

became hers permanently and the rest is history.

While Anne Whiteman received numerous awards throughout her career and became recognized as a valued FAA team member, this all changed when the safety concerns she reported were compromised and covered up which led to her blowing the whistle. As a result, she was ostracized at the job she loved. During Anne's career, she has supervised or trained at least 30 air traffic controllers at the DFW Tower or in TRACON and was recognized by the Department of Transportation Inspector General who found her egregious reports were well-documented. Twice during a three-year period, these reports were submitted to the President. This reporting activity also led to her being awarded the Office of Special Counsel's 2005 Public Service Award and later sharing the Public Servant of the Year in 2008 for her contribution to air safety. She was also nominated for the 2006 Service to America medal while the reprisals continued along with her safety concerns. After some 30 years of service with the FAA, Anne Whiteman is no ordinary hero for she put her job and well-being on the line for what she believed was needed in order to protect the flying public.

As a Member of Congress it has been my honor to serve this valiant American who not only helped pave the way for women controllers but also serves as a courageous example in the protection of air travel and she did not flinch at such a great personal loss. This record serves to honor this service as she retires from the job she loves on September 3, 2009.

A PROCLAMATION HONORING
ABBY FROMAN FOR WINNING
THE GIRLS DIVISION IV STATE
SOFTBALL CHAMPIONSHIP

HON. ZACHARY T. SPACE

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Friday, September 25, 2009

Mr. SPACE. Madam Speaker,

Whereas, Abby Froman showed hard work and dedication to the sport of softball; and

Whereas, Abby Froman was a supportive team player; and

Whereas, Abby Froman always displayed sportsmanship on and off of the field; now, therefore, be it

Resolved, that along with her friends, family, and the residents of the 18th Congressional District, I congratulate Abby Froman on winning the Girls' Division IV State Softball Championship. We recognize the tremendous hard work and sportsmanship she has demonstrated during the 2008–2009 softball season.

IN MEMORY OF MR. JAMES H.
DONNEWALD OF BREESE, ILLINOIS

HON. JOHN SHIMKUS

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Friday, September 25, 2009

Mr. SHIMKUS. Madam Speaker, I rise today to honor the life of a distinguished public servant, devoted husband and loving father.

James Donnewald, a man who spent his career serving the people of Illinois as a legislator and state treasurer, passed away September 18th, at the age of 84.

From an early age, Mr. Donnewald had a desire to serve his country. Before beginning his career as a lawmaker, he volunteered for military service in both World War II and the Korean War, but was honorably discharged due to a heart murmur.

After returning from the service, Mr. Donnewald attended St. Louis University and later Lincoln College of Law. In 1960, he was elected to the Illinois state House of Representatives, where he served two terms. After serving as a Representative, James Donnewald was elected to the state Senate in 1964. Throughout his distinguished tenure, he garnered the respect of his colleagues rising to the office of assistant Democratic leader and chairman of the Reapportionment Committee.

In 1982, Mr. Donnewald was elected to one term as Illinois State Treasurer. After his time in public office, he continued to serve our community through his law practice in Breese, IL.

I extend my heartfelt condolences to Mr. Donnewald's daughter Jill, his sons Craig and Eric, his sisters Irene and Juanita and his five grandchildren. He was a respected member of his community and will be deeply missed.

STUDENT AID AND FISCAL
RESPONSIBILITY ACT OF 2009

SPEECH OF

HON. ALAN GRAYSON

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 16, 2009

The House in Committee of the Whole House on the State of the Union had under consideration of the bill (H.R. 3221) to amend the Higher Education Act of 1965, and for other purposes:

Mr. GRAYSON. Madam Chair, the U.S. House of Representatives has passed a bill including prohibitions on federal funds and other activities with respect to certain organizations. The intent of Congress with respect to those provisions is as follows:

The purpose of this bill is to cleanse federal contracting and grant-making, completely and permanently. The purpose is to put an end to the invidious practice of rewarding those who steal taxpayer money by giving them more taxpayer money. The bill imposes, and is intended to impose, a corporate death penalty on contractors who fall within the scope of its prohibitions. This is remedial legislation. The primary intention is not merely to penalize such organization, since other laws perform that function. Rather, the intention is to protect the Government and the taxpayers from losses in the future, and to deter misconduct on the part of federal fund recipients. The intention of deterrence, in particular, requires that these prohibitions be construed broadly, and enforced strictly.

By this bill, Congress intends to exercise the full extent of its Constitutional authority, both express and implied. This includes, but is not limited to, Congress's express authority under the Appropriations Clause of the Constitution.

Notwithstanding the heading on the part of the bill containing these provisions, it is not

Congress's intent that these prohibitions apply only to organizations that have been indicted. Rather, Congress intends that the prohibitions apply to all "covered organizations," as defined in the bill.

With respect to the prohibitions set forth in paragraph (a), Congress intends that these prohibitions be automatic and permanent. In this context, "automatic" means not subject to alleviation by administrative action. Regarding such prohibitions, Congress intends to substitute a "per se" rule in place of any rule requiring a balancing of factors, or exercise of discretion or judgment, to the full extent permitted for Congress by the U.S. Constitution. "Permanent" means lasting for the entire time that the organization remains in existence. If a principal, or principals, of a covered organization form(s) or attempt(s) to form a new organization, then that new organization may be deemed, through administrative action, to be a covered organization. "Principal" means an officer, a director, or an owner of at least five percent of the shares of a covered organization.

It is the intent of Congress that any organization seeking or receiving a federal contract, grant, cooperative agreement, any other form of agreement, federal funds, or promotion by a Federal employee or contractor shall certify, both when seeking and when receiving such a benefit, that the organization is not a covered organization as that term is defined in this bill. Any organization falsely making such a certification shall be deemed a covered organization (and, in fact, already is one), and shall be subject to prosecution under 18 U.S.C. 1001 or any similar provision in the Criminal Code. Any individual making such a false certification on behalf of a covered organization shall be similarly liable. Congress strongly recommends to federal prosecutors that they execute their prosecutorial discretion in a manner that holds such organizations and individuals accountable, to the fullest extent permitted by law.

Congress intends that all covered organizations be added to the "Excluded Parties" list maintained by the Federal Government, with a prescribed duration on that list of "permanent." Whenever the U.S. Department of Justice (DOJ) learns or has reason to believe that an organization is a covered organization, it shall be the duty of DOJ to apprise the debarring officials of all relevant federal agencies of such information. Congress intends that any person or organization shall have standing to request that any debarring official shall identify an organization as a covered organization, and add that organization to the "Excluded Parties" list. Congress also intends that the contention that any federal offeror or contractor is a covered organization is a contention that is a valid basis for a bid protest. Such a contention may be asserted at the Government Accountability Office, the U.S. Court of Federal Claims, and any other tribunal with bid protest authority.

The term "covered organization" includes parent companies, subsidiaries and subsidiaries of parent companies of a covered organization. Such affiliation is to be determined by legal ownership of at least 50%.

The term "organization" in paragraph (a) means only a covered organization. The enumerated prohibitions apply to covered organizations only.

In subparagraph (a)(1), the term "other form of agreement" includes, but is not limited to, the execution of contract options, the award of task orders, and any other form of action that establishes or increases the legal rights of any federal contractor or grantee.