those human rights violators ineligible to enter the United States. The second is financial sanctions authorized under the International Emergency Economic Powers Act (50 U.S.C. 1701 et seq.). These sanctions include the blocking of property; restrictions or prohibitions on financial transactions; and the exportation and importation of property. This section provides for regulatory exceptions, including those to permit the United States to comply with the Agreement between the United Nations and the United States of America regarding the Headquarters of the United Nations, signed June 26, 1947, and entered into force November 21, 1947, and other applicable international agreements.

The President may waive the sanctions required by Section 105 if the President determines that such a waiver is in the national interest of the United States and submits to the appropriate Congressional committees a report describing the reasons for the waiver determination.

The provisions of Section 105 shall cease to have force and effect on the date on which the President determines and certifies to the appropriate Congressional committees that the Government of Iran has unconditionally released all political prisoners, including the

citizens of Iran detained in the aftermath of the June 12, 2009, presidential election in Iran; ceased its practices of violence, unlawful detention, torture, and abuse of citizens of Iran while engaging in peaceful political activity; conducted a transparent investigation into the killings, arrest, and abuse of peaceful political activists in Iran and prosecuted those responsible; and made progress toward establishing an independent Judiciary and respecting internationally-recognized human rights.

Section 106. Prohibition of procurement contracts with persons that export sensitive technology to Iran. This section would prohibit the head of any U.S. executive agency from entering into procurement contracts with an entity that the President determines has exported to Iran sensitive communications technology to be used for monitoring, jamming, or other disruption of communications by the people of Iran. This section further requires the Comptroller General to submit a report assessing the impact of sanctions on executive agencies' procurement of goods of services with persons that export sensitive technology to Iran.

Section 107. Harmonization of Criminal Penalties for Violations of Sanctions. This section harmonizes penalties for violating export controls and U.S. sanctions across various statutes with the strongest such penalty standards in the U.S. Code, consistent with the International Emergency Economic Powers Enhancement Act of 2007 (P.L. 110-96). The section specifically increases criminal penalties for violators of the provisions of the Arms Export Control Act, Trading with the Enemy Act, and the United Nations Participation Act to up to \$1 million and 20 years in prison.

Section 108. Authority to Implement United Nations Security Council Resolutions Imposing Sanctions with Respect to Iran. This section authorizes the President to prescribe regulations as may be necessary to implement a resolution imposing sanctions with respect to Iran agreed to by the United National Security Council on or after the date of enactment of this Act.

Section 109. Increased capacity for efforts to combat unlawful or terrorist financing. This section authorizes funding of \$102.6 million in fiscal year 2011 for the Office of Terrorism and Financial Intelligence of the Department of the Treasury, and such sums as may be necessary for each of the fiscal years 2012 and 2013. This section also authorizes \$100.4 million for the Financial Crimes Enforcement Network and \$113 million for the Department of Commerce. This section also acknowledges the Treasury Department's recent designation of various Iranian individuals and banking, military, energy, and shipping entities as proliferators of weapons of mass destruction pursuant to Executive Order 13382 (50 U.S.C. 1701 note), along with designation of entities in the insurance, petroleum, and petrochemicals industries that the Secretary has determined to be owned or controlled by the Government of Iran.

Section 110. Reports on Investments in the Energy Sector of Iran. The Act requires the President, within 90 days of enactment of the bill and every 180 days thereafter, to report to the appropriate congressional committees on an estimate of the volume of energy-related resources (other than refined petroleum) including ethanol, that Iran imported since January 1, 2006, along with a list of all known energy-related joint ventures, investments, and partnerships located outside Iran that involve Iranian entities in partnership with entities from other countries. It is the intention of the Conferees that the report be undertaken by the Secretary of Energy and parallel the format of previous reports, including one provided as recently as 2006, and

should include updated information as provided by the Energy Information Administration (EIA). The report shall also include information on the effect of Iranian know-how in the energy sector as a result of joint energy-related ventures with other countries.

Section 111. Reports on certain activities of foreign export credit agencies and of the Export-Import Bank of the United States. This section requires the President—90 days after the date of enactment—to submit a report on any activity of an export credit agency of a foreign country that would be engaged in activities comparable to those which would otherwise be sanctionable under subsection (a) or (b) of section 5 of ISA, as amended by this Act. Not later than 30 days (or, in extraordinary circumstances, not later than 15 days) prior to the Export-Import Bank of the United States approving cofinancing with an export credit agency of a foreign country identified in the above-mentioned report, the President shall inform Congress of such action and of the beneficiaries of the financing. The Conferees intend to raise awareness about which countries and persons are engaged in activities comparable to those which would trigger U.S. sanctions and which may benefit from financing provided by the Export-Import Bank.

Section 112. Sense of Congress on Iran's Revolutionary Guard Corps (IRGC) and its Affiliates. Expresses the sense of Congress that (1) the U.S. should persistently target with sanctions Iran's Revolutionary Guard Corps, its supporters and affiliates, and any foreign governments determined to be providing material support for the IRGC; (2) identify any foreign individual or entity that is an agent, alias, front, instrumentality, official, or affiliate of Iran's Revolutionary Guard Corps or providing material support to the IRGC; and (3) immediately impose sanctions on the individuals, entities, and governments described in paragraph (2).

Section 113. Sense of Congress Regarding Iran and Hezbollah. Expresses the Sense of Congress that the U.S. should continue to: (1) work to counter support for Hezbollah from Iran and other foreign governments; (2) target with sanctions Hezbollah, its affiliates and supporters; (3) urge other nations to do the same; and (4) take steps to renew international efforts to disarm Hezbollah.

Section 114. Sense of Congress Regarding the Imposition of Multilateral Sanctions with Respect to Iran. Expresses the Sense of Congress that, in general, multilateral sanctions are more effective than unilateral sanctions against countries like Iran, and that the President should continue to work with our allies to impose multilateral sanctions if diplomatic efforts to end Iran's illicit nuclear activities fail.

Section 115. Report on Providing Compensation for Victims of International Terrorism. This section requires the President to submit a report within 180 days of enactment on equitable methods for providing compensation on a comprehensive basis to victims of acts of international terrorism who are citizens or residents of the United States or nationals of the United States. The Conferees intend to address concerns presented by numerous plaintiffs groups that have yet to gain compensation for terrorist attacks.

TITLE II—DIVESTMENT

Section 201—Definitions. This section defines terms used in this title including: energy sector, financial institution, Iran, person, state, and state or local government.

Section 202—Authority of state and local governments to divest from certain companies that invest in Iran. This section authorizes States and localities to divest from companies involved in investments of \$20 million or more

in Iran's energy sector and sets standards for them to do so. While not mandating divestment, this section authorizes State and local governments, if they so choose, to divest public assets from entities doing business in Iran. Authorization to divest afforded under this Act does not extend to business conducted under a license from the Office of Foreign Assets Control, or that is expressly exempted under Federal law from the requirement to be conducted under such a license. For example, such licenses or exemptions might include humanitarian trade in agricultural and medical products. In its formulation of this section, the Conferees recognized that divestment actions are being taken by investors for prudential and economic reasons, as expressed in subsection (a), including to address investor concerns about reputational and financial risks associated with investment in Iran and to sever indirect business ties to a government that is subject to international sanctions.

The Conferees require that a state or local government provide notice to the Department of Justice when it enacts an Iran-related divestment law. Persons are to be informed in writing by the State or local government before divestment. Persons then have at least 90 days to comment on that decision.

Subsection (i)—Authorization for Prior Enacted Measures. Subsection (i) constitutes a "grandfather clause"—it authorizes a state or local government to enforce a divestment measure without regard to the procedural requirements and scope of this section up to two years after the date of the enactment of the Act. After two years, if the state or locality has complied with the procedural requirements required by the Act regarding notice, the state or locality may enforce a measure that provides for divestment, notwithstanding any other provision of law. In order to secure the protections of the Act, state and local entities which have not enacted or adopted divestment measures prior to the date of enactment must abide by both the scope and procedural requirements it outlines.

Section 203—Safe harbor for changes in investment policies by asset managers. This section adds to measures authored by the Senate and enacted last year authorizing divestment from certain Sudan-related assets (Public Law 110-174), allowing private asset managers, if they so choose, to divest from the securities of companies investing \$20 million or more in Iran's energy sector, and provides a 'safe harbor' for divestment decisions made in accordance with the Act. A major concern inhibiting divestment has been the possibility of a breach of fiduciary responsibility by asset managers who decide to divest. The Conferees thus find that fund managers may have financial or reputational reasons to divest from companies that accept the business risk of operating in countries subject to international economic sanctions. Fund managers will still be required to observe all other normal fiduciary responsibilities. The Securities and Exchange Commission is required to promulgate rules as necessary that require fund managers to disclose their divestment decisions made pursuant to Section 203 of this legislation in regular periodic reports filed with the Commission.

Section 204—Sense of Congress regarding certain ERISA Plan investments. This section expresses the sense of Congress affirming pension managers' rights to divest from companies investing \$20 million or more in Iran's energy sector if the fiduciary makes the divestment decision based upon credible public information, and determines that the action would not provide a lower rate of return than alternate investments with a commensurate

degree of risk, or provides for a higher degree of risk than alternate investments with commensurate rates of return. Section 205 makes certain technical corrections to Sudan Accountability and Divestment Act of 2007, to clarify the divestment standards contained in this Act.

Section 205—Technical Corrections to Sudan Accountability and Divestment Act of 2007: This section is designed to clarify that Congress did not intend, in the Sudan Divestment legislation, to imply the creation of a new private right of action under the Investment Company Act of 1940.

TITLE III—PREVENTION OF DIVERSION OF CERTAIN ORIGIN GOODS, SERVICES, AND TECHNOLOGIES TO IRAN

Title III of the Senate version of the bill provides new authority and imposes new responsibilities to stop the diversion from the U.S. to Iran of critical goods through other countries. The House recedes to the Senate. This provision relates to (1) U.S.-origin goods, services and technologies that are controlled for export from the United States, and (2) items denied for export to Iran by a United Nations Security Council resolution. The purpose is to shut off Iran's clandestine acquisition of items and technologies that would contribute to its weapons development programs, its other defense capabilities and its support for international terrorism. While U.S.-origin items do not make a significant contribution to Iran's military or terrorism capabilities, by utilizing U.S. global jurisdiction over our export-controlled items, effective leverage can be utilized to identify and shut down Iran's black-market technology acquisition and proliferation around the world.

Section 301—Definitions. This section defines terms used in this title including: allow, Commerce List, end user, entity owned or controlled by the Government of Iran, Export Administration Regulations, government, Iran, state sponsor of terrorism, as well as diversion.

Section 302 requires the Director of National Intelligence to identify, on an ongoing basis, those countries that allow diversion to Iran, either directly or through indirect routes, of U.S.-origin goods services and technologies and items prohibited for Iran under a UN Security Council resolution. The Director shall report such countries to the President, relevant departments and the Congress.

Section 303 requires the President to designate Destinations of Diversion Concern and authorizes U.S.-provided training, technical assistance and law enforcement support to strengthen other governments' capability to stop diversions to Iran. For governments that take effective action against diversion to Iran, the President removes the designation. Specific standards are required to be met by a country in halting diversions to Iran.

Further under Section 303, for governments identified under Section 302 that are deemed resistant to U.S. engagement, or where U.S. assistance fails to secure cooperation, the President must require a license, under the Export Administration Regulations, for the export from the U.S. of any good, service or technology that, if diverted to Iran, would contribute to Iran's weapons programs, defense capabilities or support of terrorism. There would be a presumption of denial for all applications for such licenses. The requirement for a license could be delayed during efforts by the U.S. to assist a country to take effective action to stop diversions to Iran.

Section 304 requires a report to Congress by the President on other countries that may be allowing diversion of certain U.S.-origin

items to other countries, aside from Iran, that may be seeking nuclear and other weapons of mass destruction, other defense technologies, or other capabilities for terrorist support.

Section 305 clarifies and reinforces the statutory law enforcement authority for agents of the enforcement division of the Commerce Department's Bureau of Industry and Security, so that they can fully carry out the expanded duties required by enactment of this legislation.

TITLE IV. GENERAL PROVISIONS

Sunset. The House-passed bill contained a "sunset" provision specifying the conditions for termination of petroleum-specific sanctions. The Senate contained no such provision. Adopting the House approach, section 105(a) provides that—except for several provisions—the provisions of the Act shall terminate if the President determines and certifies to the appropriate congressional committees that Iran: (1) has ceased providing support for acts of international terrorism and is no longer a state sponsor of terrorism;

and (2) has ceased the pursuit, acquisition, and development of nuclear, biological, and chemical weapons and ballistic missiles and ballistic missile launch technology.

Waiver. Subsection (b) provides that the President may waive the application of sanctions under section 103(b), the requirement to impose or maintain sanctions with respect to a person under section 105(a), the requirement to include a person on the list required by section 105(b), the application of the prohibition under section 106(a), or the imposition of the licensing requirement under section 303(c) with respect to a country designated as a Destination of Diversion Concern under section 303(a) if the President determines that such a waiver is in the national interest of the United States. If the President does elect to use the waiver of 303(c) rather than delay imposition of export restrictions, he must provide an assessment to Congress of the steps being taken by the country to institute or strengthen an export control system; to interdict the diversion of goods, services, or technologies described in

section 302(b) through the country to Iranian end-users or Iranian intermediaries; and to comply with and enforce appropriate U.N. Security Council Resolutions. The Conferees intend that the waiver authority in this section shall be case by case and shall not be used as a general waiver.

Authorization of Appropriations. Subsection (c) provides that there are authorized to be appropriated to the Secretary of State and the Secretary of the Treasury such sums as may be necessary to carry out Titles I and III of this Act. Further, the Act authorizes to be appropriated to the Secretary of Commerce such sums as may be necessary to carry out Title III.

COMPLIANCE WITH CLAUSE 9 OF RULE XXI

Pursuant to clause 9 of rule XXI of the Rules of the House of Representatives, neither this conference report nor the accompanying joint statement of managers contains any congressional earmarks, limited tax benefits, or limited tariff benefits as defined in clause 9 of rule XXI.

CBO ESTIMATE OF THE STATUTORY PAY-AS-YOU-GO EFFECTS FOR THE CONFERENCE REPORT TO ACCOMPANY H.R. 2194, THE COMPREHENSIVE IRAN SANCTIONS, ACCOUNTABILITY, AND DIVESTMENT ACT OF 2010, AS PROVIDED TO CBO ON JUNE 23, 2010 (FILENAME MAR10519)

By fiscal year in millions of dollars—

	2010	2011	2012	2013	2014	2015	2016	2017	2018	2019	2020	2010–2015	2010–2020
NET INCREASE OR DECREASE (–) IN THE DEFICIT													
Statutory Pay-As-You-Go Impact	0	0	0	0	0	0	0	0	0	0	0	0	0

Note: H.R. 2194 would ban certain imports from Iran and impose sanctions on certain entities that conduct business with Iran. The act would reduce customs duties and impose civil and criminal penalties, but CBO estimates those effects would not be significant in any year.

From the Committee on Foreign Affairs, for consideration of the House bill and the Senate amendment, and modifications committed to conference:

HOWARD L. BERMAN,
GARY L. ACKERMAN,
BRAD SHERMAN,
JOSEPH CROWLEY,
DAVID SCOTT,
JIM COSTA,
RON KLEIN,
ILEANA ROS-LEHTINEN,
DAN BURTON,
EDWARD R. ROYCE,
MIKE PENCE,

From the Committee on Financial Services, for consideration of secs. 3 and 4 of the House bill, and secs. 101–103, 106, 203, and 401 of the Senate amendment, and modifications committed to conference:

BARNEY FRANK,
GREGORY W. MEEKS,
SCOTT GARRETT,

From the Committee on Ways and Means, for consideration of secs. 3 and 4 of the House bill, and secs. 101–103 and 401 of the Senate amendment, and modifications committed to conference:

SANDER M. LEVIN,
JOHN S. TANNER,
DAVE CAMP,

Managers on the Part of the House.

CHRISTOPHER J. DODD,
JOHN F. KERRY,
JOSEPH I. LIEBERMAN,
ROBERT MENENDEZ,
RICHARD C. SHELBY,
ROBERT F. BENNETT,
RICHARD G. LUGAR,

Managers on the Part of the Senate.

BROKEN PROMISES

The SPEAKER pro tempore (Ms. MARKEY of Colorado). Under the Speaker's announced policy of January 6, 2009, the gentleman from Iowa (Mr. KING) is recognized for 60 minutes.

Mr. KING of Iowa. Madam Speaker, it's an honor to have the opportunity to address you here on the floor of the House of Representatives, and picking up where my colleagues left off, they have given, I think, a good presentation over the last 60 minutes that covered a lot of important territory with regard to the budget and the spending. I think they've made the point that since the rules of the House required a budget resolution, this House has never before failed to pass a budget. There are political reasons for that.

I happen to see a quote over on the wall that I hadn't picked up before, and it didn't attribute it to anyone, but I am pretty sure it wasn't a Republican, Madam Speaker. It was a quote that, generally speaking, was this, that, well, until the deficit reduction commission would meet and produce a decision, we couldn't possibly pass a budget here in the House. And that would be—oh, let me see, a week or two or so after the election in November. Imagine, Congress can't do its work unless the President appoints a deficit commission, and that deficit commission couldn't possibly return a recommendation to this Congress until after the people have spoken.

It's amazing to me, Madam Speaker. The people have spoken. The people in this country have elected their Representatives that serve on this side of the aisle over here in the majority, on this side of the aisle over here in the minority. We have a responsibility to step forward and bring a budget, and that budget needs to be the reflection of spending discipline and the spending priorities of the House of Representatives.

According to the Constitution, all spending starts here—not in the Senate. It starts here. And traditionally, the House has received the President's budget, his budget recommendation. We've evaluated that budget in the process of moving a budget resolution here in the House—in a responsible fashion when Republicans were in charge at least. I think in a less responsible fashion, but at least it got done before when Democrats were in charge, until now.

□ 1930

But the spending has been so irresponsible that even the irresponsible overspending Democrats don't have enough will to bring a budget to the floor and allow it to be debated and voted upon here on the floor of the House, where the rules require us to do so. Because why? Because the President has appointed a Deficit Reduction Commission, after spending trillions of dollars irresponsibly, and now he has put these brains to work to figure out how to solve an unsolvable problem.

I know what that feels like, Madam Speaker. I remember going through the farm crisis in the eighties. I remember when asset values were going in a downward spiral and opportunities for increasing revenue were also going in a downward spiral, and the customer base that I had was doing what was happening to me. My bank was closed down by the FDIC. All accounts were frozen. Commerce came to a halt. I had two pennies in my pocket, a payroll to meet, kids to feed, a business to run, bank loans to pay even though the bank was closed by the FDIC, opened up next Monday by new owners. I know how that thing works.

You set your priorities. You step up to your responsibilities. But I have sat there at my desk during those years with my legal pad and my calculator trying to figure out how to make it work. And I know what it feels like when you think that there is something wrong with your brain because you can't solve a problem.

Well, there is something wrong with the people's brains that spent all this money all right. And now the problem they can't solve is how to present a budget to the Congress because they have created an intractable, unsolvable budget problem not by being caught in an economic downward spiral exclusively, but by going into a downward spiral where Federal revenues are being reduced in proportion to the downward economic spiral while they are increasing the spending like they are in an upward economic spiral. These two things are going opposite directions. Federal revenues are going down; Federal spending is going up.

The divergence of these two lines, the income and the outgo, have gotten so far apart that even the people without a conscience towards balancing a budget, and I mean the Democrats in this Congress, they are having a little trouble selling the idea to the Blue Dogs. Yes, Blue Dogs have gone underground. They have been quiet. They haven't been as active as they were in the past. They are certainly not as bold as they have been when I used to stand here and take lectures from the Blue Dogs that said, We want to balance the budget. What's wrong with Republicans that they can't balance the budget?

Well, nothing wrong with me, because I voted for every balanced budget that's been offered on the floor of this House since I came here. And I don't know why I wouldn't continue to do that. And we are looking for a chance to bring a balanced budget to the floor again, and we will. We will if we can break the mold here.

But this House, led by the Speaker, NANCY PELOSI, has so kowtowed to the President's spending priorities and spent trillions unnecessarily. The number that I had added up in my head standing on the floor here a week or two ago was \$2.34 trillion of unnecessary spending, \$2.34 trillion.

And the President's budget as he presented it, it's the only budget we've got to go with. No conscience to try to balance it. No conscience to try to limit it. Today a baby born in America, their share of the national debt—you just might say that here's the IOU that that little old baby, when their footprint goes down on the birth certificate is an acknowledgement that their share of the national debt that they owe Uncle Sam is \$44,000. And we worry about that little child, all the money that it takes to provide health care and education and clothing and housing and nurture and love to bring that child up into responsible adulthood. That little old child that grows into responsible adulthood, we worry about

them carrying a student loan debt that might be, oh, let's say—pick a number in the ballpark. It's not a statistical number. It's a ballpark number. Maybe \$40,000 worth of student loans when they finish college.

That burden of servicing the interest and the principal on a \$40,000 student loan, we worry about that. Well, I would be happy to take that \$40,000 loan and a guarantee of a college degree and think that child could pay that off.

But for nothing. They don't get a college degree. They don't get an education. They just get access to citizenship of the United States of America for their \$44,000 that's their share of the national debt, a little baby with ink on their foot stamped right there on the birth certificate. There is one in this country we haven't seen, but the footprint on those we have seen, those little babies owe Uncle Sam \$44,000.

And, Madam Speaker, when that little child enters into fifth grade, and I picked fifth grade because that's the budget cycle. We do 10-year budget cycles, and we calculate our revenue stream. We calculate our outgo over a 10-year period of time. We put a number figure on something like, oh, let's say ObamaCare, what does that cost? That's over a 10-year period of time. So when that little child, from 10 years to the time they are born, they will be starting fifth grade. When they start fifth grade, that little child that owes Uncle Sam \$44,000 that was born today owes Uncle Sam at that point, starting in the fifth grade, \$88,000 under President Obama's budget. Doubles the individual national debt share just projecting the President's budget. And that, Madam Speaker, is with the President's own numbers. It's that bad.

There isn't going to be a solution coming out of the deficit commission because there is an intractable problem that's been created by irresponsible overspending and a myopic, wrong-headed view that John Maynard Keynes had the right idea when he came up with this cooked-up theory back before the Great Depression began that if you wanted to recover from an economic downward trend you would just take a lot of government money and borrow it from somewhere and dump it into the economy, give it to people, and get them to spend it. That's the Keynesian economic theory.

Government would put money into the hands of people; people would go spend the money, and spending that money would stimulate the economy. That was his plan coming into the thirties. When FDR was elected, that's what they did. They overspent. They spent the country into more deficit than they had seen before, and borrowed money and put it into the economy in all kinds of programs. The WPA, the CCC come to mind as some of those programs.

Now, that was nice for the people there that got the government jobs, and it was nice to have the soup lines.

But here's what I know. When government is putting out borrowed money to pay people to do something else that's in competition with the private sector or pay people not to work, it's awfully hard to recover economically, because it takes the private sector to bring us out of this economy.

So this White House now has taken a look at the model of the thirties, and the President of the United States, his lesson, his takeaway from the whole lesson of the Great Depression was this: FDR lost his nerve. That's what the President said, February 10, 2009, before our conference, ten feet away from me, said FDR lost his nerve. He should have spent a lot more money. If he had spent more money, the President's opinion, this country would have come out of the Great Depression almost before it—he didn't say this word—but you know, before we got into the depths of it. And he argued that FDR lost his nerve, should have spent more money. If he had done that, we would not have had the depression that lasted a full decade and more.

And he argued that because FDR lost his nerve and failed to spend enough government money, what we had was—and this is according to the President's words—a recession within a depression, and unemployment numbers that went up during that period of time instead of down. And then he said along came World War II, which was the greatest economic stimulus plan ever.

I would even take issue with that statement. But I am going to concede his point there and not make an argument about it, Madam Speaker, because there is some basis for that statement. It's not completely off base at all. There is just a different perspective that I would emphasize.

But I would argue that sending this Nation into debt and borrowing money and putting it into the hands of people not in exchange for production, but just in exchange sometimes for make-work or doing something was not the right way to come out of a depression or a recession. What we need to do is increase productivity. We need to get the private sector more competitive. And he has done everything but let the private sector get more competitive.

But this Keynesian economist on steroids, which is our President, has not made what he considered to be the same mistake that Franklin Delano Roosevelt made. Remember, Roosevelt lost his nerve. He didn't spend enough money. The President hasn't lost his nerve. He spent a lot more money than FDR would have thought of spending. He spent a lot more money than John Maynard Keynes would have thought of spending.

Keynes's argument was this. He said, I will solve all the unemployment in America for you, and here is how I will do it. We will go get a whole bunch of American cash—now, I am paraphrasing here; there is an exact quote that does take this message out—a

whole bunch of American cash, American dollars, and I will find an abandoned coal mine. And we will go out and we will drill holes with a drill rig all over into that abandoned coal mine, and we will stuff these holes full of cash. And then we will haul garbage in there and fill that abandoned coal mine up with garbage—this is before the EPA, you might remember—and then we will just turn the entrepreneurs loose to go in and dig up the money. We will solve all the unemployment problem.

People will go in and dig up the money. There will be a whole industry involved, almost like mining it for gold. I am adding an embellishment here, because I have included Keynes's image of this and I am adding the embellishment beyond. So his idea was, though, that people would go in, dig through the garbage, dig up the money out of the holes in the abandoned coal mine, and it would become an industry. And they would probably need some equipment. They would need shovels at least, and there would be people industriously digging through garbage and pulling the cash out and taking it to town. It wouldn't even be like gold where they had to go to the assay office. Cash was just as good.

It reminds me of the movie that was produced that had the Beatles in it years and years ago called "The Magic Christian." And in "The Magic Christian" movie, they wanted to emphasize that there were a lot of greedy people in the world. And they filled this swimming pool full of all kinds of sewage and garbage and junk and things that would be revolting to jump into. And then there is a scene in the movie where doctors and lawyers and professionals and probably gangsters and every character that you can think of that they wanted to denigrate—they filled it full of garbage and junk and sewage and then dumped a bunch of cash in there. They had people diving into that, fighting over the cash. That image in "The Magic Christian" is the same image, a similar image that's created by John Maynard Keynes. But those things don't produce an economy. They don't produce wealth.

We have to be an economy that produces goods and services that are essential first for the survival of humanity and then essential to improve the productivity of humanity. And the next level is so that there is a savings or disposable income component to this so that we can go do the things we enjoy doing. But if an economy compresses down to the essentials, it will be a survivalist economy where our effort and our industry goes towards staying alive.

The next level is the level of productivity where our endeavor increases our productivity so that we can be competitive and we can compile wealth and use that wealth to increase our productivity that then increases our standard of living and our quality of life. And if the survival component of

the economy and the increased productivity component of the economy gets high enough, then there is disposable wealth for us to spend to enjoy life, like go to the ball game, go on a vacation, take the kids fishing, go to Disney World, take the family out to Washington, D.C., see the monuments, go to the National Archives and to Arlington Cemetery. Those things, that's from disposable income that comes out, the recreational travel, the non-essential things that we spend money on, and that creates another industry.

But as you chase those industries down, you will chase them down to those components that are essential for the survival of Homo sapiens on this planet. That's the real economy. That's the economy we've got to stimulate. That's the one we have to let grow. It's stimulated by low taxes; it's stimulated by low regulation, and it's stimulated by entrepreneurs that understand the idea that they can invest some money or create an endeavor that will produce a profit for them that feeds their family and builds up some capital that can be used to increase their productivity so that the business can grow and they can hire employees and people have jobs. That's the economy we are supposed to support.

I think it's completely outside the understanding of the White House. I look around and I wonder who in the White House has actually signed the front side of the paycheck. Who's had employees? Who's started a business? Who's bought a business? Who's maintained and expanded an existing business that's in the White House circle? Who thinks like a free enterprise capitalist or like an entrepreneur? Is there anybody there that has an instinctive understanding of what it's like to start with something or maybe even start with nothing and create jobs and wealth? That's what America has done.

We have had the scenario that lets us do that. We have had the entrepreneurs. We have had the people with the dream that came to the United States because they knew this was a place where they could be allowed to succeed, and no one could come and take away the fruit of their labor and their endeavor. That's been the American Dream and it's been the American guarantee.

And now, now the White House can go in and order the terms of a bankruptcy for Chrysler or General Motors and direct that 17.5 percent of the shares of General Motors be handed over to the labor unions, the United Auto Workers who didn't have skin in the game except the potential for a future job. And yes, they had a benefits package out there, but their skin in the game wasn't conceded. They didn't concede a single point. Maybe some outside claims on insurance that could come in later years that all of them at the table believed was going to be replaced by ObamaCare anyway. There was no risk on UAW. They got handed 17.5 percent of the ownership of Gen-

eral Motors at what, the expense of the secured creditors, the stockholders, the bondholders that had the first mortgage on the asset values of General Motors taken out by the White House.

□ 1945

Never before in America have we seen a scenario like that where it was testified under oath by the Treasurer of the State of Indiana that in the case of Chrysler, the Obama White House went into the bankruptcy court and dictated terms going in, and the terms that came out after chapter 11 were exactly the terms dictated by the White House. Of the testimony that took place in the chapter 11 bankruptcy hearings, there wasn't one jot or tittle that was changed as a result of the testimony because the White House dictated the terms.

The Obama administration were the only ones that were evaluating the assets of Chrysler going into chapter 11. And who is the only buyer on the other side? Well, the White House. Never before in a bankruptcy court. That is unjust. You can't get justice out of a scenario of a chapter 11 bankruptcy court that allows the same entity that is setting the terms to be the entity that is buying.

The White House is saying here is what the value of Chrysler is and here is what we are willing to pay and nobody else gets to be a bidder. And in the case of General Motors, take these shares away from the shareholders, take the assets away from the secured bond holders, push them over there and turn them over to the United Auto Workers.

So what, so they can run the business of General Motors for the benefit of the people affected by it. Doesn't that sound good. Doesn't that sound great, Madam Speaker. Run a Fortune 500 company for the benefit of the people affected by it. Where have I heard that language before? Run a business for the benefit of the people affected by it. Oh, yes, I know where I have heard that language before, Madam Speaker. I read it on the Socialist Web site. You can go read it yourself, dsausa.org. They want to nationalize the Fortune 500 companies which would include General Motors and Chrysler. I don't know if it includes BP, but I imagine they are in their sights today.

And they say we are not Communists; we are Socialists. We don't want to nationalize every business in America; we just want to nationalize the Fortune 500 companies and a few others that catch our attention. And we want to manage them for the benefit of the people affected by them. That is a quote: manage them for the benefit of the people affected by them. Dsausa.org, it is the Socialist Web site, who, by the way, tell us they don't run candidates on the Socialist ticket as if they were Democrats, Republicans, Libertarians or Communists. They run candidates on the Democrat ticket as

Progressives, and they say the Progressives are the legislative arm of the Socialists.

So I read this and I am thinking, all right, but why would I take that seriously? They are attaching themselves to the Progressives in Congress, so I research a little more. I find out that there is a Web site for the Progressives here in Congress. The gentleman from Arizona (Mr. GRIJALVA), it is a Web site that has his name on it now. It is often up here on a blue board with white letters that is presented by KEITH ELLISON of Minnesota. I see him constantly advertising the Progressives.

So I go back and do a little research, and I find out that the Socialists were the ones that managed the Progressive Web site until 1999. Yes, they are an offshoot. They are joined together at the hip. They are Siamese twins. The Progressives here in Congress are the Siamese twin of the Socialists of America. The Socialists ran their Web site until they took a little heat in 1999, and then they decided the Socialists running the Progressive Web site was a little too obvious a link, so the Progressives took over their own Web site and started to run it from there. But the Socialists still have on their Web site the proud bond between them and the Progressives in the United States Congress.

The last time I looked at the list of the Progressives on the Progressive Web site, there were 77 Members of Congress that were listed. Of these 77 Members, they would be obviously among the most liberal left wing Members of Congress. But the people in America don't think of liberal left wing Democrats as Socialists. They think of them as people who are for a little more social justice, but they don't think of them as Socialists. If they would read the Socialist Web site, I think that would be a pretty good description of what a Socialist is.

When you read on the Web site that they want to nationalize the Fortune 500 companies, and then you can minimize your dsausa.org Web site, and then open up the Progressive Web site and read on there what they want to do. Well, let me see. They want to nationalize the energy industry in America. They want to nationalize the oil refinery in America. Those would be statements written and said, stated by MAXINE WATERS of California and MAURICE HINCHEY of New York respectively. I read those statements through the press, and I hear them make them. I go back and look at the Progressive Web site, and it says on there: Proud Member of the Progressive Caucus, MAXINE WATERS, MAURICE HINCHEY. And then I go over to the Socialist Web site and I read on there, We want to nationalize the Fortune 500 companies. We want to nationalize the energy industry. We want to nationalize the oil refinery industry.

You see the pattern here, Madam Speaker. What is on the Socialist Web site is an agenda. It is on the Progress-

sive Members of Congress caucus Web site as an agenda. And this agenda is being carried out by the White House and people are proudly advocating for these ideas while never admitting that they are a Siamese twin of the Socialists, who brought this out, and they have done this for a couple of decades or more and made this advocacy.

Senator BERNIE SANDERS of Vermont is the one member of the Progressive Caucus, at least on the list, he is not in the House but he is in the Senate, Madam Speaker, Senator BERNIE SANDERS. He is a self-avowed Socialist. I know of no one who has tried to rebut his statement that he is a Socialist. He is a proud Socialist United States Senator. He remains, I believe, a member in good standing as a member of the Progressive Caucus over here. BERNIE SANDERS advocates many of the things that are on the Progressive Web site, and certainly they are tied together. I have explained how that works. He is the highest profile Socialist in the United States of America, and no one has challenged his position that he is a Socialist. That would be like someone saying STEVE KING is not a Republican, Madam Speaker. And so I take him at his word. Senator SANDERS from Vermont is a Socialist. They have elected him; that is how it goes. I don't like it, but that is how it goes. I don't dislike him; I just disagree with him philosophically. But that is how it goes in America.

So he is a Progressive and a Socialist, and we have 77 Progressives in this Congress. Well, are they Socialists? I think many are. I don't know if all are. But I know this: if you look at the voting records of President Obama when he was in the United States Senate serving with BERNIE SANDERS, it is clear that President Obama voted to the left of Socialist Senator SANDERS of Vermont, consistently to the left.

So, Madam Speaker, the argument is not what is the ideology of our President. It is what is to the left of a Socialist. That is the argument that is out there and what we need to consider and contemplate. I believe this, that if you want to declare something not to be Socialism, however it is Socialism, you have to figure out how to redefine something to the American people. They are smart enough to know what words mean. They know what Socialism is. They know what irresponsible overspending is.

They know when a President and a Congress, led by Speaker PELOSI and Majority Leader REID, disagree with the will of the American people. They understand that it is free enterprise that has driven the economy of this Nation to success, and economically has been the component that allowed for the United States of America to be the unchallenged greatest Nation in the world. They understand that the bogged down economies, managed economies, whether it was central planning in the Soviet Union that finally collapsed in 1991, or whether it is

the unstimulating economy that has bogged down Western Europe for a long time, that the vitality in this American economy that keeps chugging along is rooted in the individual entrepreneurs that are the invisible hands that are making decisions every day that turns this economy and makes it move.

We are not about to give up on free enterprise even though we have people that don't believe in it that own the gavels today, even though we have a President of the United States and a White House staff and a lot of the Cabinet that don't understand, nor do they appreciate or believe in free enterprise capitalism. I doubt if there is anybody out there in the White House that can say, Yes, I read "Wealth of Nations." I understand it. I understand the division of labor. I understand the comparative advantage that Adam Smith wrote about. No, they understand Karl Marx, but they don't understand Adam Smith.

This is where we are, and it is why we have to push the reset button in November. This Nation is resilient. We can come back from this. We have a lot of debt and deficit that we have to pay off. We have a lowering national image abroad. We have a military that took a serious reset today, and I pray that it gets turned out for the best.

I think that some of our tasks are very difficult, but finding our soul is going to be the most difficult one. America will produce and bring us to a greater level of greatness yet if we find our soul, if we redefine and identify the pillars of American exceptionalism and chart ourselves down that path that goes beyond the shining city on the hill that Ronald Reagan so well spoke of and take us to the level that we can achieve, that we can see just beyond our horizons now.

Truthfully, I didn't come here to speak about any of the things I have spent the last half hour discussing. I wrote a number of subject matters down on a piece of paper, and I would like to refer over. I mentioned, Madam Speaker, the ObamaCare issue. And here is where we are. Whether it was 2 months or 3 months ago today that ObamaCare passed, I think this is a monthly anniversary of that tragic day when this Congress refused to use its common sense and refused to listen to the will of the people. Somehow they seem to be shut up here in Washington, and the constituents couldn't get to them and they hammered through and force fed an ObamaCare bill on the American people that today is the law of the land.

There was a cry that went out for almost a year from this country of the people that said I don't want my health care taken over and nationalized by the Federal Government. And bills that came in, 1,994 pages dropped on us near the end of October. It was a Thursday, 1,994 pages. We held a quick meeting a couple of hours after the bill was out. We didn't get a warning. Nobody is

working with our side of the aisle. This is all drop the ambush on them if you can. Don't give them time to regroup their forces. We are going to bring this ObamaCare bill and try to turn it into law.

Well, a couple of hours after it was electronically available, our very astute staff put together an analysis of ObamaCare. And after that 2 hours, they presented us in the period of about an hour what they thought was in it in a quick cursory example. They broke it apart in titles and went down through the titles and told us what they thought we had. I thought they did a very good job of it, and it was very accurate. I appreciate the work that was done. We understood this: we had to kill the bill. We put all kinds of effort into that. People from every State came to this city to lend their voices in trying to kill ObamaCare because they wanted to keep their freedom.

□ 2000

I want to keep my freedom, and I joined with them.

We came very, very close in November, December, right down to Christmas Eve when HARRY REID, the old scrooge, put the bitter pill out there on the floor of the Senate and America was force-fed that bitter pill that took away the liberty of the American people and nationalized our skin and everything inside it. That passed the Senate on Christmas Eve, and then it still had to face a cloture vote in the Senate. The people from Massachusetts rose up and decided they were going to do the improbable and the impossible, and they elected Scott Brown to the United States Senate, who said, I will oppose ObamaCare, and he came here to do just that. And in an unusual and in an unexpected and a unique tactic, they circumvented the vote in the Senate and shoved a vote here on the floor of the House on a promise that there would be another package passed through the Senate.

So we had this scenario that happened. When ObamaCare passed—and I'm talking about the bill, not the recessions package that came along afterwards—at the moment that ObamaCare passed, it could not have passed the Senate. When it passed the House and went to the President's desk, it could not have passed the Senate. And it did not enjoy a majority support here in the House unless there was a promise that they would pass a recessions bill afterwards that would give some of the holdouts the things that they thought they needed to amend the bill.

So they toyed with the idea of actually amending a bill that hadn't become law. That was the effort. There couldn't be an honest effort to put together a bill that was debated and perfected and amended in committee and on the floor so that it could become the will of the House or the will of the Senate. Neither the will of the House nor

the Senate was passed that day when ObamaCare was passed. Maybe that's inside baseball, Madam Speaker, but here's where the American people are today. Wherever I go in this country I hear people say, "I want my country back." They have seen this administration—and, yes, some of it started in the previous administration—but it had everything that I'm about to list, it had 100 percent support of Barack Obama whether he was a United States Senator, whether he was the President-elect, or whether he was the President of the United States, had most of it under his guidance as President of the United States.

Here's what happened. This Federal Government took over, nationalized—and when I say nationalized, I mean ownership, management, or control of—three large investment banks, AIG, Fannie Mae, Freddie Mac, General Motors, Chrysler—where am I going? There's more to this. All the student loan programs in America, all of that swallowed up by the Obama administration. And I'm going to go through that, that's one-third of the private sector activity according to Professor Boyles at Arizona State University, one-third.

And then, along came ObamaCare, which passed. The gentleman earlier talked about that being 17 percent of our economy. The number I see is 17.5 percent. Well, we're close, we're within half a percentage point, who really knows? But when I add it up, I added 18 to 31 percent, that takes us to 51 percent. The question is, whether it's 50.5 percent or 51 percent of the private sector activity taken over by this Federal Government—three large investment banks, AIG, Fannie Mae, Freddie Mac, General Motors, Chrysler, all the student loans in America, now the nationalization of our bodies, of our health care, taking away a person's individual choices on how they will manage their health care, what insurance policies they will buy because, after all, the Health Choices Administration czar—they call him a commissioner, I call him a "commizarissioner"—will write the rules later.

There isn't a single health care policy in America that the President of the United States can say I guarantee that this policy will be available to you when ObamaCare is implemented, not one. Remember, he promised America that if you like your health insurance policy, you get to keep it. He promised that over and over again. It was no guiding light, it was no promise, except a broken one. And I began to wonder—there's a Web site out there that's a whole list of all of the broken Obama promises. It goes on and on and on. I wonder if he doesn't have a czar that's charged with keeping track of all of the Obama promises and making sure that he can break every single one of them in his first term. He's got a great start. But I know the American people don't see a guarantee and a promise from the President anymore.

If you like your health insurance policy, you get to keep it, I promise. Well, so what? Your promise means nothing because what we know today is there isn't a single policy in America that anybody believes that they get to keep on the other side of the implementation of ObamaCare.

And so if I'd stitch this back together, the list that I've gone through—the banks, AIG, Fannie and Freddie, General Motors, Chrysler, student loans, all of that, a third of private sector activity—ObamaCare, 17.5 percent of the private sector activity of the health care swallowed up, taken over by the time this is implemented in 2014. And so now we're at 51 percent of the former private sector activity now nationalized, taken over, under the ownership, management, or control of the Federal Government.

The gentleman earlier talked about Hugo Chavez. I remember seeing a picture of the President glad handing his handshake with Hugo Chavez almost a year ago. And I said at the time, when it comes to nationalizing companies—Hugo Chavez had just taken over a Cargill rice plant in Venezuela, but when it comes to nationalizing companies, Hugo Chavez is a piker; he cannot hold a candle to the President of the United States. And that's just a fact, Madam Speaker, it's not an embellished fact, it's just a fact.

So today we've lost 51 percent of our private sector activity to the nationalization of this Federal Government. They have nationalized, under ObamaCare, our skin and everything inside it. The most sovereign thing that we have, now we can't manage it the way we managed it before. It will be that we can only manage our health care in the future under the permission of the Federal Government. And by the way, nationalize our skin and everything inside it. And let's just say that if your daughter is getting ready for the prom or a wedding and she wants to go to the tanning salon, ObamaCare taxes the outside of your skin too, to the tune of 10 percent. What is that about? Couldn't they restrain themselves? Why do something that's so blatant as that that it embellishes the argument that the nanny state is going to prevail? Are they really worried about somebody's health?

They wanted to tax a non-diet pop. They want to manage behavior, they want to control diets. They're involved in an effort to take 1.5 trillion calories out of the diet of kids because one-third of our youth are obese. And Secretary Gates, I believe, has spoken about this, our Secretary of Defense, that there is a higher percentage of young people that don't qualify to go into the military because they've got too much blubber around their belt, so they can't qualify. I would say this then: If they're healthy otherwise, bring them in. If they meet all other standards but they're a little too fat, bring them into basic training, just keep them there a while longer. By the

time you run them around the field in combat boots a few more times and put them on a diet and exercise plan, you'll get them where you want them to be. They're still good shells of physical specimens, they just need to be cracked into shape. It doesn't mean we have a national security problem because too many kids are fat. I think we do have a problem, though, a nanny security program if this Federal Government is going to try to control the diets of our kids in this country. Taking away our liberty, taking away our freedom, disregarding the vitality of America that comes from our individualism, from being able to make choices, being held responsible for choices.

So ObamaCare has got to go, Madam Speaker. And there are those who think, oh, we can't get it done. It's hopeless now, the bill is passed, let's move on. We need to look ahead, not backwards. Well, listen, if we're going to look ahead, we have to look backwards and determine that ObamaCare is a terrible idea. It's an unconstitutional thing, it's an unconscionable thing to do to a free people.

□ 2110

America, with its vitality, loses a chunk of its vitality when you take away our individualism and our liberty, and if people think we can't repeal ObamaCare, let me lay out this scenario. It works like this:

Every single Republican voted "no" on ObamaCare. There were 34 Democrats who voted "no" on ObamaCare. There was only one thing bipartisan about ObamaCare, and that was the opposition to ObamaCare—in the House and in the Senate. So ObamaCare is the law of the land, but the implementation of it doesn't get completed until 2014. That's when we are really saddled with the juggernaut of this "taking our decisions away from us and creating the dependency on people so that they no longer think about the freedom and liberty of making their own choices." So here is how we repeal ObamaCare.

First of all, there is MICHELE BACHMANN, PARKER GRIFFITH, BOB INGLES, I believe, JERRY MORAN—and there may be TODD AKIN—and I. Those people I can think of have all introduced legislation to repeal ObamaCare, a stand-alone repeal of ObamaCare that is simply this: A 100 percent repeal of ObamaCare. Pull it out by the roots. Pull it out root and branch and lock, stock and barrel so there is not one particle of ObamaCare DNA left behind. This has become a toxic stew that we have ingested now, and it is turning into a malignant tumor that will start to metastasize in 2014 when ObamaCare is fully implemented. So here is what we do:

Of my bill and others' bills, we have 90-some cosponsors on this legislation. I have introduced a discharge petition. I think it's discharge petition No. 11. I'm not certain of the number. I think that's the number. I've signed it. A lot of others have signed it. A lot more

need to sign it because of this: If a discharge petition gets 218 signatures on it here in the well of the House, it has to come to the floor for a vote unamended. That means we can force a vote even over the will of the Speaker of the House, who, surely, would do everything she could do to resist the repeal of ObamaCare. We could force a vote, but the process of getting to 218 signatures on a discharge petition identifies—separates, let's say—the men from the boys and the women from the girls.

Now, if you really were sincerely against ObamaCare, it's one thing to vote against it, and 34 Democrats did. NANCY PELOSI let them off the hook because they were afraid they would lose their seats in their districts, but who knows how many of them were serious. When we actually had the motion to recommit on no mandates, on no Federal mandates to buy insurance, there were only 21 Democrats who voted with that as opposed to the 34 who voted "no" on ObamaCare. So you've seen the conviction drop by 13 just in that little exchange.

How many of those 21 really have conviction?

We'll find out because the discharge petition is here, and I challenge those 21. In fact, I challenge those 34—and everybody else who is opposed to ObamaCare—to sign the discharge petition to the floor and repeal ObamaCare. Let's pull it out by the roots. Let's send it over to the Senate. Let's see what JIM DEMINT and others can get done over there. That's what we need to do here in the House of Representatives.

Now, maybe that doesn't get itself accomplished and get ObamaCare repealed, because people in America, Mr. Speaker, can think in sequences, in logical, multiple sequences. All of the solutions are out there in America. I trust the judgment of our voters. They know this: If we are successful in getting 218 signatures on a discharge petition and if we pass the repeal of ObamaCare and if it goes down the hallway and across, through the Rotunda and over to HARRY REID, of course he'll do everything he can to kill it.

Maybe they'll find a way to get that done over in the Senate. Then it would go to the President, and we know what would happen. He would veto the bill. So it would come back to the House or to the Senate for an opportunity to override the Presidential veto.

It's not something you would consider to be politically possible today. Maybe there is an outside chance that it could be possible by the time we get to November. I doubt it, too—I'm skeptical about that—but we'll have put the marker down, Mr. Speaker. We will have separated the women from the girls and the men from the boys with the discharge petition. We'll have set the stage for the other side of November, the other side into the next Con-

gress, when, I believe, the gavels will come into different hands from our side of the aisle, in which case we can move a repeal of ObamaCare as a stand-alone, a 100 percent repeal of ObamaCare as a stand-alone. We can do that. When that would happen, we would recognize President Obama would veto that, and we would have to figure out how to come up with a two-thirds majority to overturn the Presidential veto.

Again, that's a very, very high bar, but this Constitution here in my jacket pocket tells me all spending has to start here in the House, Mr. Speaker. All spending has to start here in the House. So a House controlled with a gavel in the hands of Republicans would simply refuse to fund any dollars. Any American taxpayer dollars would be prohibited to be used to implement ObamaCare. That could work really well in a Republican majority in 2011 and in 2012. So ObamaCare wouldn't be implemented. It would be sitting there without implementation, and Republicans would have passed a repeal of ObamaCare at least once during that period of time, maybe more times. Then we elect a President in 2012 who takes, as a matter of his campaign and his oath, his number one priority, which is to sign the repeal of ObamaCare. Pull it out by the roots.

So I have this vision of a President of the United States taking the oath of office, Mr. Speaker, with pen in hand: I swear to the best of my ability to preserve, protect, and defend the Constitution of the United States, so help me God. Pen in hand.

Normally, the President will turn and shake hands with the Chief Justice and with the outgoing President, and there will be a great celebration up there on the west portico of the Capitol. I would like to see him interrupt that for one thing. I'd like to see that pen in his hand when he takes the oath. I'd like to see the repeal of ObamaCare right there at the podium on the west portico, right by the bible that he chooses to take the oath on, and I'd like to hear him take that oath "so help me God" and bring his hand right down to the document that is the repeal of ObamaCare and sign the repeal of ObamaCare right there in the first instant of the new administration that begins on January 20, 2013.

Don't tell me we can't repeal ObamaCare. Yes, we can. We have to move a discharge petition now. We have to separate the women from the girls and the men from the boys on that subject. We've got to identify it so the voters know what to do when they go to the polls in November. When the time comes that the new majority is here and is being sworn in in January, probably on January 3 of 2011, we will refuse to fund ObamaCare, because the funding has to start here, and you can't get around that. No President can get around that. No Senator can get around that. The Constitution says it starts here. We control all spending in this House. There will be no funding to

fund the implementation of ObamaCare. We hold the line in 2011 and 2012, and we elect a President who will sign the repeal of ObamaCare on January 20, 2013, right there on the podium at the west portico of the Capitol. It's right through those doors. Take a left. It's out on the portico where great events takes place.

That's what needs to happen—the full repeal of ObamaCare. Move this discharge petition now so we can separate those who are for a standalone, 100 percent repeal of ObamaCare and those who seem to lack the will to put their markers down and to be clear with the voters in America. That has got to happen.

Now, I didn't leave a lot of time for some of the other subject matters that I felt the urge to address, but I'll go through a list of them. A lot of them have to do with immigration, Mr. Speaker.

One of them is regarding the Secretary of Labor, who is using our tax dollars to run ads to tell people: Call this number. If you're legal or illegal, it doesn't matter. You deserve a reasonable wage, so we'll protect you with our labor laws. If you're working in the United States illegally, we're not going to ask you for your Social Security number or where you were born or what your lawful present status is or whether you are legal to work in America. If you're illegal and if your boss isn't paying you a going wage or is not treating you right under America's labor laws, call us. We'll keep you confidential, and we'll go punish the employer.

They're spending—it has to be millions of dollars—out of the Department of Labor budget to tell people who have broken into this country, who have unlawfully entered the United States or who have unlawfully overstayed their visas and who cannot lawfully work in America, that they are going to use the law to punish the employers if they don't treat them right.

Now, I don't say that an employer should be able to abuse their employees, but I do say the Secretary of Labor gets this way wrong if she thinks that she is going to use my tax dollars, Mr. Speaker, or is going to use your tax dollars to advertise to people working in America illegally, who are taking jobs away from Americans and from people who can work legally in this country, and reward them with the objective of their crimes by bringing the force of the Department of Labor against their employers.

□ 2020

I tell you, I don't know where they find these people to appoint them to the Cabinet. This is one. I want to look at the full text of her remarks and come on tomorrow with a decision on what position I want to take. But this is a marker that needs to be down. We don't use American tax dollars to advertise and reward illegals for coming into this country. That is a form of

amnesty being advertised in the television airwaves across America, with American tax dollars, at the direction of the Secretary of Labor; her face up there saying, Trust me. I will protect you. I won't enforce the law against you.

Amnesty. To grant amnesty is to pardon immigration lawbreakers and award them with the objective of their crimes. That's what she's saying. She's saying, We're not going to bring the law against you. We won't enforce the law. We'll keep your name confidential. Trust us. If your objective is a good job, we'll make sure we come down on your employer, not on you. But all the while she knows that anybody working in the United States illegally had to falsify their identification to get the job in the first place. And they probably did an identity theft or purchased the theft product from someone's identity in order to work in America. That is a serious crime. When someone's identity is stolen, they never get it back again. It is being implicitly encouraged by the Secretary of Labor. And that's got to stop, Mr. Speaker.

Now, Arizona law. Let's just say Arizona. Fox News today ran a story—I think they started it last night in some text that I read—about the spotters down in Arizona that occupy the mountaintops along the transportation routes coming up through Arizona. Now what is going on is drug smugglers, people smugglers, contraband smugglers, occupy these locations on top of the mountains in Arizona. A lot of mountains in Arizona are shaped like volcanoes. Some is volcanic, as I notice, anyway. They come to a point. They're a cone.

And up on top of them—or whether it's a ridge—they will pick a spot where they can see an intersection of highways coming from two or three different directions or more, and the employees—these are paramilitary armed personnel that are organized as a military force taking position, strategic positions on top of mountaintops in Arizona, and they will take the stones and they'll stack them around like a gun emplacement and hunker down with optical equipment and they will watch the traffic.

And they have communications equipment with scramblers and descramblers in it so they can talk to their people and we can't listen in on them. We know the frequencies. I've heard it on the radio. I've flown over there in a helicopter and listened to the excited chatter as we fly toward some of those mountaintops to try to pick those spotters off of there before they come off the mountaintop and go hide in the desert. You can hear the chatter intensify up to a fever pitch and then all of a sudden it goes dark. Silent. That's because they come off the mountain right before you get there and they go down and hide.

I have pictures. I have hundreds of pictures from the top of these spotter

locations. These are tactical positions in America. They're used to facilitate the smuggling of drugs and people, all kinds of contraband, and some of those people may well be terrorist suspects. They're from nations that we should be concerned about.

That traffic is going on through Arizona and other States. And these locations aren't just sitting along the border. These locations go all the way up the highway. Not just to Tucson. All the way to Phoenix. They control the transportation routes there. They tell them when to go, when to stop. They run decoys with a small amount of drugs in them. When the Border Patrol and other law enforcement officers converge on a vehicle, they sacrifice one of their people for the means of bringing a truckload through while they're diverted. That happens. It happens regularly.

We have a massive number of illegal border crossings. We have backpackers that are marching through the desert. We have 110-pound guys with 50-pound packs or more on their back and they march for a hundred or more miles sometimes. You look at some of those guys with calves like that on them. They're in shape because that's what they do—they walk back and forth in the desert and get paid to smuggle drugs in and out of the United States. And we sit here and we allow drug smugglers to occupy tactical positions on the tops of mountains, controlling the transportation routes in America, all the way up to Phoenix, and we're not able to go snap those people off those mountains and lock them up or put them through the shakedown and find out who they're affiliated with.

And we can listen in on the radio, but we can't understand it because it's a scrambled chatter and their equipment is at least as good as ours—and maybe better. And they supply them and they bring them food and drink and other things they need, as well as weapons. And I've been there to see these locations and optical equipment.

Mr. Speaker, we've got to take the spotters off the top of these lookout mountains. We cannot have the drug smugglers in tactical positions that control our transportation routes, however difficult it is. And there are tactical ways to do this. Our Special Forces know how. A lot of our law enforcement officers know how. They just need a mission. And last year I was able to get an appropriations amendment that directed a million dollars to take the spotters off of the lookouts in Arizona. And that appropriation went over to the Senate, where it was killed and died, Mr. Speaker.

So we've got to wake up. We've got to defend this country. We've got to shut off this border; build a wall; build a fence; stop the bleeding at the border; take the lookouts, the spotters off the lookout mountains in Arizona; shut off the magnet on jobs; get back to the rule of law. Let's reward people that respect the law and punish the people

that violate the law without regard to race, creed, color, ethnicity, or national origin. Take it right out of title 7 of the Civil Rights Act. By the way, without violating Arizona law or Arizona's Constitution or the United States Constitution or any other State Constitution, for that matter.

Those are a number of the things on my mind, Mr. Speaker. And I'm very well aware that within the next 60 seconds I will have reached the balance of my time. And so I want to acknowledge and appreciate being recognized to address you here on the floor of the House of Representatives.

And I would yield back the balance of my time.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to:

Mr. YOUNG of Florida (at the request of Mr. BOEHNER) for June 22 and today until 2 p.m. on account of a death in the family.

SPECIAL ORDERS GRANTED

By unanimous consent, permission to address the House, following the legislative program and any special orders heretofore entered, was granted to:

(The following Members (at the request of Mr. DEFAZIO) to revise and extend their remarks and include extraneous material:)

- Ms. WOOLSEY, for 5 minutes, today.
- Mr. DEFAZIO, for 5 minutes, today.
- Mrs. MALONEY, for 5 minutes, today.

(The following Members (at the request of Mr. POE of Texas) to revise and extend their remarks and include extraneous material:)

- Mr. POE of Texas, for 5 minutes, June 30.
- Mr. JONES, for 5 minutes, June 30.
- Mr. MORAN of Kansas, for 5 minutes, June 25, 29, and 30.
- Mr. PAULSEN, for 5 minutes, today and June 24.

ADJOURNMENT

Mr. KING of Iowa. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 8 o'clock and 25 minutes p.m.), the House adjourned until tomorrow, Thursday, June 24, 2010, at 10 a.m.

BUDGETARY EFFECTS OF PAYGO LEGISLATION

Pursuant to Public Law 111-139, Mr. SPRATT hereby submits, prior to the vote on passage, the attached estimate of the costs of the bill H.R. 5569, the National Flood Insurance Program Extension Act of 2010, for printing in the CONGRESSIONAL RECORD.

CBO ESTIMATE OF THE STATUTORY PAY-AS-YOU-GO EFFECTS FOR H.R. 5569, THE NATIONAL FLOOD INSURANCE PROGRAM EXTENSION ACT OF 2010, AS INTRODUCED ON JUNE 22, 2010

By fiscal year, in millions of dollars—

	2010	2011	2012	2013	2014	2015	2016	2017	2018	2019	2020	2010-2015	2010-2020
Net Increase or Decrease (-) in the Deficit	50	0	0	-50	0	0	0	0	0	0	0	0	0
Statutory Pay-As-You-Go Impact ^a	50	0	0	-50	0	0	0	0	0	0	0	0	0

^aH.R. 5569 would authorize the Federal Emergency Management Agency to pay flood insurance claims that would otherwise go unpaid during the lapse in the National Flood Insurance Program's authority to write and renew policies by making the new authorization retroactive. The bill also would reduce the program's ability to borrow funds from the Treasury in years where program expenses exceeded premium income. CBO estimates that the enacting these provisions would have no net effect on the federal budget over the 2010-2015 and 2010-2020 periods.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XIV, executive communications were taken from the Speaker's table and referred as follows:

8025. A letter from the Under Secretary, Department of Defense, transmitting letter addressing the acquisition strategy, requirements, and cost estimates for the Army tactical ground network program, pursuant to Public Law 110-84 section 218; to the Committee on Armed Services.

8026. A letter from the Assistant Secretary, Employee Benefits Security Administration, Department of Labor, transmitting the Department's "Major" final rule — Interim Final Rules for Group Health Plans and Health Insurance Coverage Relating to Status as a Grandfathered Health Plan Under the Patient Protection and Affordable Care Act (RIN: 1210-AB42) received June 22, 2010, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Education and Labor.

8027. A letter from the Director, Office of Workers' Compensation Programs, Department of Labor, transmitting annual report on Operations of the Office of Workers' Compensation Programs for Fiscal year 2008; to the Committee on Education and Labor.

8028. A letter from the Director, Office of Workers' Compensation Programs, Department of Labor, transmitting annual report on Operations of the Office of Workers' Compensation Programs for Fiscal year 2007; to the Committee on Education and Labor.

8029. A letter from the Deputy Director, OSHA Standards and Guidance, Department of Labor, transmitting the Department's final rule — Revising the Notification Requirements in the Exposure Determination Provisions of the Hexavalent Chromium

Standards [Docket No.: OSHA-H054a-2006-0064] (RIN: 1218-AC43) received June 3, 2010, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Education and Labor.

8030. A letter from the Program Manager, Department of Health and Human Services, transmitting the Department's "Major" final rule — Interim Final Rules for Group Health Plans and Health Insurance Coverage Relating to Status as a Grandfathered Health Plan under the Patient Protection and Affordable Care Act (RIN: 0991-AB68) received June 17, 2010, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

8031. A letter from the Director, Office of Congressional Affairs, Nuclear Regulatory Commission, transmitting the Commission's "Major" final rule — Revision of Fee Schedules; Fee Recovery for FY 2010 [NRC-2009-0333] (RIN: 3150-A170) received June 17, 2010, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

8032. A letter from the Assistant Secretary for Export Administration, Department of Commerce, transmitting the Department's final rule — Implementation of Changes from the 2009 Annual Review of the Entity List [Docket No.: 10031137-0138-01] (RIN: 0694-AE88) received June 3, 2010, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Foreign Affairs.

8033. A letter from the Assistant Secretary for Export Administration, Department of Commerce, transmitting the Department's final rule — Export Administration Regulations: Technical Corrections [Docket No.: 0907271167-91198-01] (RIN: 0694-AE69) received June 3, 2010, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Foreign Affairs.

8034. A letter from the Assistant Secretary, Legislative Affairs, Department of State, transmitting a proposed removal from the

United States Munitions List of infrasound sensors that have both military and civil applications, pursuant to Section 38(f)(1) of the Arms Export Control Act; to the Committee on Foreign Affairs.

8035. A letter from the Assistant Secretary, Legislative Affairs, Department of State, transmitting Transmittal No. DDTC 10-002, certification of a proposed technical assistance agreement to include the export of technical data, and defense services, pursuant to section 36(c) of the Arms Export Control Act; to the Committee on Foreign Affairs.

8036. A letter from the Assistant Attorney General, Department of Justice, transmitting the Department's fiscal year 2009 annual report prepared in accordance with Section 203(a) of the Notification and Federal Employee Anti-discrimination and Retaliation Act of 2002 (No FEAR Act), Public Law 107-174; to the Committee on Oversight and Government Reform.

8037. A letter from the Chairman and President, Export-Import Bank, transmitting the semiannual report of the Inspector General for the period ending September 30, 2009, pursuant to 5 U.S.C. app. (Insp. Gen. Act) section 5(b); to the Committee on Oversight and Government Reform.

8038. A letter from the Director, Office of Personnel Management, transmitting the Office's Annual Privacy Activity Report to Congress for 2009, pursuant to Public Law 108-447, section 522; to the Committee on Oversight and Government Reform.

8039. A letter from the Chairman, Securities and Exchange Commission, transmitting the Semiannual Report of the Inspector General and a separate management report for the period October 1, 2009 through March 31, 2010, pursuant to 5 U.S.C. app. (Insp. Gen. Act), section 5(b); to the Committee on Oversight and Government Reform.

8040. A letter from the Assistant Attorney General, Department of Justice, transmitting the annual report of the Office of Justice Programs' Bureau of Justice Assistance for Fiscal Year 2008, pursuant to 42 U.S.C. 3712(b); to the Committee on the Judiciary.

8041. A letter from the Assistant Attorney General, Department of Justice, transmitting the Department's report providing an estimate of the dollar amount of claims (together with related fees and expenses of witnesses) that, by reason of the acts or omissions of free clinic health professionals will be paid for 2011; to the Committee on the Judiciary.

8042. A letter from the Attorney-Advisor, Department of Homeland Security, transmitting the Department's final rule — Drawbridge Operation Regulation; CSX Railroad, Trout River, mile 0.9, Jacksonville, FL [Docket No.: USCG-2009-0249] (RIN: 1625-AA09) received June 3, 2010, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

8043. A letter from the Attorney-Advisor, Department of Homeland Security, transmitting the Department's final rule — Drawbridge Operation Regulation; Lower Grand River, Iberville Parish, LA [Docket No.: USCG-2009-0686] (RIN: 1625-AA09) received June 3, 2010, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

8044. A letter from the Attorney Advisor, Department of Homeland Security, transmitting the Department's final rule — Regulated Navigation Area; Lake Champlain Bridge Construction Zone, NY and VT [Docket No.: USCG-2010-0176] (RIN: 1625-AA11) received June 3, 2010, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

8045. A letter from the Attorney, Department of Homeland Security, transmitting the Department's final rule — Safety Zone; Fireworks Display, Patuxent River, Solomons Island Harbor, MD [Docket No.: USCG-2010-0179] (RIN: 1625-AA00) received June 3, 2010, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

8046. A letter from the Attorney-Advisor, Department of Homeland Security, transmitting the Department's final rule — Safety Zone; Desert Storm, Lake Havasu, AZ [Docket No.: USCG-2009-0809] (RIN: 1625-AA00) received June 3, 2010, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

8047. A letter from the Attorney-Advisor, Department of Homeland Security, transmitting the Department's final rule — Safety Zone; United Portuguese SES Centennial Festa, San Diego Bay, San Diego, CA [Docket No.: USCG-2010-0065] (RIN: 1625-AA00) received June 3, 2010, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

8048. A letter from the Attorney Advisor, Department of Homeland Security, transmitting the Department's final rule — Drawbridge Operation Regulation; Chehalis River, Aberdeen, WA, Schedule Change [Docket No.: USCG-2009-0959] (RIN: 1925-AA09) received June 3, 2010, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

8049. A letter from the Attorney-Advisor, Department of Homeland Security, transmitting the Department's final rule — Draw-

bridge Operation Regulation; Port of Coos Bay Railroad Bridge, Coos Bay, North Bend, OR [Docket No.: USCG-2009-0840] (RIN: 1625-AA09) received June 3, 2010, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

8050. A letter from the Attorney, Department of Homeland Security, transmitting the Department's final rule — Safety Zone; Red River, MN [Docket No.: USCG-2010-0198] (RIN: 1625-AA00) received June 3, 2010, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

8051. A letter from the Attorney-Advisor, Department of Homeland Security, transmitting the Department's final rule — Safety Zone; BW PIONEER at Walker Ridge 249, Outer Continental Shelf FPSO, Gulf of Mexico [Docket No.: USCG-2009-0571] (RIN: 1625-AA00) received June 3, 2010, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

8052. A letter from the Senior Program Analyst, Department of Transportation, transmitting the Department's final rule — Clarification of Parachute Packing Authorization [Docket No.: FAA-2007-28518, Amendment No. 65-54] (RIN: 2120-AJ08) received June 3, 2010, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

8053. A letter from the Attorney Advisor, Department of Transportation, transmitting the Department's final rule — Security Zone; Potomac River, Washington Channel, Washington, DC [Docket No.: USCG-2010-0050] (RIN: 1625-AA87) received June 3, 2010, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

8054. A letter from the Assistant Secretary, Legislative Affairs, Department of State, transmitting notification of the determination that a continuation of a waiver currently in effect for the Republic of Belarus will substantially promote the objectives of section 402, of the Trade Act of 1974, pursuant to 19 U.S.C. 2432(c) and (d); (H. Doc. No. 111-126); to the Committee on Ways and Means and ordered to be printed.

8055. A letter from the Chief, Publications and Regulations Branch, Internal Revenue Service, transmitting the Service's final rule — This revenue procedure provides guidance with respect to the United States and area median gross income figures that are to be used by issuers of qualified mortgage bonds (Rev. Proc. 2010-23) received June 3, 2010, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

8056. A letter from the Branch Chief, Publications and Regulations, Internal Revenue Service, transmitting the Service's final rule — This revenue procedure modifies the inflation adjusted amounts in Rev. Proc. 2009-50, 2009-45 I.R.B. 617, that apply to taxpayers who elect to expense certain depreciable assets (Rev. Proc. 2010-24) received June 3, 2010, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

8057. A letter from the General Counsel, Department of Defense, transmitting a legislative proposal to be part of the National Defense Authorization Act for Fiscal Year 2011; jointly to the Committees on Foreign Affairs and Oversight and Government Reform.

8058. A letter from the Director, Office of Personnel Management, transmitting a legislative proposal entitled, "Federal Civilian Employees in Zones of Armed Conflict Benefits Act of 2010"; jointly to the Committees on Foreign Affairs and Oversight and Government Reform.

8059. A letter from the Secretary, Department of Veterans Affairs, transmitting a draft of proposed legislation entitled, "Veterans Benefits Programs Improvement Act of 2010"; jointly to the Committees on Veterans' Affairs and Energy and Commerce.

8060. A letter from the Board Members, Railroad Retirement Board, transmitting a report on the actuarial status of the railroad retirement system, including any recommendations for financing changes, pursuant to 45 U.S.C. 231f-1; jointly to the Committees on Ways and Means and Transportation and Infrastructure.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. RAHALL: Committee on Natural Resources. House Resolution 1406. Resolution directing the Secretary of the Interior to transmit to the House of Representatives certain information relating to the potential designation of National Monuments (Rept. 111-510). Referred to the House Calendar.

Mr. MCGOVERN: Committee on Rules. House Resolution 1468. Resolution providing for consideration of the bill (H.R. 5175) to amend the Federal Election Campaign Act of 1971 to prohibit foreign influence in Federal elections, to prohibit government contractors from making expenditures with respect to such elections, and to establish additional disclosure requirements with respect to spending in such elections, and for other purposes (Rept. 111-511). Referred to the House Calendar.

Mr. BERMAN: Committee of Conference. Conference report on H.R. 2194. A bill to amend the Iran Sanctions Act of 1996 to enhance United States diplomatic efforts with respect to Iran by expanding economic sanctions against Iran (Rept. 111-512). Ordered to be printed.

PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XII, public bills and resolutions of the following titles were introduced and severally referred, as follows:

By Mrs. MALONEY (for herself, Mr. SMITH of New Jersey, Mr. BLUMENAUER, Mr. COHEN, Mr. POE of Texas, Ms. RICHARDSON, and Mr. WU):

H.R. 5575. A bill to establish a grant program to benefit domestic minor victims of sex trafficking, and for other purposes; to the Committee on the Judiciary, and in addition to the Committee on Ways and Means, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. REICHERT (for himself, Mr. GARY G. MILLER of California, and Mr. MATHESON):

H.R. 5576. A bill to provide construction, architectural, and engineering entities with qualified immunity from liability for negligence when providing services or equipment on a volunteer basis in response to a declared emergency or disaster; to the Committee on the Judiciary.

By Mr. KUCINICH (for himself, Mr. DEFAZIO, Mr. FRANK of Massachusetts, Mr. GRIJALVA, Mr. McDERMOTT, Mr. STARK, and Ms. WOOLSEY):

H.R. 5577. A bill to amend the Federal Food, Drug, and Cosmetic Act, the Federal Meat Inspection Act, and the Poultry Products Inspection Act to require that food that contains a genetically engineered material, or that is produced with a genetically engineered material, be labeled accordingly; to

the Committee on Agriculture, and in addition to the Committee on Energy and Commerce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. KUCINICH (for himself, Mr. DEFAZIO, Mr. FRANK of Massachusetts, Mr. GRIJALVA, Mr. STARK, and Ms. WOOLSEY):

H.R. 5578. A bill to prohibit the open-air cultivation of genetically engineered pharmaceutical and industrial crops, to prohibit the use of common human food or animal feed as the host plant for a genetically engineered pharmaceutical or industrial chemical, to establish a tracking system to regulate the growing, handling, transportation, and disposal of pharmaceutical and industrial crops and their byproducts to prevent human, animal, and general environmental exposure to genetically engineered pharmaceutical and industrial crops and their byproducts, to amend the Federal Food, Drug, and Cosmetic Act with respect to the safety of genetically engineered foods, and for other purposes; to the Committee on Agriculture, and in addition to the Committee on Energy and Commerce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. KUCINICH (for himself, Mr. DEFAZIO, Mr. FRANK of Massachusetts, Mr. GRIJALVA, Mr. STARK, and Ms. WOOLSEY):

H.R. 5579. A bill to provide additional protections for farmers and ranchers that may be harmed economically by genetically engineered seeds, plants, or animals, to ensure fairness for farmers and ranchers in their dealings with biotech companies that sell genetically engineered seeds, plants, or animals, to assign liability for injury caused by genetically engineered organisms, and for other purposes; to the Committee on Agriculture, and in addition to the Committees on Energy and Commerce, and the Judiciary, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. NUNES (for himself, Mr. SIMPSON, Mr. BISHOP of Utah, Mr. MCCLINTOCK, Mr. MCKEON, Mr. HERGER, Mr. REHBERG, Mr. WALDEN, Mr. LAMBORN, and Mr. HUNTER):

H.R. 5580. A bill to amend the Act popularly known as the Antiquities Act of 1906 to require certain procedures for designating national monuments, and for other purposes; to the Committee on Natural Resources.

By Mr. KIND (for himself and Mr. HIGGINS):

H.R. 5581. A bill to amend the Internal Revenue Code of 1986 to make qualified biogas property eligible for the energy credit and to permit new clean renewable energy bonds to finance qualified biogas property; to the Committee on Ways and Means, and in addition to the Committee on Science and Technology, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. SULLIVAN (for himself, Mr. BROUN of Georgia, Mr. LUCAS, Mr. KLINE of Minnesota, Mr. SHIMKUS, Mr. CULBERSON, Mr. BURTON of Indiana, Mr. ROONEY, Mr. MARCHANT, Mr. POSEY, Mr. HERGER, Mrs. SCHMIDT, Mr. SHADEGG, Mr. FRANKS of Arizona, Mr. HALL of Texas, Mr. ROGERS of Michigan, Mr. BURGESS, Mr. GOHMERT, Mr. GINGREY of Georgia, and Mr. FLEMING):

H.R. 5582. A bill to authorize appropriations for the Department of Commerce and

to prohibit Federal economic development funds to States that carry out public takings for private purposes; to the Committee on Energy and Commerce, and in addition to the Committees on Transportation and Infrastructure, and Financial Services, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Ms. SHEA-PORTER:

H.R. 5583. A bill to require cell phone early termination fees to be pro-rated over the term of a subscriber's contract, and for other purposes; to the Committee on Energy and Commerce.

By Mr. CARTER:

H.R. 5584. A bill to designate the facility of the United States Postal Service located at 500 East Whitestone Boulevard in Cedar Park, Texas, as the "Army Specialist Matthew Troy Morris Post Office Building"; to the Committee on Oversight and Government Reform.

By Mr. CARTER (for himself, Mr. CULBERSON, Mr. OLSON, Mr. DJOU, Mr. MCCAUL, Mr. SMITH of Texas, Mr. PUTNAM, Mr. SENSENBRENNER, Mr. ROONEY, Mr. FLEMING, Mr. BOYD, Mr. STEARNS, Mr. GOHMERT, and Mr. HARPER):

H.R. 5585. A bill to provide a statutory waiver of compliance with the Jones Act to foreign-flagged vessels assisting in responding to the Deepwater Horizon oil spill, and for other purposes; to the Committee on Transportation and Infrastructure.

By Mr. PAYNE (for himself, Mr. GUTHRIE, and Mr. POLIS):

H.R. 5586. A bill to support high-achieving, educationally disadvantaged elementary school students in high-need local educational agencies, and for other purposes; to the Committee on Education and Labor.

By Mr. ROHRBACHER:

H.R. 5587. A bill to establish a United States Commission on Planetary Defense, and for other purposes; to the Committee on Science and Technology.

By Mr. SCHRADER (for himself, Ms. SCHAKOWSKY, Ms. MATSUI, and Mr. LARSON of Connecticut):

H.R. 5588. A bill to amend title XVIII of the Social Security Act to provide for additional opportunities to enroll under part B of the Medicare Program, and for other purposes; to the Committee on Energy and Commerce, and in addition to the Committee on Ways and Means, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Ms. WATSON:

H.R. 5589. A bill to amend the Foreign Affairs Reform and Restructuring Act of 1998 to reauthorize the United States Advisory Commission on Public Diplomacy; to the Committee on Foreign Affairs.

By Mr. CHAFFETZ (for himself and Mr. JORDAN of Ohio):

H.J. Res. 93. A joint resolution disapproving of the action of the District of Columbia Council in approving the Legalization of Marijuana for Medical Treatment Amendment Act of 2010; to the Committee on Oversight and Government Reform.

By Mr. OWENS:

H. Res. 1467. A resolution requesting return of official papers on H.R. 5136; considered and agreed to.

By Mr. CAMPBELL:

H. Res. 1469. A resolution providing that the House of Representatives should pass a budget resolution for a fiscal year before the House considers any appropriation bill for that year; to the Committee on Rules.

By Mr. DJOU (for himself and Ms. HIRONO):

H. Res. 1470. A resolution honoring the life, achievements, and distinguished career of Chief Justice William S. Richardson; to the Committee on the Judiciary.

By Mr. GINGREY of Georgia (for himself, Mr. KINGSTON, Mr. GRAVES of Georgia, Mr. WESTMORELAND, Mr. PRICE of Georgia, Mr. BROUN of Georgia, Mr. NEUGEBAUER, Mr. PITTS, Mrs. SCHMIDT, Mr. MACK, and Mr. POSEY):

H. Res. 1471. A resolution expressing support for the private property rights protections guaranteed by the 5th Amendment to the Constitution on the 5th anniversary of the Supreme Court's decision of *Kelo v. City of New London*; to the Committee on the Judiciary.

MEMORIALS

Under clause 4 of rule XXII,

319. The SPEAKER presented a memorial of the Senate of the State of Michigan, relative to Senate Resolution No. 162 expressing dismay that the U.S. Supreme Court did not take up the Asian carp issue; jointly to the Committees on the Judiciary and Transportation and Infrastructure.

ADDITIONAL SPONSORS

Under clause 7 of rule XII, sponsors were added to public bills and resolutions as follows:

H.R. 197: Mr. GRAVES of Georgia.
 H.R. 205: Mr. GRAVES of Georgia and Mr. DJOU.
 H.R. 303: Mr. GINGREY of Georgia and Mr. LARSEN of Washington.
 H.R. 333: Mr. MORAN of Virginia.
 H.R. 482: Mr. RYAN of Ohio.
 H.R. 614: Mr. CAMPBELL, Mr. GOHMERT, Mr. MICA, Mr. BUCHANAN, and Mr. GARY G. MILLER of California.
 H.R. 634: Ms. JENKINS.
 H.R. 745: Mr. BUCHANAN, Mr. WILSON of Ohio, Ms. CASTOR of Florida, Mrs. BONO MACK, Mr. RODRIGUEZ, Mr. THOMPSON of Pennsylvania, Mr. UPTON, Mr. HALL of Texas, and Mr. KING of New York.
 H.R. 775: Mr. COLE, Mr. CRITZ, Mr. KING of New York, Mr. COOPER, Mr. BUTTERFIELD, Mr. MARKEY of Massachusetts, Ms. SUTTON, and Mr. GEORGE MILLER of California.
 H.R. 881: Mr. BROWN of South Carolina.
 H.R. 1021: Mr. HERGER.
 H.R. 1036: Mrs. DAHLKEMPER, Mr. ELLISON, and Mr. MILLER of North Carolina.
 H.R. 1161: Mr. CARNAHAN.
 H.R. 1189: Mr. COSTELLO.
 H.R. 1324: Mr. ADLER of New Jersey.
 H.R. 1547: Mr. SPRATT.
 H.R. 1708: Mr. DEUTCH.
 H.R. 1740: Mr. CRITZ.
 H.R. 1822: Mr. ALEXANDER, Mr. BONNER, Mr. JONES, Mr. GOHMERT, Mr. RADANOVICH, and Mr. CANTOR.
 H.R. 1826: Mr. TOWNS.
 H.R. 1874: Ms. BALDWIN.
 H.R. 2000: Mr. PAYNE, Mr. LEWIS of Georgia, and Mr. LEWIS of California.
 H.R. 2067: Mr. SCHAUER, Mr. SHERMAN, Ms. ZOE LOFGREN of California, and Mr. HODES.
 H.R. 2109: Mr. SCOTT of Virginia, Mr. MELANCON, and Ms. FUDGE.
 H.R. 2132: Mrs. DAVIS of California.
 H.R. 2273: Mr. PETERSON.
 H.R. 2324: Ms. NORTON.
 H.R. 2328: Mr. VAN HOLLEN.
 H.R. 2381: Mr. ELLISON.
 H.R. 2417: Mr. BLUMENAUER.
 H.R. 2565: Mr. PAULSEN.
 H.R. 2697: Mr. KILDEE and Mr. HALL of New York.
 H.R. 2807: Ms. SLAUGHTER.

H.R. 2882: Ms. ROYBAL-ALLARD.
 H.R. 2900: Mr. GARY G. MILLER of California.
 H.R. 3359: Mr. POLIS.
 H.R. 3415: Mr. REYES.
 H.R. 3441: Mr. CUMMINGS.
 H.R. 3531: Mr. ELLISON.
 H.R. 3586: Mr. WU.
 H.R. 3720: Mr. GARAMENDI.
 H.R. 3721: Mr. DAVIS of Illinois.
 H.R. 3729: Mr. ELLSWORTH.
 H.R. 3764: Mr. HONDA and Mr. CARNAHAN.
 H.R. 4144: Mr. VAN HOLLEN.
 H.R. 4148: Mr. BACA.
 H.R. 4195: Ms. HERSETH SANDLIN and Mr. HEINRICH.
 H.R. 4278: Mr. CHILDERS, Ms. GINNY BROWN-WAITE of Florida, Mr. ADLER of New Jersey, and Mr. SIRES.
 H.R. 4296: Mr. HODES and Mr. VAN HOLLEN.
 H.R. 4303: Mr. BOREN.
 H.R. 4321: Mr. KENNEDY, Mr. MARKEY of Massachusetts, Mr. RODRIGUEZ, Mr. TONKO, and Ms. BALDWIN.
 H.R. 4330: Mr. HEINRICH.
 H.R. 4505: Ms. PINGREE of Maine and Mr. DJOU.
 H.R. 4530: Mr. LARSON of Connecticut.
 H.R. 4533: Ms. WATSON and Mrs. CAPPS.
 H.R. 4544: Ms. BALDWIN.
 H.R. 4645: Ms. BALDWIN, Mr. OBERSTAR, and Mr. JONES.
 H.R. 4662: Mrs. DAHLKEMPER, Mr. BARROW, and Mr. CUMMINGS.
 H.R. 4684: Mr. ELLSWORTH.
 H.R. 4692: Mr. DAVIS of Illinois.
 H.R. 4693: Mr. TEAGUE.
 H.R. 4751: Mr. VAN HOLLEN.
 H.R. 4755: Mr. HINCHEY.
 H.R. 4788: Mr. HODES, Mr. BRADY of Pennsylvania, Mr. CARSON of Indiana, and Mr. DINGELL.
 H.R. 4806: Mr. SABLAN and Mr. WU.
 H.R. 4830: Mr. GARAMENDI and Mr. HINCHEY.
 H.R. 4903: Mr. GRAVES of Georgia.
 H.R. 4912: Mr. COHEN.
 H.R. 4972: Mr. SMITH of Nebraska.
 H.R. 4973: Mr. CASTLE.
 H.R. 5015: Ms. TSONGAS.
 H.R. 5029: Mr. REHBERG and Mrs. BONO MACK.
 H.R. 5033: Ms. MOORE of Wisconsin, Mr. GRIJALVA, Ms. NORTON, Mrs. NAPOLITANO, Ms. CHU, Mr. LUJÁN, Mr. SERRANO, Mr. REYES, Mr. SABLAN, Mr. HINOJOSA, Mr. SIRES, Mr. GONZALEZ, and Mr. GUTIERREZ.
 H.R. 5040: Mr. RODRIGUEZ.
 H.R. 5041: Mr. VAN HOLLEN.
 H.R. 5081: Mr. OLSON.
 H.R. 5087: Ms. ZOE LOFGREN of California.
 H.R. 5095: Mr. BURTON of Indiana.
 H.R. 5141: Ms. JENKINS and Mr. MILLER of Florida.
 H.R. 5142: Mr. VAN HOLLEN and Mr. MEEK of Florida.
 H.R. 5143: Ms. ESHOO.
 H.R. 5162: Mr. BUCHANAN, Mr. CRITZ, and Mr. KLINE of Minnesota.
 H.R. 5192: Mr. BISHOP of Utah.
 H.R. 5214: Ms. BALDWIN, Mr. PETERS, Mr. ADLER of New Jersey, Ms. SHEA-PORTER, and Mr. WALZ.
 H.R. 5235: Mr. WESTMORELAND.
 H.R. 5238: Mr. STARK and Ms. LINDA T. SÁNCHEZ of California.
 H.R. 5358: Ms. WASSERMAN SCHULTZ, Mr. MEEK of Florida, Mr. DEUTCH, and Mr. GRAYSON.
 H.R. 5421: Mr. LAMBORN.
 H.R. 5425: Mr. NEUGEBAUER.
 H.R. 5434: Mr. ACKERMAN, Mr. BLUMENAUER, Mrs. LOWEY, and Ms. BORDALLO.
 H.R. 5449: Mr. MICHAUD, Mr. CUMMINGS, and Mr. COHEN.
 H.R. 5458: Mr. ANDREWS.
 H.R. 5481: Ms. LEE of California.
 H.R. 5497: Mr. CHANDLER, Mr. MELANCON, Mr. ANDREWS, Mr. SHULER, Mr. KRATOVIK,

Mr. DONNELLY of Indiana, Mr. DAVIS of Tennessee, and Mr. BOSWELL.
 H.R. 5498: Ms. RICHARDSON, Mrs. MILLER of Michigan, Ms. JACKSON LEE of Texas, Mr. CARNEY, Ms. NORTON, and Mr. AL GREEN of Texas.
 H.R. 5503: Mr. BERMAN.
 H.R. 5510: Ms. FUDGE.
 H.R. 5529: Mr. SIMPSON, Mr. MCCARTHY of California, Mr. GARY G. MILLER of California, Mr. MARIO DIAZ-BALART of Florida, and Mr. LINCOLN DIAZ-BALART of Florida.
 H.R. 5533: Mr. EHLERS, Mr. LOEBSACK, Mr. ELLISON, Mr. OBERSTAR, Mr. CAPUANO, and Mr. HOLT.
 H.R. 5535: Mr. JONES.
 H.R. 5539: Mr. FORBES, Mr. JORDAN of Ohio, and Mr. POE of Texas.
 H.R. 5552: Mr. RAHALL, Mr. REHBERG, Mr. NYE, Mr. BOCCIERI, Mr. WILSON of Ohio, Ms. TITUS, Mr. MCMAHON, Mr. JONES, Mr. GORDON of Tennessee, Mrs. KIRKPATRICK of Arizona, Ms. DELAURO, Mr. MICHAUD, Mr. MOLLOHAN, Mr. GUTHRIE, Mr. SCHOCK, Mr. BURTON of Indiana, Mr. BOUSTANY, and Mr. PETRI.
 H.R. 5566: Mr. MORAN of Kansas, Mr. GINGREY of Georgia, Mr. GRAVES of Missouri, Mr. MCCARTHY of California, Mr. SHUSTER, Mr. DAVIS of Kentucky, Mr. PETRI, Mr. PLATTS, Mr. BISHOP of New York, Mr. HILL, Mrs. HALVORSON, Mr. BARROW, Mr. DOYLE, and Ms. ESHOO.
 H.R. 5569: Ms. GINNY BROWN-WAITE of Florida, Mr. HINOJOSA, Mr. HASTINGS of Florida, and Mr. COOPER.
 H. Con. Res. 256: Mr. PETERSON.
 H. Con. Res. 266: Mr. PETERSON and Mr. SHULER.
 H. Con. Res. 267: Mr. TANNER.
 H. Con. Res. 281: Mr. BURTON of Indiana, Mr. PITTS, Mr. GRAVES of Georgia, and Mr. TIAHRT.
 H. Con. Res. 284: Mr. SAM JOHNSON of Texas, Mr. AUSTRIA, and Mr. CASSIDY.
 H. Res. 22: Mr. CARNAHAN.
 H. Res. 111: Mr. SERRANO, Mr. HINOJOSA, and Mrs. McMORRIS RODGERS.
 H. Res. 173: Mr. THOMPSON of California, Mr. PIERLUISI, and Ms. WATSON.
 H. Res. 236: Mr. CALVERT.
 H. Res. 363: Ms. SLAUGHTER and Ms. NORTON.
 H. Res. 771: Mr. SCHOCK.
 H. Res. 1019: Mr. HEINRICH.
 H. Res. 1207: Mr. SMITH of Texas, Mr. KLINE of Minnesota, and Mr. KRATOVIK.
 H. Res. 1217: Mr. KLINE of Minnesota, Mr. TURNER, Mr. TEAGUE, Mr. WILSON of South Carolina, Ms. BORDALLO, Mr. SMITH of Washington, Mr. HALL of New York, Mr. LARSEN of Washington, Mr. MCGOVERN, Mr. BARTLETT, and Mr. HUNTER.
 H. Res. 1226: Mr. SULLIVAN and Mrs. CHRISTENSEN.
 H. Res. 1291: Mr. MCINTYRE.
 H. Res. 1326: Mr. MILLER of Florida.
 H. Res. 1350: Ms. ROS-LEHTINEN.
 H. Res. 1359: Mr. WOLF, Mr. WEINER, Mr. TOWNS, Mr. JOHNSON of Illinois, Mrs. MCCARTHY of New York, Mr. QUIGLEY, Mr. NADLER of New York, Mr. RUSH, Mr. GARRETT of New Jersey, Mr. HINCHEY, Mr. LEVIN, Mr. GRIFFITH, Mr. SARBANES, Mr. DRIEHAUS, Mr. HODES, Mr. COSTELLO, Mr. SIRES, Ms. RICHARDSON, Ms. JENKINS, Mrs. LOWEY, Mr. FILNER, Mrs. HALVORSON, Ms. GIFFORDS, Mr. LIPINSKI, Ms. LINDA T. SÁNCHEZ of California, Mr. POE of Texas, Mr. SESTAK, Mr. MARSHALL, Mrs. McMORRIS RODGERS, Ms. ROS-LEHTINEN, Mr. MORAN of Kansas, Mr. KIRK, Mr. TIBERI, and Mr. SHIMKUS.
 H. Res. 1370: Mr. ELLISON.
 H. Res. 1393: Mr. ROHRBACHER.
 H. Res. 1401: Mr. GERLACH, Mr. BUCHANAN, Mr. JOHNSON of Illinois, Mr. POE of Texas, Mr. CONNOLLY of Virginia, Mr. GUTHRIE, Ms. GIFFORDS, Mr. CHILDERS, and Mr. YOUNG of Alaska.

H. Res. 1411: Mrs. McMORRIS RODGERS, Mr. MURPHY of New York, Mr. NEAL of Massachusetts, Mr. NYE, Mr. PASCRELL, Ms. PINGREE of Maine, Mr. PRICE of North Carolina, Ms. LORETTA SANCHEZ of California, Mr. SCHRADER, Ms. SHEA-PORTER, Mr. SIMPSON, Mr. SKELTON, Mr. SMITH of Washington, Mr. SNYDER, Mr. SPRATT, Mr. STARK, Mr. STUPAK, Ms. SUTTON, Mr. UPTON, Mr. TAYLOR, Ms. TSONGAS, Mr. WU, Mr. YARMUTH, Mr. ANDREWS, Mr. ARCURI, Mr. BARTLETT, Mrs. BONO MACK, Mr. BOREN, Mr. CAMP, Mr. CARDOZA, Mr. CASTLE, Ms. CHU, Mr. CROWLEY, Mr. CONAWAY, Mr. CONYERS, Mr. COOPER, Mr. COURTNEY, Mrs. DAVIS of California, Mr. DEFAZIO, Mrs. EMERSON, Ms. FALLIN, Mr. GARAMENDI, Ms. GIFFORDS, Mrs. HALVORSON, Mr. HARE, Mr. HASTINGS of Florida, Mr. HEINRICH, Mr. HINCHEY, Mr. JOHNSON of Georgia, Mr. JONES, Mrs. KIRKPATRICK of Arizona, Mr. KISSELL, Mr. KRATOVIK, Mr. LAMBORN, Mr. LANGEVIN, Mr. LARSEN of Washington, Mr. LOBIONDO, Mr. LOEBSACK, Mrs. LOWEY, Mr. MACK, Mr. MARSHALL, Mr. MATHESON, and Mr. MCINTYRE.
 H. Res. 1412: Mr. HASTINGS of Florida and Mr. ISRAEL.
 H. Res. 1420: Ms. LEE of California and Ms. MCCOLLUM.
 H. Res. 1433: Mr. BACHUS, Mr. WU, Mr. SNYDER, and Ms. NORTON.
 H. Res. 1450: Mr. GOHMERT and Mr. CULBERSON.
 H. Res. 1454: Mr. MCGOVERN.
 H. Res. 1457: Mr. WU, Mr. DEUTCH, Mr. HODES, Mr. TOWNS, Mr. WAXMAN, Ms. WASSERMAN SCHULTZ, Mr. MCGOVERN, Mr. CARNAHAN, Ms. SCHAKOWSKY, Mrs. KIRKPATRICK of Arizona, Mr. NYE, Mr. GARRETT of New Jersey, and Mr. CARDOZA.
 H. Res. 1464: Mr. POE of Texas.
 H. Res. 1465: Mr. HERGER, Mr. SMITH of New Jersey, Mr. BRADY of Texas, Mr. LAMBORN, Mr. CRENSHAW, Mr. BILIRAKIS, Mr. ROGERS of Michigan, Mr. THOMPSON of Pennsylvania, Mr. CONAWAY, Mr. RYAN of Wisconsin, Mr. REICHERT, and Mr. HASTINGS of Washington.

PETITIONS, ETC.

Under clause 3 of rule XII, petitions and papers were laid on the Clerk's desk and referred as follows:

153. The SPEAKER presented a petition of the City and County of San Francisco, California, relative to Resolution No. 164-10 declaring April 24, 2010 as Armenian Genocide Commemoration Day in the City and County of San Francisco; to the Committee on Foreign Affairs.

154. Also, a petition of Council, District of Columbia, relative to Resolution 18-18 to approve, on an emergency basis, the transfer of jurisdiction over a portion of Fort Dupont Park; to the Committee on Natural Resources.

155. Also, a petition of Fish, Game, and Forestry Senate Committee, South Carolina, relative to Senate Concurrent Resolution S. 1386 memorializing the Congress to take any measure within its power to mitigate or overturn any Executive Order issued to implement recommendations by the Interagency Ocean Policy Task Force; jointly to the Committees on Natural Resources and Transportation and Infrastructure.

156. Also, a petition of American Bar Association, Illinois, relative to Recommendation 110 urging the Congress, state, territorial, tribal, and local governments to enact child welfare financing laws; jointly to the Committees on Ways and Means and Education and Labor.