United States of America

Congressional Record

PROCEEDINGS AND DEBATES OF THE 111th CONGRESS, SECOND SESSION

Vol. 156 WASHINGTON, TUESDAY, FEBRUARY 23, 2010 No. 23

House of Representatives

The House met at 10:30 a.m. and was called to order by the Speaker pro tempore (Mr. TONKO).

DESIGNATION OF SPEAKER PRO TEMPORE

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

WASHINGTON, DC,
February 23, 2010.

I hereby appoint the Honorable PAUL TONKO to act as Speaker pro tempore on this day.

NANCY PELOSI,
Speaker of the House of Representatives.

MORNING-HOUR DEBATE

The SPEAKER pro tempore. Pursuant to the order of the House of January 6, 2009, the Chair will now recognize Members from lists submitted by the majority and minority leaders for morning-hour debate.

The Chair will alternate recognition between the parties, with each party limited to 30 minutes and each Member, other than the majority and minority leaders and the minority whip, limited to 5 minutes.

HONORING SYLVIA UNZUETA

The SPEAKER pro tempore. The Chair recognizes the gentlewoman from Florida (Ms. ROS-LEHTINEN) for 5 minutes.

Ms. ROS-LEHTINEN. Mr. Speaker, in just a few weeks we will be celebrating Women's History Month; and to kick that off, I would like to recognize an individual who is a shining example of the difference that one person can make.

Sylvia Unzueta's life is a testament to how adversity can motivate one to not only better oneself but also to serve the greater sisterhood.

Born in Cuba, Sylvia came to the United States in 1961 at the age of 13 through the Peter Pan program. Not only did she leave behind all that she knew, but Sylvia did not see her parents again until she was 26 years old. The experience of arriving in the United States alone at such a young age instilled in Sylvia a sense of duty to others in need.

Acknowledging the sacrifice that her parents had made in order to send her to the United States to escape Castro's tyranny, Sylvia pursued a higher education here in the United States. She attained a master's degree in public administration from the Kennedy School at Harvard University.

After completing her education, Sylvia poured herself into serving her community, especially helping young and vulnerable women and children be able to reach their full potential. During the Mariel boatlift, she helped those Cubans who, just like her so many years before, had come to escape tyranny and build a new life here in America.

Sylvia has worked with the Federal Government and with the University of Miami on issues facing unaccompanied children who come to our great country. She served as an assistant city manager for the City of Miami and later as acting director for Miami-Dade Parks.

One of Sylvia's greatest passions is her belief in citizenship diplomacy as a key to closer and even more meaningful relationships among people, nations, and cultures. To that end, Sylvia has chaired the Miami-Dade County's sister-city relationship with the city of Santa Cruz de Tenerife in Spain.

Furthering her efforts to support women, she helped create the annual In the Company of Women awards ceremony during her tenure with Miami-Dade County. This ceremony has helped to recognize the accomplishments of so many inspirational women from my South Florida community. Her service was profiled in a book entitled ''A Woman's Place is Everywhere,'' which was co-written by Olympic champion Jackie Joyner-Kersee.

One would think that, with so much accomplished, Sylvia would take some time off for herself, but she has soldiered on, offering her help where it is needed most. After Haiti was devastated by this most recent terrible earthquake, Sylvia has devoted her time to help. Her work with Haiti began years ago, actually, when she became involved in the welfare of displaced Haitian children who were living in the Dominican Republic.

Sylvia's life has been and will continue to be a source of inspiration for South Florida, for our Nation, and, indeed, for women throughout the world. Our community is a better place because of Sylvia Unzueta. Felicidades, mi amiga. Congratulations, my friend.

DIGGING OUT FROM THE RECESSION

The SPEAKER pro tempore. The Chair recognizes the gentleman from Virginia (Mr. CONNOLLY) for 5 minutes.

Mr. CONNOLLY of Virginia. Mr. Speaker, as the mid-Atlantic region continues to dig out from historic winter snowstorms, it reminds us of our efforts to continue to dig out of the Great Recession. The snow finally stopped falling, yet it has taken us a long time to get back to normal. Thousands of people waited in subfreezing temperatures for days for their power to be restored; thousands more waited days for their streets to be plowed. Despite best efforts, the recovery has taken time. Our economic recovery also takes time.

The Great Recession of 2007 has officially lasted for 19 months. It was the longest recession since the Great Depression. Seven hundred forty-one thousand Americans lost their jobs in January of 2008. In the first quarter of 2009, GDP tumbled an astonishing 5.4

Printed on recycled paper.

percent. By March, the Dow Jones Industrial Average had plummeted more than 53 percent. Unemployment rose to 10.2 percent, a 26-year high.

Without immediate action, Mr. Speaker, the economy was on the brink of falling into a devastating depression. With more than 700,000 Americans losing their jobs every month when we took office, we had to act immediately, and we did.

The Great Recession lasted 2 years, and a full recovery will take time. But we made significant improvements in all areas of the economy, and we are in recovery now. Second quarter GDP in 2009 slipped 0.7 percent. The following quarter saw a return to economic growth of 2.2 percent. And in the fourth quarter of 2009, GDP exceeded expectations and registered an outstanding 5.7 percent growth, a swing of more than 11 percent in just 9 months.

The manufacturing industry grew in January 2010 for the sixth consecutive month and, according to the Institute for Supply Management, is at its highest level since August of 2004. Retail spending, a critical component of recovery, increased 0.5 percent in January. The stock market has increased almost 60 percent since its March low, beginning to restore 401(k)s and college funds.

Mark Zandi, a Republican economist from Moody's and former economic adviser to Senator JOHN MCCAIN during his presidential campaign, said, ''I don't think it's an accident that the economy has gone out of recession and into recovery at the same time that the stimulus is providing its maximum economic impact.''

Mr. Speaker, our job is not finished, but our efforts have saved the economy from complete collapse and half-restored growth.

A full jobs recovery will also take time. Monthly job growth during the economic boom in the late 1990s was 231,000. The 2000s saw much worse job conditions. Through the 8 years of the Bush administration, annual job growth was the worst since World War II, averaging just 0.2 percent, less than half of the next lowest administration. We had our work cut out for us from the start, but we acted decisively and created the conditions for job growth. Job losses that were 741,000 when we started here, by November of 2009, we had in fact created 64,000 jobs net. As a consequence of declining job losses, the unemployment rate has begun to fall from 10.2 percent to 9.7 percent today.

It will take time to fully dig out of this economic morass. Therefore, it is critical we maintain the course and allow our efforts to continue their positive effect.

Mr. Speaker, the mid-Atlantic region suffered a second serious winter storm within the same week. For those who hadn't fully dug out from the first record blizzard, the additional snowfall was a daunting and dangerous challenge. The same holds true for our economy. But, unlike the weather, we can have an impact. Americans have always been persevering. If we stay the careful course that has led to the beginnings of our recovery, we can avoid the dangers of a double-dip recession. We can and will maintain our economic recovery until every American has a chance to return to work.

RECOGNIZING THE 1-YEAR ANNIVERSARY OF THE AMERICAN RECOVERY AND REINVESTMENT ACT

The SPEAKER pro tempore. The Chair recognizes the gentleman from Kentucky (Mr. YARMUTH) for 5 minutes.

Mr. YARMUTH. Mr. Speaker, as we have said many times recently, we are acknowledging and recognizing the 1-year anniversary of the American Recovery and Reinvestment Act. It is interesting on these anniversaries that we have considerable discussions about whether the act, or any other act, was successful or not.

Just watching Sunday morning's national talk shows was a very interesting experience, because we had on one show Governor Granholm from Michigan and Governor Barbour from Mississippi, and you would have believed that the two of them came from different planets or at least that they were talking about two very different pieces of legislation.

Jennifer Granholm talked about tens of thousands of jobs being created in Michigan, beginning the foundation, setting the foundation for a new explosion of battery technologies and energy technologies. Governor Barbour on the other hand said, ''Well, we got a few jobs, we've paved a few roads, but it really wasn't that good of a program.''

My own Senator and my constituent, Senator MCCONNELL, was on another talk show saying, ''Yeah, the governors like it. It funds a lot of government jobs.'' Well, I am going to get to that in a minute, because those government jobs are not just government jobs. Those are not bureaucrats. Those are teachers, those are firefighters, those are police officers. Those are people who are providing critical public services to our constituents. But let's talk about where we were a year ago.

My colleague from Virginia just talked about a lot of the data reflecting what the situation was in the economy several years ago and last year when the Recovery Act went into effect. But let's talk about what we were trying to do then, because this wasn't just about creating jobs. As all the economists have said, we faced a considerable gap in demand in the economy, as much as $1 trillion a year. That is the capacity of the economy versus the demand for goods and services. And when you have that kind of gap, if you have too many people working and too little demand, people get laid off. That is what has happened in our economy. Nobody else was filling that gap, so economists across the spectrum said government has to be the spender of last resort. We have to fill that gap because consumers aren't spending.

So what did we do? We not only put in programs that would create jobs through infrastructure spending and investment, but we also said we need to make sure that people have their unemployment benefits, because unemployment benefits are spent; they go directly into the economy as quickly as possible.

We wanted to give tax cuts. Many of our Republican colleagues asked us to do that, so 95 percent of the American people have received a tax cut. Now, a lot of them don't know it. As a matter of fact, I understand there is a poll now of Tea Party supporters in which only 2 percent say they actually think the taxes have decreased in the last year; 95 percent don't. But, in fact, virtually 95 percent of those people have received a tax cut.

But let's talk about just the experience in my own congressional district in my own State. As Senator MCCONNELL said, it is only helping support a few government jobs. Well, in fact, in my district, because of the first-time homebuyers credit, sales of homes in Louisville have had four successive months of gains, substantial gains. Because of stimulus fund investment, GE's Appliance Park is bringing 400 jobs back from China to help build a new energy-efficient water heater in Louisville, Kentucky. Those aren't government jobs, but private sector jobs.

□ 1045

The stimulus moneys helped retain 600 teachers in Jefferson County Public Schools. We have a new maintenance facility being built at our public transit company; 80 new construction jobs building this energy-efficient facility. Stimulus funds provided a billion dollars to shore up our KCHIP program. That is health insurance for children. We had funding for career training for 500 at-risk young people. We had $26 million for remodeling and renovating schools.

Now, Senator MCCONNELL may think those aren't jobs, but I don't think those schools are renovating themselves. There are people working to renovate those schools, as well as building a new Beechmont Fire Station, $2.2 million. Those are human beings working because of the Recovery Act.

In all just in my district we have served more than 4,000 people. According to local government, which is tracking the funds very carefully, we have created 1,800 jobs just in Louisville, Kentucky, and we have, again, provided numerous public services both in Louisville and throughout the State.

Now, we have a long way to go. The Recovery Act was not a cure-all. We can have our doubts and our differences about whether it has succeeded as well as it might have, but the fact is there

has been true progress made, and we expect more progress to be made.

CREATING JOBS

The SPEAKER pro tempore. The Chair recognizes the gentleman from North Carolina (Mr. BUTTERFIELD) for 5 minutes.

Mr. BUTTERFIELD. Thank you very much, Mr. Speaker, for recognizing me and giving me this time to speak on a very important subject.

I want to associate myself with the comments of my friend from Kentucky (Mr. YARMUTH) who spoke just a minute ago. He is absolutely correct, there is no more important discussion that we can have on this House floor than the subject of jobs, jobs, and jobs.

I was delighted yesterday to see the action of the United States Senate. The Senate passed, by a majority of 62 Senators voting, to invoke cloture and to begin discussing and debating the long-awaited jobs bill. I am very pleased that the Senate is taking this matter very seriously. We are working to stimulate job growth in this country. And we must ensure that the bill puts people back to work. That is what it is all about, putting people back to work. Our bill also assists the unemployed and struggling who are trying to make ends meet with their family. So the vote of the Senate yesterday was quite encouraging, and I want to commend our colleagues in the other body for doing so.

Mr. Speaker, one of the advantages that we had in being snowed out of Washington for the last 2½ weeks was that we had an opportunity to go back to our districts and to visit the various counties and to talk with people who are suffering from job loss. And it is profound. In December, the House passed a strong jobs bill that included provisions that extended unemployment insurance benefits. That is very important. We also voted to extend COBRA health benefits.

We must work in a bipartisan manner, Mr. Speaker, to make sure that this critical safety net stays in place. We can do it, Mr. Speaker. We can do it if we put our hands to the plow, work together as Democrats and Republicans. We can do it. The American people are expecting us to do it.

Mr. Speaker, as you know, I represent North Carolina, the eastern part of our State, 23 counties. Nineteen of the 23 counties that I represent are suffering unemployment rates above 10 percent, including Edgecombe County, which has the State's second highest unemployment rate, at 16.7 percent. That is one out of eight citizens who are unemployed. North Carolina is suffering its highest rate of unemployment, Mr. Speaker, in 34 years.

Thousands of North Carolinians are facing the prospect of losing their unemployment benefits over the next 60 days. Across our great country, about 2.7 million jobless people will lose their benefits by the end of April unless we act. We must act.

People are facing similar dim prospects with COBRA. North Carolina's already record high number of people without health insurance is expected to continue to surge when the subsidies for the Federal Government's COBRA coverage expires, putting yet another strain on our health care system.

Mr. Speaker, thank you for this time. I urge swift and strong action on a jobs bill that puts people back to work and helps those people who are most in need. Not only do we need tax cuts for small businesses. We say that all the time. Yes, we need tax cuts for small businesses. But we also need jobs for the chronically unemployed, and we need it now.

RECESS

The SPEAKER pro tempore. Pursuant to clause 12(a) of rule I, the Chair declares the House in recess until noon today.

Accordingly (at 10 o'clock and 51 minutes a.m.), the House stood in recess until noon.

□ 1200

AFTER RECESS

The recess having expired, the House was called to order by the Speaker pro tempore (Mr. BLUMENAUER) at noon.

PRAYER

Reverend Dr. Alan Keiran, Office of the United States Senate Chaplain, offered the following prayer:

Lord God, we extol Your great name, for You alone deserve our worship and unwavering allegiance. We thank You for the gifts of meaningful labor, loving families and freedom to worship. We thank You as well for Your ultimate sacrifice which brings us hope for bright tomorrows.

Father, we humbly commend to Your abiding care those among us who are facing the challenges of age, health, and the loss of loved ones. May Your presence illumine the hearts of all who seek to bring You glory and long for Your loving presence.

We pray as well that You will empower our legislators and their staffs with the wisdom and tenacity needed to solve seemingly intractable issues facing our country and our world. Give them the strength to endure long hours of labor with a positive sense of accomplishment.

Finally, we pray for all those in harm's way and their families. May You watch over them and protect them with Your abiding presence. In Your mighty name, I pray. Amen.

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 California (Mr. DANIEL E. LUNGREN) come forward and lead the House in the Pledge of Allegiance.

Mr. DANIEL E. LUNGREN of California 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.

MESSAGE FROM THE SENATE

A message from the Senate by Ms. Curtis, one of its clerks, announced that the Senate has passed without amendment a bill of the House of the following title:

H.R. 4532. An act to provide for permanent extension of the attorney fee withholding procedures under title II of the Social Security Act to title XVI of such Act, and to provide for permanent extension of such procedures under titles II and XVI of such Act to qualified non-attorney representatives.

RESIGNATION AS MEMBER OF COMMITTEE ON ENERGY AND COMMERCE

The SPEAKER pro tempore laid before the House the following resignation as a member of the Committee on Energy and Commerce:

FEBRUARY 23, 2010.

Hon. NANCY PELOSI,
Speaker of the House, House of Representatives, The Capitol, Washington, DC.

DEAR SPEAKER PELOSI: This letter serves as my intent to resign from the Committee on Energy and Commerce, effective today.

Sincerely,

GREG WALDEN,
Member of Congress.

The SPEAKER pro tempore. Without objection, the resignation is accepted.

There was no objection.

ELECTING A MINORITY MEMBER TO A STANDING COMMITTEE

Mr. PENCE. Mr. Speaker, by direction of the Republican Conference, I send to the desk a privileged resolution and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 1095

Resolved, That the following Member be, and he is hereby, elected to the following standing committee:

COMMITTEE ON ENERGY AND COMMERCE: Mr. Griffith.

The resolution was agreed to.

A motion to reconsider was laid on the table.

HEALTH CARE RELIEF IS NEEDED

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

Mr. COURTNEY. Mr. Speaker, last Friday, the U.S. Department of Labor

issued its updated numbers regarding inflation, and what it showed was some good news: that in fact prices were flat; they fell 0.1 percent. Producer prices the day before was reported only went up 1.2 percent.

But not every sector of the U.S. economy is so lucky. If you are a self-employed individual, if you are a small business, the Department of Health and Human Services issued another report that showed that health insurance premium costs are going up at a frightening rate: in the State of Connecticut, where I come from, a 21 percent increase; in California, 35 percent.

Across the country we are still seeing a broken health insurance marketplace that lands the hardest on the self-employed and the individuals who are trying to go out and get coverage for themselves and their families.

We need reform which will spread coverage, create large purchasing pools, and give Americans the same benefit that every Member of Congress has who participates in the Federal employee health plan.

This Thursday we have a summit where both parties need to come together and give people the same relief that Members of Congress receive every day through their health insurance plan.

WHERE ARE THE JOBS?

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

Mr. BOEHNER. Mr. Speaker and my colleagues, when I travel around my district, I run into a lot of people who are looking for work, hanging on by their fingertips, and they want to know, When's Washington going to wake up? They're asking, Where are the jobs?

I have run a small business, and one of the things a small business needs in order to grow is they need some certainty, certainty about what the future is going to look like. With all of this talk about raising taxes here in Washington, D.C., imposing mandates on employers in the health care bill or a new national energy tax, all they're doing is creating more uncertainty that is causing employers to be frozen in their job creation.

The Congressional Budget Office has made clear that the mandate that was in the Senate- and House-passed bills, the Senate bill, $750 per person for an employer who doesn't offer health care to their employees, each employer may have to pay that fee. Now what we see is the President offering that that penalty should be $2,000 per employee. This is going to raise the cost of employment and, according to the Congressional Budget Office, costs tens of thousands of jobs across our country.

It's time to scrap this bill, to get back to commonsense ideas that will help improve the cost of health care in America and widen access and bring some certainty to employers across this country who want to hire more people but won't with all of the uncertainty that is out there.

HEALTH CARE

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

Ms. WATSON. Mr. Speaker, I rise today to speak to you about health care reform. This past month, Anthem Blue Cross in California decided to raise their insurance premiums by 39 percent. This is simply unacceptable. My constituents cannot be expected to swallow this price while they struggle to keep food on the table.

I have long been a supporter of comprehensive health care reform because of the unfairness and inadequacy of our current health care system. I applaud the President's leadership in convening this week's health care summit. Though health care reform continues to be a long and arduous process, the American people cannot wait any longer. We must come to a compromise and pass a health care reform bill that will cover as many people as possible with coverage that is affordable. We must prohibit discriminatory practices such as pre-existing conditions and do away with unfair practices such as caps on coverage. Any reform bill must also control costs so that everyone can afford to get the treatment they need. Let's do what is right.

WHERE ARE THE JOBS?

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

Mr. PENCE. Mr. Speaker, it's been 1 year since the Democrats passed their so-called stimulus bill, and 1 year later, one thing is clear: the stimulus bill has failed. This has even been tacitly acknowledged by the leadership of the Democratic Party here in Congress and at the White House.

We were told before the State of the Union address that the President and House Democrats were going to ''pivot to an emphasis on fiscal discipline and jobs.'' But as the American people are struggling, with unemployment about 10 percent and an estimated 14.8 million Americans looking for work, Americans are asking, Where is the pivot, and more importantly, Where are the jobs?

After a year of borrowing and spending and bailouts and takeovers, met this week by the latest version of a government takeover of health care, millions of Americans are asking, When will Washington get the message? When will Washington, D.C., from this well to the White House itself, start to put Americans back to work with the time-honored principles of fiscal discipline in Washington, D.C., and across-the-board fast-acting tax relief for working families, small businesses, and family farms?

Let's put the emphasis on jobs, Mr. Speaker.

CARD ACT

(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, on Monday, we saw a tough new law go into effect. The CARD Act cracks down on the abusive practices of some credit card companies and contains strict protections for consumers long overdue, including banning unfair interest rate increases and outlawing abusive fees and penalties by credit card companies.

Putting this law into effect marks a new day for consumers and families in my district in south Florida. We finally have put in place some commonsense provisions to ensure that hardworking people aren't unfairly taken advantage of by credit card companies.

Too many of us have seen the tricks used by credit card companies—whether it is changing the date the bill is due or doubling or tripling the interest rates with no notice at all. I am glad to say those days are long gone.

This bill lives up to its name as a true Credit Card Holders' Bill of Rights. I look forward to working with my constituents to continue to make sure that we put the needs of local consumers first.

NEW HEALTH CARE BILL IS A MIDDLE CLASS TAX HIKE

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

Ms. FOXX. Mr. Speaker, the White House has a new health care bill, but this new bill is essentially the same as the old one. It is still a hugely expensive package full of harmful tax increases for working Americans that will destroy even more jobs than Democratic policies have already destroyed.

During his campaign, the President said, ''Under my plan, no family making less than $250,000 a year will see any form of tax increase; not your income tax, not your payroll tax, not your capital gains tax, not any of your taxes.''

That's interesting because this new health care bill includes about $136 billion in new taxes on the very group that wasn't supposed to see ''any form of tax increase.''

Mr. Speaker, the American people don't want a government takeover of health care with billions of new taxes on hardworking Americans who are struggling to make ends meet.

SUCCESS FOR SECOND AMENDMENT RIGHTS

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

Mrs. KIRKPATRICK of Arizona. Mr. Speaker, this week Arizonans are celebrating our latest success in the fight to preserve our second amendment rights.

Yesterday, a new law took effect allowing law-abiding citizens to bring guns into national parks and wildlife refuges. I was proud to join members from both parties to pass this law which ensures we can now move freely throughout State and Federal land with our firearms.

Greater Arizona is home to the most beautiful sites in the country, including thousands of miles of parkland. National parks are not just places we visit on vacation. We live and work in and around them. It was unacceptable to leave our rights behind each time we left home.

Now folks can become confident that their freedoms are protected wherever they travel in Arizona. I look forward to working with my colleagues to continue fighting to protect our constitutional right to bear and keep arms with measures like this.

HEALTH CARE

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

Mr. SMITH of Nebraska. Mr. Speaker, yesterday the President unveiled his $1 trillion health care bill which is nearly the same as the two previous bills which have already been rejected by the American people. The American people have rejected those bills because they raise taxes, kill jobs, and increase costs to fund a government takeover of health care virtually.

The new taxes and regulations on small businesses alone will kill jobs at a time when nearly 1 in 10 Americans are already out of work. The plan unveiled yesterday still lacks fiscal responsibility and still levels mandates on individuals and employers and still puts Federal bureaucrats in control of private citizens' personal health care decisions. However, it does nothing to bring about true reform such as ending junk lawsuits or allowing individuals to purchase affordable health insurance across State lines.

This new plan is simply more of the same as what we have seen before—a series of half-measures moving in a proven wrong direction.

□ 1215

AMERICAN RECOVERY AND REINVESTMENT ACT

(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, in January of 2009, the United States economy had lost more than 750,000 jobs in just 1 month. A year later, in January 2010, the United States economy gained a few thousand jobs. This remarkable shift in the economy's performance is mainly due to the American Recovery and Reinvestment Act passed by this Congress and signed by our President.

In one year, the Recovery Act has provided $120 billion in tax cuts for 95 percent of working families as well as businesses across this country; loaned nearly $20 billion to small businesses to expand and create jobs; funded more than 12,500 transportation projects Nationwide and kept teachers, police officers, and firefighters working on the job.

Now we are seeing growth in our economy. On February 20, 2009, the Dow Jones was trading at 7,365. Yesterday, the market closed at 10,383.

The Recovery Act has worked and will continue to work throughout the course of this year. After all, it was designed to be a 2-year program.

WHERE ARE THE JOBS?

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

Mr. BONNER. Mr. Speaker, last week, the President and his administration were out in force bragging to anyone who would listen about how successful last year's trillion dollar stimulus bill has been. Vice President BIDEN left no doubt in anyone's mind when he said, ''I am absolutely certain of one thing. The Recovery Act is working.'' Well, forgive me, Mr. Vice President, if I and millions of other Americans are a bit skeptical.

The American people continue to ask: Where are the jobs that this trillion dollar budget buster promised?'' Let me tell you, I would have a hard time going to my district in Monroe County, which has gone from 6 percent unemployment when the Democrats took control of the Congress in January 2007 to, last month, over 20 percent unemployment. Sadly, this is a story that is being repeated all across America.

So while the President and his Democratic colleagues in Congress are trying to remember the words to ''Happy Days Are Here Again,'' the American people are left wondering, where are the jobs, and does anyone in Washington care about us?

TOMMY DOUGLAS FROM WEYBURN, SASKATCHEWAN

(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, like everyone last night, I was watching the Olympics and I was wondering who was the most famous person in Canada. Fame is a rather fleeting thing; 60 seconds down a hill or on an ice rink.

The most famous person in Canada, by a vote on the CBC, was a politician, a Baptist minister, from Weyburn, Saskatchewan. His name is Tommy Douglas. Tommy Douglas, in 1947, brought universal health care to Saskatchewan.

Nobody remembers the people who said that they would never have health insurance in Canada. Nobody remembers all the people that fought him. He was elected five times premier of Saskatchewan because the people remembered who brought them health care. Maybe that is why former Speaker Gingrich said, ''We can't let Mrs. Clinton succeed or the Democrats will be in forever.'' Well, that is what we are seeing again, folks. Maybe the Republicans are afraid that they will never get back in.

Nobody remembers who didn't say ''yes.''

BIG GOVERNMENT DOES NOT WORK

(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, last week marked the first year of the trillion dollar spending bill claimed to produce jobs, but The Island Packet at Hilton Head Island reports the fact that more than 4 million jobs have been lost.

With 7.5 million jobs lost since Speaker PELOSI took over, I toured the district I represent on a ''Joe Means Jobs'' tour, where I found people want change from Big Government failed policies. They supported the concepts of the proven tax cuts of John F. Kennedy and Ronald Reagan as presented today in H.R. 470 to create jobs.

Sadly, the administration obsessively pushes a health care takeover, which the National Federation of Independent Business confirms will kill 1.6 million jobs.

Both parties should be working together to promote small business, the backbone of America, to create jobs.

In conclusion, God bless our troops, and we will never forget September the 11th in the global war on terrorism.

Welcome Marc Conner Westbrook, the newborn son of Thad and Christy Westbrook, born February 19 at Lexington Medical Center of West Columbia, South Carolina.

My sympathy to the family of Wayne Dell of Ridgeland, the father of Chief of Staff Eric Dell of the Second District.

TODA AMERICA MANUFACTURING

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

Mr. SCHAUER. I rise to tell the story of an American Recovery and Reinvestment Act project that is set to create new high-tech manufacturing jobs in my hometown of Battle Creek.

Last week, Toda America finalized a $35 million grant through the Department of Energy's Electric Drive Battery and Component Manufacturing Initiative. Without the Recovery Act,

this Japanese firm wouldn't be investing $70 million to build a new hybrid battery plant in my district. They wouldn't be hiring 50 to 60 new workers at an average weekly wage of $900, plus an additional 91 indirect jobs.

In Michigan, with an unemployment rate of over 14 percent, we need every job we can get. 150 people will have jobs in my district because of Toda's innovation, the Recovery Act's commitment to battery development, and a never-give-up attitude. This is how we turn our economy around one job at a time.

THREE DIFFERENT BRANCHES OF GOVERNMENT

(Mr. DANIEL E. LUNGREN of California asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. DANIEL E. LUNGREN of California. Mr. Speaker, I returned from my district here just a couple of days ago after hearing from my constituents at several town hall meetings. One of the things they made absolutely crystal clear was they wanted us to start over on health care. They weren't arguing for the status quo. They are arguing for a new start.

So what do we have on Thursday? The President inviting Members from both Houses, both Democrat and Republican, for what? For what? A session in which it appears that the ground rules are going to be we are going to start with the House and the Senate bills.

I don't know. I am proud to be in this House, in part because of my love of the Constitution. I look at the Constitution, and it says we have three different branches of government and we are responsible for legislation. I don't see where there is a monarchy, where you are supposed to go and have an audience with the monarch surrounded by his court jesters.

HEALTH CARE

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

Mr. WALZ. Mr. Speaker, last week I, too, had a chance to be out in my local district. I was on Main Street in St. Peter, Minnesota. We had great conversations about how small businesses can continue to create and revitalize our economy. But do you know what they talked about most? Health care. They shared stories about double-digit increases in premiums. They shared stories about a difficult time hiring new employees because of the cost of health insurance. But one story in particular stuck with me.

I walked into Julee's Jewelry Store in St. Peter, Minnesota. Julee is a woman who has poured her life into making her business work, but she also shared a story with me.

Her son Trevor was recently diagnosed with a brain tumor. So as she and Trevor fight for his life, they are also fighting their insurance company to pay for the chemotherapy that their doctor ordered. She also told me she fears her son will never be able to change jobs because of a preexisting condition. Our current health system is limiting our ability to innovate and grow our economy.

As you know, Mr. Speaker, I represent the Mayo Clinic in Rochester, Minnesota. I am proud to do so because of the high quality, low cost care that they provide.

I would like to leave you with a quote last week from the Mayo Clinic: ''Reforming health care in America is absolutely essential. The status quo is not sustainable.''

HEALTH CARE

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

Mr. GOHMERT. Mr. Speaker, I went online and got the President's proposal here, and it is 11 pages, and it is a summary. And then I got the summary of the summary, and it looks like it is about 19 pages summarizing the 11 pages. So I guess we are creating jobs by trying to do summaries of the summaries of the summaries. That is not good enough. People are out of work.

We heard last year, a year ago that if we did not pass the stimulus bill, the porkulus bill, if that didn't pass, unemployment might go as high as 8.5 percent. God, would that we would be there instead of where we are today.

This is not going to create jobs. It is going to suck more money out of the economy that government uses that the businesses will not have to create jobs. Let's help America. Let's put people back to work so they can afford their own health care.

HEALTH CARE AND JOBS

(Ms. JACKSON LEE of Texas asked and was given permission to address the House for 1 minute.)

Ms. JACKSON LEE of Texas. When we were fighting in the civil rights movement, you could always count on the naysayers to stand aside and say America could not tolerate the equality of so many new people. Here we are today with the same crowd complaining about the good.

Let me tell you about the Investment Act that has generated opportunities for jobs. Before I tell you that, we do have a health care plan, one that will provide the largest middle class tax cuts in American history for affordable health care, one that will provide you with a competitive marketplace to go in and buy your insurance. No preexisting condition can ever keep you from health insurance. As far as I am concerned, the people in the 18th Congressional District understand the good, and they know that health care in this form is good for them.

Then, as we stood with Speaker PELOSI at the Port of Houston on Monday and were able to announce $45 million to fix one of the most dangerous bridges in the Nation, investment, and to acknowledge 2,000 jobs and 3,000 extra jobs, the good is on the way.

WE HAVE A LONG WAY TO GO ON JOB CREATION

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

Mr. PAULSEN. Mr. Speaker, I recently held a job fair in my district, and despite one of the snowiest travel days of the entire winter, more than 2,000 people showed up. The overwhelming turnout makes one thing clear: We have a long, long way to go to create real jobs.

But instead, Congress has embraced record borrowing and record spending while unemployment now hovers at about 10 percent. Millions of Americans are scraping by wondering why hundreds of billions of dollars of their tax money is being wasted, with millions of lost jobs to show for it.

An economic recovery without jobs is not a recovery. We need to strengthen small business and create the private sector jobs. If we want to boost our economy and put people back to work, we have got to get our priorities straight to help the entrepreneurs, the risk-takers, the innovators, the dreamers, instead of growing government.

HEALTH CARE

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

Mrs. CAPPS. Mr. Speaker, the news that private health insurance companies earned a record $12.2 billion in profits last year is a stark reminder of the need for enacting health reform now. Their profits are up 56 percent from the previous year, yet more and more Americans can't afford health insurance and are being dropped when they get sick.

As we have seen with Anthem Blue Cross in California, insurance companies are raising their premiums on individuals by as much as 40 percent. This is ridiculous. Fortunately, we have a plan to address this huge problem.

Our colleagues on the other side of the aisle may think the status quo is fine. I certainly don't. We must enact health reform legislation, holding insurance companies accountable, ensuring that patients have access to affordable care, improving the quality of health care for everyone.

I welcome the release of the President's proposal to achieve these important goals. I look forward to the outcome of Thursday's summit. As these outrageous premium increases show, we have an urgent need to move forward on health care reform.

STIMULUS MISTAKE

(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, last week marked 1 year since the passage of the $862 billion so-called stimulus bill, a bill that was supposed to keep unemployment below 8 percent, a bill that was supposed to boost the economy and private sector job creation, a bill completely paid for with borrowed money in a time of ballooning deficits. We have not seen the broad benefits promised by the stimulus bill, but we will soon have to pay the price for this borrowing and spending.

I would encourage all of my colleagues to turn to page A19 in today's Wall Street Journal and read about the true economic cost of the stimulus bill. According to Harvard economist Robert Barro, over 5 years the stimulus package creates an extra $600 billion in public spending, but at the cost of $900 billion in private expenditures. We spent money that we didn't have, and for each dollar spent, we will have to pay back $1.50 in higher taxes. Mr. Barro sums it up by saying, ''The 2009 stimulus bill was a mistake.''

We need to focus on private sector job growth, not borrowing for more government spending.

□ 1230

WORKING TOGETHER FOR JOBS IN AMERICA

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

Mr. COHEN. Mr. Speaker, indeed, it's been 1 year since the American Recovery and Reinvestment Act passed without a Republican vote in this House and maybe only one in the Senate, and we've heard a lot of vitriol here today about it. The fact is almost every economist, including Mark Zandy who advised the Republican candidate for President, have said it helped. It helped in a major way our country from falling off a precipice into another Great Depression. A difficult vote, but a needed vote. And 95 percent of Americans received tax breaks, things that the other side of the aisle normally is much in favor of, but for 95 percent of America they didn't care and they didn't vote for it.

The fact is there were three-quarters of a million jobs lost in the last quarter of President Bush's administration; in the last quarter of President Obama, there were just 35,000. The stock market has gone up by 50 percent since President Obama came into office and the jobs stimulus program was passed. There has been improvement.

We had a great crisis, and we were in a ditch, and we are digging our way out, but we are only doing it in one part of the House. We need to work together in a bipartisan measure for jobs.

POLITICAL SCHIZOPHRENIA IN WASHINGTON

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

Mr. CARTER. Mr. Speaker, we have a problem here in Washington since the Democrats took control: It's called insanity, specifically, political schizophrenia.

Yesterday, the Senate voted to spend another $15 billion in taxpayer money to create a hoped-for 250,000 jobs. Yesterday, President Obama introduced a health care proposal that is estimated to cost 600,000 jobs by his own supporters and up to 5.2 million jobs by business groups. So in 1 day Democrats pushed two proposals—one to create jobs and one to cut jobs—that combined will result in a net job loss of between 350,000 and 4.8 million jobs. The madness has to stop before maybe the President starts claiming he's George Washington.

BUFFALO SOLDIERS

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

Ms. SPEIER. Mr. Speaker, in Bob Marley's iconic anthem he describes the plight of the Buffalo Soldiers as ''fighting on arrival, fighting for survival.'' No troops in American history have given more and received less in return than the African American regiments known as the Buffalo Soldiers.

They also played a pivotal role in the creation of our national parks. Each spring, these sons of slaves hiked hundreds of miles from San Francisco and Monterey to Yosemite, Sequoia, and Kings Canyon, serving, in effect, as our country's first park rangers.

Regrettably, I have lived my entire life within walking distance of the Buffalo Soldiers Trail and until recently never knew this part of our history. I urge my colleagues to support H.R. 4491, which directs the National Park Service to study and promote the Buffalo Soldiers.

NASA BUDGET

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

Mr. OLSON. Mr. Speaker, since NASA's inception, the challenges that American scientists and engineers overcame to put men in space and on the Moon has brought forth a slew of cutting-edge technologies that made their way into our daily lives. Now the administration is willing to throw away 50 years of progress on a sub-orbital taxicab that places the U.S. firmly behind China and other nations who are willing to make the investments we used to because they understand the importance of human space exploration.

On the campaign trail in Florida the President said, We cannot cede our leadership in space. That's why I will help close the gap by speeding the development of the Shuttle's successor. His proposed budget kills that successor, the Constellation program, thereby directly contradicting his commitment. It is a path to second place for the United States.

The President has a voice in the Federal budget process, but not the final word. I intend to fight to maintain hundreds of thousands of high-technology jobs in America and America's global leadership in human space exploration.

AMERICAN RECOVERY AND REINVESTMENT ACT

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

Mr. PAYNE. Mr. Speaker, the American Recovery and Reinvestment Act was created in the first month of President Obama's term after what was reported to be the worst recession since the Great Depression. Just 1 year ago, our Nation was headed towards an economic collapse with the loss of about 600,000 jobs a month. State and local budget cutbacks were putting teachers' jobs and students' educations in jeopardy. There was no doubt that our economy was in grave need to immediately begin to save and create jobs and lay a foundation for the long-term economic recovery.

This month marks the 1-year anniversary of the passage of the Recovery Act which has jump-started our economy by saving and creating as many as 2.4 million jobs and providing $120 billion in tax cuts for 95 percent of working families as well as businesses across the country. The act has loaned nearly $20 billion to small businesses to expand and create jobs, funded more than 12,500 transportation projects nationwide and kept police officers and firefighters on the job. It has funded more than 300,000 educational jobs, keeping teachers in their classrooms.

Mr. Speaker, I say let's continue the work.

PUT AMERICANS TO WORK

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

Mrs. SCHMIDT. Mr. Speaker, Americans are hurting. One year ago, this Congress passed a $787 billion stimulus bill which was supposed to keep unemployment under 8 percent, but since its enactment more than 3.5 million jobs have been lost.

The national unemployment rate remains around 10 percent, and in Ohio it is worse. Our unemployment rate is nearly 11 percent, and the real unemployment rate in some areas in my district is over 20. By all measures, this stimulus bill has failed to create jobs.

Congress needs to act to provide the environment for private-sector job creation. Instead, this Congress continues to seek solutions that tax too much, spend too much, and borrow too much, creating massive debts for our children and our grandchildren. Let's focus on getting Americans back to work. More government borrowing and spending is only heaping more and more debt on our children and grandchildren and disincentivizing the job creators from creating the jobs.

Let's work with solutions that put Americans to work, not take them from them.

CAP CARBON POLLUTION

(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, I visited a couple of fascinating companies. Applied Materials in Santa Clara, California, makes the world's largest photovoltaic cell because they figured out a way to do it and reduce manufacturing costs. I then drove up the road to Bloom Energy, which has developed a fuel cell that actually can convert natural gas to electricity right on site at your home or your office.

These two companies are typical of the companies that can lead to the creation of millions of new clean-energy jobs for a new clean-energy economy in the United States, but they are waiting on the other Chamber to pass a bill that will put a limit on carbon pollution. Once we put a limit on carbon pollution, companies like Applied Materials and Bloom Energy will in fact bloom and blossom because they will be on a level playing field. Let's get a cap on carbon pollution. Let's build a new clean energy economy for this country.

DEMOCRATIC POLICIES ARE HURTING OUR ECONOMY

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

Mr. MCCLINTOCK. Mr. Speaker, 2 weeks ago, Congress and the President added $1.9 trillion to the national debt limit. That translates to more than $6,000 for every man, woman, and child in this country, more than $24,000 for an average family of four. Now, your family is required to repay that debt through future taxes just as surely as if it appeared on your credit card statement. Now, $24,000 is the price of a new car. Only you don't get a new car, just the payments for a new car. What you get instead is another 14 months of deficit spending.

Two-thirds of economic growth is consumer driven, and yet we have just cost every family in America an average of $24,000 from its future purchasing power. These policies are not helping our economy; they are hurting it. The American people are coming to understand this. Let's hope it's in time to change this Congress, change this administration, and save this country.

COMPREHENSIVE IMMIGRATION REFORM

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

Mr. POLIS. Mr. Speaker, I rise today to praise President Obama for taking on the very difficult and challenging issue of entitlement reform and dealing with the tens of trillions of dollars of unfunded liabilities that are structured within the current system.

The traditional ways of dealing with unfunded liabilities and entitlements include cutting spending and increasing revenues, and I applaud President Obama for proposing a budget freeze on the nondefense portions of the budget. I urge my colleagues to consider supporting that as well as supporting a freeze extending across the defense component of the budget.

I would like to propose, however, a third area in addition to spending cuts and revenues that we can use to address this entitlement crisis, and that is comprehensive immigration reform. By adding 10 or 20 million new taxpayers, we can have a major impact on the unfunded liabilities facing our country. By encouraging engineers and physicists who graduate from American universities to stay here rather than move to other countries to practice their trades, we cannot only make America more competitive and create jobs, but we can also address the looming entitlement crisis by creating more taxpayers here at home.

I encourage my colleagues to support comprehensive immigration reform.

JOBS BILL

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

Mr. LANCE. Mr. Speaker, the American people are frustrated with the ideas coming out of Washington by the Democratic majority to fix our broken economy: higher taxes, more spending, record debt, more regulations, and government-run health care. That is not a plan to create jobs and jump-start our ailing economy.

I am proud to be a sponsor of a 5-point jobs plan introduced by my colleague from Florida (Mr. BUCHANAN) that provides meaningful tax relief for individuals and businesses, assistance for those struggling to find employment, real reforms to curb frivolous lawsuits, and a plan to reduce Federal spending and lower our national debt.

Tax relief, debt reduction, and legal reform to help create jobs—that is a fiscally responsible plan to get our economy moving again. I urge the American people to visit lance.house.gov/jobs to learn more about this important job creation proposal.

LONDONDERRY HIGH SCHOOL ''LOCKS FOR LOVE''

(Ms. SHEA-PORTER asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Ms. SHEA-PORTER. Mr. Speaker, I rise today to recognize the selfless efforts of 182 students and faculty members at Londonderry High School in New Hampshire. These students and faculty members at Londonderry High School recently organized an event at school to donate their hair for wigs for cancer patients.

Losing one's hair to chemotherapy is an incredibly heart-wrenching experience, and these students and faculty members wanted to ease the pain. Londonderry High School has seen the pain of cancer. A former student who cut her own hair has now suffered a relapse with leukemia. Two young women who donated their hair recently lost their mother to brain cancer.

The school's ability to experience and to help others who are suffering is really a tribute to the school, to the volunteers, and to the students and faculty, and I congratulate them for their generous spirit.

WHERE, OH WHERE, HAVE THE JOBS GONE?

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

Mr. POE of Texas. Mr. Speaker, where, oh where, have the jobs gone?

Where, oh where, can they be?

With the people so mad and the economy so bad

Where, oh where, can the jobs be?

Well, the administration is planning on killing the Constellation space program at NASA. This will cost about 7,000 scientists and engineers their jobs at NASA in Houston. About 30,000 people nationwide in related work will be looking for jobs.

NASA has led the United States into being the world's greatest exploration country, and now the shuttle program is also ending. So in the future, if Americans wish to travel in space, they will need to hitch a ride with the Russians because we won't have the vehicles to travel in space. And of course China intends on being the number one space exploration country in the future as well. It looks like we are giving away our leadership and our dominance in space.

So where, oh where, have the jobs gone?

Where, oh where, can they be?

They are going overseas to the Russians and Chinese

That's where they shall be.

And that's just the way it is.

□ 1245

A REFLECTION OF AMERICAN CONTRIBUTIONS OF ASIAN AMERICANS AND PACIFIC ISLANDERS

(Ms. LORETTA SANCHEZ of California asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Ms. LORETTA SANCHEZ of California. Mr. Speaker, February 14 marked the start of the Lunar New Year, a holiday celebrated by Asian and Asian Americans around the world. I would like to take this opportunity to reflect on the rich history and contributions that Asian Americans and Pacific Islanders have made to our country.

For the last 13 years, I've had the pleasure of representing the largest Vietnamese population in the world out of Vietnam, which is right in Orange County, California. Every year, the Union of Vietnamese Student Associations of Southern California organizes the Orange County Tet Festival, which celebrates the Lunar New Year with an array of traditional foods, ceremonies and customs.

This year, we celebrate the Year of the Tiger, known for their courage and optimism and fearless leadership. Those are the qualities of the tiger, and all of my constituents have demonstrated them in overcoming the enormous challenges that are facing our economy.

Again, it is a great honor to represent the Vietnamese community in Orange County, and I look forward to wishing them a great new year.

Chuc ma na moi!

JOBS

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

Mr. FLEMING. Mr. Speaker, in the midst of the worst recession in over a generation, this administration continues to advance its job-killing climate agendas. For instance, the recent EPA endangerment finding is particularly disturbing.

This reckless regulation lays the groundwork for a type of unlegislated, administrative cap-and-trade, which, without an effective tailoring rule limiting its application, could destroy nearly 3 million manufacturing jobs and could result in lost economic activity of $7 trillion.

During the State of the, Union we heard President Obama proclaim that job creation should be this country's main focus. Then why does he insist on attacking and destroying energy, finance and the health care sectors, killing jobs in the process?

I urge the President to stay true to his word and to work with Republicans in order to advance commonsense ideas which will rein in government spending, which will cut our deficits and will restore the three top things this country wants the most—jobs, jobs, jobs.

REBUILD MAIN STREET AND RESCUE BACK STREET

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

Ms. LEE of California. Mr. Speaker, civil rights' leaders and economists from the Leadership Conference on Civil and Human Rights, from the AFL–CIO, from the Center for Community Change, from the Economic Policy Institute, from the NAACP, and from the National Council of La Raza called for us to develop legislation to mitigate the job crisis facing millions of Americans. They outline what we believe is a very robust jobs program and bill:

First, the fast-track creation of jobs in the public sector that serve community-level needs.

Second, immediate investment in the infrastructure of schools and public transit.

Third, the prevention of the foreclosure crisis.

It is very important to recognize and understand what these leaders are saying with regard to the entire country in this economic recession. The diversity of American communities clearly dictates that one size does not fit all, according to Ben Jealous of the NAACP.

We have to rebuild Main Street and rescue Back Street. We just can't go back to the economy of 3 to 4 years ago when African Americans suffered perennial unemployment rates.

KANSANS NEED JOBS, NOT MORE BROKEN PROMISES

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

Ms. JENKINS. Mr. Speaker, last year when President Obama signed into law the so-called ''stimulus package,'' we were told that it would cost $787 billion and that it would create 33,000 Kansas jobs. Unfortunately, the facts paint a different picture. Since the stimulus became law, the cost has increased to $862 billion, and over 47,000 Kansans have lost jobs.

The same rings true: Making promises builds hope. Keeping promises builds trust. That's why I will keep my promise to Kansas by supporting a no-cost jobs plan to put Kansans back to work, to keep taxes low for small businesses, to increase international markets for American products, to practice fiscal restraint, and to restore confidence in the Federal Government.

Kansans need jobs, not more broken promises.

JOBS, WALL STREET AND HEALTH CARE REFORM

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

Ms. BERKLEY. Mr. Speaker, I represent the most unique city on the planet, the City of Las Vegas. It's a great place with great people, but we are hurting, and my constituents are angry.

I've got the second highest unemployment rate in the country, the highest mortgage foreclosure rate in the country, and 460,000 Nevadans have no health insurance. The stimulus bill saved our State—money for education and Medicaid, unemployment compensation, job creation, infrastructure improvements—but we need to do more. We need to pass a jobs bill to get more people back to work. We need to pass health care reform to provide medical care for those who can't afford it on their own.

Finally, for the financial industry, whose reckless behavior put this Nation and the rest of the world in a deep recession, Congress must past meaningful Wall Street reform and consumer protection. I know we talk all the time about Wall Street's being a casino. Coming from Las Vegas and representing Las Vegas, let me assure you no casino on the planet behaves as irresponsibly and as recklessly as Wall Street does. Wall Street ought to be ashamed and should take a lesson from the casino industry.

IT'S ABOUT JOBS

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

Mr. ROGERS of Alabama. Where are the jobs? That's what the folks in East Alabama and around the country want to know.

A year ago, when the President came in, we thought he was going to do something about it. Unfortunately, his idea of remedying the problem was passing the stimulus bill, which I like to think of as the Obama slush fund/political slush fund because that's what it really is. If it, in fact, had been a stimulus bill, it would have been spent in the first year, at a minimum, instead of over 5 years. Instead, he didn't.

Last month, I was encouraged when the President said he was going to focus like a laser on jobs this year. To that end, he has called for a health care summit this week. The President has got to get off his drive to push universal, government-run health insurance on the American people, and has to start talking about and working on the things that we really care about, one of which is getting our people back to work.

What the President needs to do is to drop his push for government-run health care and to start working with his Treasury Department to get them and our banks lending again. Start working with our small business people to find out what kind of relief they need to start hiring again. It's about jobs, Mr. President.

BIPARTISANSHIP

(Mr. HALL of New York asked and was given permission to address the House for 1 minute.)

Mr. HALL of New York. Mr. Speaker, I am happy to say that, on occasion, we do work in a bipartisan fashion and that the President works with members of both parties.

In fact, I was a cosponsor of a bill that took effect as law yesterday—the Credit Card Bill of Rights, as it is commonly called. There was an accountability act, which was originally sponsored by Congresswoman MALONEY of New York. It passed this House by 357 ''aye'' votes, if I remember correctly, and it passed the Senate with 90 ''aye'' votes. That's a pretty strong statement of bipartisanship to protect the American consumer from the same banks, the same financial institutions that were bailed out by the taxpayers, which then turned around and jacked up interest rates for people with credit cards, interest rates as high as 29.9 percent.

I know. I was one of those people who got a notice. I read the fine print, and I said, I pay on time. I've paid more than the minimum payment. How can this be done especially when money/credit is so cheap from the Fed?

So I am proud of the fact that we worked to keep children from being exploited and students from being sent credit card offers, that we worked to protect families against these unexplained increases in interest rates, and that we worked together across the aisle.

WHERE ARE THE JOBS?

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

Mrs. CAPITO. Mr. Speaker, as we mark the anniversary of the so-called ''stimulus plan,'' Americans want to know: Where are the jobs?

In my home State of West Virginia, the White House predicted that their $800 billion stimulus package would create 20,000 jobs. Sadly, we have actually lost over 10,000 jobs. That's bad news for many families. If that's not bad enough that the so-called ''stimulus'' isn't living up to its promises of new jobs, it's even worse that the policies of this administration are actually contributing to job loss in States like mine. Cap-and-trade puts an economic target on the backs of States like mine, which results in job loss.

Meanwhile, the President's EPA has continued to hold up mining permits across Appalachia, creating an unprecedented sense of uncertainty that is already costing mining jobs and is threatening thousands more. Further, the EPA is threatening to or is pushing to regulate greenhouse gas emissions, which will undoubtedly cost more thousands of jobs in our State.

Mr. Speaker, my constituents may have thought their tax dollars were going to be used to fund the stimulus to result in jobs, but I join them in asking: Where are the jobs?

PUT ASIDE THE PARTISAN AGENDA

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

Mr. JOHNSON of Georgia. Mr. Speaker, the masters of information, which I call my colleagues on the other side of the aisle here, can't disagree with the fact that jobs, homes and insurance have been lost by Americans due to the failed Bush policies of trickle-down economics.

I want to talk about health care. A few people came up to me during our last district work period, and said, I've lost my job. I've lost my home to foreclosure, but take care of health care.

We can do it together if we stop the obstruction on the other side of the aisle. This is very important for the American people. Instead of being masters of misinformation, I think my colleagues on the other side should put aside their partisan agenda and work towards what is best for the American people.

WHERE ARE THE JOBS?

(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. Mr. Speaker, I rise today to ask the same question which Americans are asking all over our great country, which is: Where are the jobs?

We still face almost 10 percent unemployment at the national level and a totally unacceptable 11.8 percent unemployment rate in my home State of Florida. It is truly astounding that even the administration's latest budget estimates project that the national unemployment rate will still be near 10 percent for yet another year.

It is time that Americans of all backgrounds and parties say, yes, we can do better than this. It is time for the President and Congress to take a proven approach for tax relief for working families and small businesses while doing everything that we can to reduce the growing Federal debt, which is holding up further economic growth. We must do better so we no longer have to ask ''Where are the jobs?'' for yet another year.

A NEW DIRECTION

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

Mr. DEFAZIO. To hear our Republican colleagues, you'd think they have an idea or a plan on how to put people back to work.

Remember, it was the failed deregulatory policies of the Bush administration and of the Republican majority that ultimately led to the collapse of Wall Street, to the emptying out of people's savings accounts and to the destroying of businesses across America. It was also their failed free trade policies that exported 3 million manufacturing jobs during the Bush-Republican era.

But, yeah, they always say tax cuts will cure everything. I would say that the worst part of the stimulus bill they are criticizing—and I voted against that bill—was the $340 billion in tax cuts insisted upon by three Republican Senators. How many jobs have they produced?

What did you do with your tax cuts? last week I asked my constituents.

They said, I didn't get a tax cut.

I said, Oh, yeah, you did. You got $8 less withholding.

They said, Well, that's not going to do anything. That's not going to put my neighbor back to work. That's not going to create any jobs.

Their nostrum is more tax cuts, more deficits, more debt, more deregulation, more failed free trade. We need a new direction. Yes, this administration hasn't done everything I've wanted, but it's a heck of a lot better than the disasters they've visited upon us.

WHERE ARE THE JOBS?

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

Mr. LUETKEMEYER. Mr. Speaker, last week, I spent a lot of time back in the district, talking to my constituents, and they asked one simple question:

Where are the jobs?

Folks in Macon, Kirksville, Kahoka, and throughout the district remember all too well the promises of the so-called ''stimulus plan.'' They realize now they were empty promises. People back home were eager to hear about Republican plans to reduce taxes and to cut spending. Folks are mad at this Congress for spending more than they take in and for proposing more job-killing taxes and regulations. The small business people I talk to understand you can't spend more than you can afford, and you can't exist with increased tax burdens and more harmful regulations and expect the economy to turn around.

I've heard the voices of the people of the Ninth District, and I am going to work hard to try and find a way to provide more jobs, more jobs, more jobs. The people of the ''show me'' State are waiting for us to show them the jobs.

□ 1300

IT'S TIME TO LIVE WITHIN OUR MEANS

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

Mr. KAGEN. Mr. Speaker, during this last week, I traveled all across northeast Wisconsin listening to people in their kitchens, in their living rooms, and at the plants, shaking hands with people that had come out of work, people who are happy to have a job, because today no job is a bad job.

But lest we forget, we should never forget how we got into this mess. We got into this mess because we had an administration that didn't live within its means. And without spending a single dime for it, we had two wars at the same time, two tax cuts to the rich, a gigantic handout to the drug companies, and then at the tail end of their administration, a bailout of Wall Street, nearly a trillion dollars, again without paying a single dime.

It's time to live within our means. Moreover, it's time to pass a very simple piece of legislation that's three pages long, that guarantees transparency in all health care pricing so that any individual or business that offers health care products and services for sale to the public must at all times openly disclose all of their prices.

JOBS AND INTERNATIONAL TRADE

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

Mr. FRELINGHUYSEN. Mr. Speaker, with employment close to 10 percent nationwide, it's time to promote stable private sector jobs.

The people of my home State of New Jersey have long depended on international trade to drive economic growth and put people to work. The United States is the world's largest exporter with $1.29 trillion in revenue last year, a symbol of America's global leadership. As the world becomes more integrated, our economy and employment are increasingly driven by trade.

Unfortunately, the House majority leadership has chosen to indefinitely postpone consideration of all major trade agreements with Colombia, South Korea, and Panama. American businesses, large and small, are deprived of more and more economic opportunities each and every day Congress delays their implementation. Countries in Europe and Asia have already completed or are poised to complete trade agreements with these nations. This will put our American exporters at a distinct disadvantage.

Mr. Speaker, we need these trade agreements. Our international competitors are eating our economic lunch.

HOPE AND PROMISE

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

Mr. BOCCIERI. Mr. Speaker, when President Barack Obama came to town, he brought hope and promise: hope that our best days were still ahead of us and that we would work together; promise that if we invested in our country and in our people, we could overcome any challenge in our country.

However, my friends on the other side have come with hope and promise as well. They hoped that the President would fail and they promised to vote against every piece of legislation that he offered and that we offered in this House.

My friends, when President Clinton left office, there was a $5.6 trillion projected surplus. What we have been left with is a $13 trillion debt. Our economy was in free-fall: two undeclared, unfunded wars; a banking system in chaos and greed on Wall Street.

Now, if you don't stand with the stimulus that's going to invest in our country, in our people, and you voted against us, what did you stand for?

Well, we don't know what they are standing for but we certainly know what they are against: a cost of living adjustment for seniors on Social Security, extensions of unemployment for out-of-place workers, extensions of COBRA insurance so that folks who lost their jobs can have insurance, and the largest tax cut in America's history.

The world is changed not by critics but by leaders, Mr. Speaker.

WE NEED JOBS FOR AMERICANS

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

Mr. POSEY. Mr. Speaker, where are the jobs?

I am reading verbatim from portions in an article printed in one of our local papers:

''NASA plans more outreach to Muslim countries,'' by Mark Matthews, February 16.

''NASA Administrator Charlie Bolden said Tuesday that President Barack Obama has asked him to 'find ways to reach out to dominantly Muslim countries' as the White House pushes the space agency to become a tool of international diplomacy now.

''Specifically, he talked about connecting with countries that do not have an established space program and helping them conduct science missions. He mentioned new opportunities with Indonesia, including an educational program that examines global climate change. 'We really like Indonesia because the State Department, the Department of Education, and other agencies in the U.S. are reaching out to Indonesia as the largest Muslim nation in the world. We would love to establish partners there,' Bolden said.''

It looks to me like the administration is looking out for everyone except our own space workers. Am I the only one who thinks there's something wrong with this picture?

We need jobs for Americans.

AMERICAN RECOVERY AND REINVESTMENT ACT

(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, my colleagues on the other side have been asking where are the jobs?

Well, I just came back from 2 weeks in Pennsylvania in my district, the Third District of Pennsylvania, and I can tell you there are jobs coming to my district, and I'm excited. I'm excited for the reinvestment part of the American Recovery and Reinvestment Act: $130 million in broadband Internet expansion in Pennsylvania, which will bring hundreds and hundreds of jobs to my State. But beyond that, reinvestment for the future for our businesses, for our students, and for our residents of Pennsylvania.

I also went to Meadville and saw a biomass project that's going to go forward which will create great energy savings for the school district, for the recreational facility, and for the career and technical institute there. That will create 25 jobs this summer, but reinvestment so that energy costs for those three facilities will be much decreased over the year and they can reinvest in our students. Shriners Hospital for Children, $250,000 for energy savings; $63,000 a year they're going to save on their energy bills, money that can be used for children's care, free children's care.

The jobs are out there.

AMERICAN AUTO SUPPLIERS DESERVE BETTER FROM THEIR GOVERNMENT

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

Mr. TURNER. Mr. Speaker, as the administration begins to finally focus on job creation, they should look to the auto industry. Last year, the Federal Government, at the insistence of the administration, provided a $30 billion bailout to General Motors to create, according to administration officials, ''a leaner and more efficient company.''

Recently, in House hearings, I questioned Assistant Treasury Secretary Allison about taxpayer dollars subsidizing GM expansion and investment overseas. This taxpayer bailout appears to have cost additional U.S. jobs and is jeopardizing automotive supplier companies. Harco Manufacturing, from my congressional district, is an example of a supplier being impacted by the bailout of General Motors. After receiving bailout funds, General Motors has selected suppliers from overseas, making it nearly impossible for domestic companies to fairly compete for business.

Harco has requested that auto czar Ed Montgomery visit their facility to talk about these issues during his trip

to Ohio tomorrow. It is my hope that Mr. Montgomery will work with them to help grow jobs here and not overseas.

Mr. Speaker, American auto suppliers deserve better from their government.

SMALL BUSINESSES AND THE HIGH COST OF HEALTH INSURANCE

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

Mr. SARBANES. Mr. Speaker, in the last few weeks, I have been going around my district visiting main streets and talking to small businesses, and they have been appreciative of the efforts we have made with the American Recovery and Reinvestment Act.

But they recognize something else, and that is, even if the economy begins to come back, and we hope that that's happening, they understand that as small businesses, they're still grappling with the high cost of purchasing health insurance coverage. In fact, if you look at the 45 million Americans who currently lack insurance coverage in this country, about 28 million of them are employed by small businesses or are the proprietors of small businesses.

That's why I'm glad that the President's health care proposal building on the ideas in this Chamber addresses this important grievance that small businesses have and is designed to give them more access to an affordable health insurance market. That is absolutely critical for their long-term economic stability.

TESTIMONY ON THE UNITED WE FISH RALLY

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

Mr. BROWN of South Carolina. Mr. Speaker, I rise today to recognize fishermen from South Carolina who are traveling to Washington to participate in the United We Fish rally tomorrow. They will join thousands of fishermen from across the east coast to protest against the recent red snapper and shallow-water grouper ban and the proposed closing of nearly 10,000 square miles in the South Atlantic.

The current ban not only threatens the jobs of recreation and commercial fishermen, but also small business owners that rely on the recreational fishing industry in coastal communities. Extending the ban would create further economic hardships in South Carolina as we currently suffer from one of the top five unemployment rates in the Nation.

As a representative of 75 percent of the coastline of South Carolina, I will join my constituents at the United We Fish rally and push Congress to pass the Transparency in Job Loss from Fishery Closures Act of 2010, a comprehensive bill that instructs NOAA to reverse the harmful fisheries closures.

HEALTH CARE REFORM

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

Ms. MCCOLLUM. This Thursday, something exciting is going to happen right down the street, Pennsylvania Avenue. The White House door is open. The leadership of both the Senate and the House, Democrat and Republican leadership, come together to talk about what Americans want to have happen: reform to health care.

Now, everyone knows that our health care system is failing, and it's failing for Democrats and Republicans and Independents and children and young and old and for people all across this country. And I'm excited that we're going to sit down and try to work things out in a compromise, because people need to have access to health care.

There are some principles that I've heard from the people that I represent back home. We must cover as many people as possible with affordable coverage. We must do away with discriminatory practices such as preexisting conditions and unfair practices such as caps and rescission. But most of all, people in Minnesota want a system that rewards quality and value. That's the best thing for taxpayers, the best thing for patients, and the best thing for America.

BLACK HISTORY MONTH

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

Mr. CAO. Mr. Speaker, I rise today in honor of Black History Month and to recognize three leaders who have advanced the Nation's Historically Black Colleges, bringing opportunity and hope to many students, especially in the aftermath of Hurricane Katrina.

First, Xavier University president, Dr. Norman Francis. Dr. Francis is known for his effective leadership and his commitment to community. He has led the regeneration of the university and the surrounding neighborhood after Hurricane Katrina. Dr. Francis continues to be a voice in our recovery and an example of hope.

Dillard University president, Dr. Marvalene Hughes. In 2005, Dr. Hughes took the helm as Hurricane Katrina came ashore and nearly destroyed the school. Many would have left, but she took on the challenge of rebuilding and recovery, living in a hotel with her students for nearly a year. Under her leadership, Dillard's campus and the neighborhood have been revived and are thriving, and hope for a generation of students has been restored.

Finally, interim president of the Southern University System, Dr. Kassie Freeman. Dr. Freeman is an internationally recognized scholar in her own right. At the helm of the Nation's only Historically Black University System, she made Southern University's transition out of FEMA trailers and into permanent facilities a priority, insisting upon those students' continued education.

It is my honor to recognize these individuals' contributions to our Nation's history and to support them in their efforts in Orleans and Jefferson Parishes.

JOBS AND THE ECONOMY

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

Ms. EDWARDS of Maryland. Mr. Speaker, during the State of the Union message last month, the President reminded us that he inherited a true economic mess and that job losses have been reduced dramatically due to actions by the Democrats in this Congress and his administration.

At the end of the Bush years in January 2009, 800,000 Americans lost their jobs. But by contrast, after just 1 year of economic recovery policies from Democrats in this Congress and President Obama, 20,000 people lost their jobs in January 2010.

Make no mistake, any jobs lost are important to the people who have lost them. But we're on the road to recovery.

The philosophy that ''a rising tide lifts all boats,'' though, does have its limitations. So we need an economic and industrial policy in this country that creates jobs for the future for the long term and to put those who are newly unemployed and the chronically unemployed back to work. In short, we need to embrace our clean energy future for sustained job creation, economic growth and innovation, and let's use our taxpayer dollars to buy American, to build American.

□ 1315

JOBS AND PRODUCTIVITY

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

Mr. FRANKS of Arizona. You know, sometimes, Mr. Speaker, those of us in government in our erudite debate forget that all economy is effectively productivity. That is what it is about. And the foundation of productivity in this country is jobs.

Since Democrats took control of this Chamber, almost 7 million jobs have been lost. A year ago, Mr. Obama and the Democrats passed a trillion-dollar stimulus which was supposed to solve the problem, but instead has left us with nearly a 10 percent unemployment rate.

Mr. Speaker, this left-wing Democrat notion that we can borrow, tax, and spend our way into economic prosperity should now be disproven thoroughly in the minds of any reasonable person. Yet we learn today that inexplicably this administration still plans to shove the monstrosity of government-controlled health care down the throats of the American people. This will raise costs, decrease quality, rob the American people of their God-given freedom, rob our children of their future, and it will cost America many, many more jobs, Mr. Speaker. Where will the madness end?

THE BENEFITS OF THE RECOVERY ACT

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

Ms. RICHARDSON. One year ago the economy was declining by 6 percent. Over 600,000 Americans month after month after month were losing their jobs, with no relief. The American Recovery and Reinvestment Act that this Democratic Congress ensured that we brought forward was enacted to ensure that President Obama and his commitment as well would jump-start our economy, that we would create and save 3.5 million jobs, that we would give 95 percent of Americans who needed assistance a tax cut that we would deliver, and finally, that we would rebuild America through our roads, our rail, and our water infrastructure.

When we look at America today, we are doing better than what we were doing a year ago, but we have more to do. The American Recovery Act helped us to create new infrastructure, to train teachers, hire educators, and to improve health care. But we are ready to do more.

FIRST DO NO HARM

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

Mr. SHIMKUS. The Hippocratic oath is well known for the phrase, ''First do no harm.'' Unfortunately, we have continued to come down on this floor and ask a simple question. Where are the jobs? What business and industry needs is some certainty. What this Congress and administration continues to offer is more uncertainty, which translates into higher risks, which increases borrowing rates.

We should first do no harm. We should stop the government takeover of health care, which will raise rates and cost jobs. We should oppose a cap-and-trade scheme which will raise energy costs and destroy jobs. Shelving these two major Democratic proposals would do the most to return some certainty to the economy so business can work on maintaining and creating jobs.

AMERICA IS GOING IN THE RIGHT DIRECTION

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

Mr. ELLISON. Mr. Speaker, if you would listen to the party opposite, you would not know that America is actually on a real trajectory for positive change in the area of jobs. When President Bush left office, for the last 3 months of his administration America was hemorrhaging jobs at the rate of 750,000 on average. And now, in January, only 22,000 jobs lost. Now we are going in the right direction.

You can't overturn and change over 8 years of Republican rule in simply a finger snap. But the Democratic Caucus is on its way to restoring this country to economic health. We have seen increases in GDP. We have seen increases in manufacturing. We have seen increases in significant indicators. And this country needs more help, but we are going in the right direction, which is something we were not doing when President Obama took office a year ago.

All the American people need to do is just look at the numbers. Things are getting better. And the message of doom and gloom can never match up to one of hope.

FOCUS ON JOBS

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

Mr. SCALISE. Mr. Speaker, earlier this week President Obama released his latest version of a government takeover of health care. And as you look at the details of his latest plan, it is not much different than the previous plans that the American people have continued to reject.

And while the American people are saying where are the jobs, and they want Congress to be focused on creating jobs, all that they get from this tone deaf liberal leadership is more government takeover, more taxes, and more policies that are running millions of jobs out of this country.

It is time that this liberal leadership start listening to the American people and work with those of us who have for months and months been saying we need to reduce the cost of health care, we need to address preexisting conditions, and we need to do common sense medical liability reform, and we need a focus on jobs instead of more taxes, more runaway spending, and more policies that are running jobs out of this country.

JOB CREATION AND HEALTH CARE

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

Mr. HOLT. Mr. Speaker, we hear the question, should Congress be dealing with job creation or with health care, as if these are unrelated. The American Recovery and Reinvestment Act, passed this past year, is already funding around this country an expansion of community health centers. It is funding already implementation and use of information technology in the health care fields. This is doctors' offices and hospitals, and in training the workers to use it. This provides, yes, jobs, as well as better health care for Americans.

In the health care legislation that is taking shape, based on the common principles of the House-passed and Senate-passed legislation, that too will lead to economic growth and jobs. In particular, not only will there be medical innovation, but it will assist small businesses and large with these large expenses they have in covering the health care of their employees. And less money will be wasted in exorbitant salaries and profits, and will actually go to providing health care.

OBAMACARE 2.0

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

Mr. LAMBORN. Mr. Speaker, I rise today to express disappointment with Obamacare 2.0. Apparently President Obama did not get the message Americans don't want a big government takeover of health care. This $1 trillion health care bill is just more of the same: more spending, more taxes, and more government mandates. The American people want us to start over on health care, wipe the slate clean, and consider commonsense reforms that won't bankrupt our country.

But what Americans want the most of all are jobs. Where are the jobs? Government doesn't create jobs, but we can do things to allow the private sector to create jobs. We could do these three things: across the board tax cuts, increase domestic energy production, and stop the overregulation of business. Those three simple things would create jobs. If the President really wants to, this is where he should start.

CRITICIZING PROGRESS

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

Mr. MEEKS of New York. If this wasn't so serious, it would be laughable. Eight years they had a chance, the other side here, to get this economy right. Eight years. And they are the ones that drove it into the ground and dares criticize when someone is turning it around so we are going in the right direction. Eight years. This didn't happen overnight when we started losing jobs. When President Bush left office we were losing 750,000 jobs a month. What did they do? Nothing.

Then you have President Obama come on board, started turning things

around, and what do they do? Criticize. Criticize progress of creating jobs again. Criticize trying to create an opportunity for America to have good health care again. Criticize the fact that we are able to improve bridges and roads. Criticize the fact that we are going to be able to approve the money to help the unemployed. Eight years of driving the economy into the ground.

One year. President Obama had 1 year to make sure that we begin to restore America to the prosperity that we had 8 years prior to the Bush administration. Let's continue to move in the right direction.

ORLANDO ZAPATA TAMAYO

(Mr. LINCOLN DIAZ-BALART of Florida asked and was given permission to address the House for 1 minute.)

Mr. LINCOLN DIAZ-BALART of Florida. I rise today to inform my colleagues that a great Cuban hero, Orlando Zapata Tamayo, who is a prisoner of conscience in the gulag of the Castro brothers, is in critical condition and near death.

Forty-two years old, Orlando Zapata has been active in the Cuban pro-democracy movement for many years. Already a political prisoner in 2003, he was released by Castro for 14 days before being imprisoned once again and sentenced to 25 years in the gulag, in March 2003.

A colleague and partner in the struggle for freedom of Dr. Oscar Elias Biscet, Orlando Zapata personifies the best of mankind. And the fact that he is near death at this moment in the Castros' gulag points to the profoundly criminal nature of that grotesque totalitarian criminal regime. His condition and fate are the Castro brothers' doing. If he dies, his blood will be on Castro's hands.

CURRENT HEALTH CARE SYSTEM CANNOT BE SUSTAINED

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

Mr. AL GREEN of Texas. Mr. Speaker, the current system with reference to health care cannot be sustained. We are currently spending $2.5 trillion per year. That is a large number, difficult to get your mind around it. However, $79,000 a second is something that we all can understand. And by 2018 it will become $4.4 trillion per year. That would be $139,000 per second.

For those who say, this is not my fight, I have good insurance, it may be that you have not utilized your insurance and you don't really know how good it isn't. For those who say I have insurance, I am okay, remember that 14,000 people per day lose their insurance. But for the grace of God, you may be one of the 14,000 people without insurance tomorrow. So please understand this is everybody's fight, because the economy of this country is dependent upon how we impact health care.

Finally, this. In my State of Texas, 6 million are uninsured, 1.4 million children uninsured. This is inexcusable. There is a difference between something being unsustainable and being inexcusable. It is inexcusable.

TOO MUCH GOVERNMENT SPENDING

(Mr. GARRETT of New Jersey asked and was given permission to address the House for 1 minute.)

Mr. GARRETT of New Jersey. Mr. Speaker, the other side of the aisle has been calling for even more misguided government spending despite the fact that they have controlled this House for the last 3 years, with massive spending in the past. Hasn't the American public spoken loud and clear that the Federal Government is just spending too much and trying to do too much, and that they want us to start cutting spending here?

You know, the consequences of governments spending too much money are apparent around the world. Over in Greece, with potential default, they are only the tip of the iceberg. You have Italy and Spain also showing serious concerns as well. But here at home over the last 3 years we now see, because of the Democrat leadership of the House, $1.6 trillion deficits without any serious commitment whatsoever about trying to cut spending.

And what is the result of that? Well, Moody's is now saying that there is a real possibility that the U.S. may lose its AAA rating. Think about that for a moment. Serious people are beginning to whisper that if things don't change here, the U.S. may actually default on its debts in the coming years and do serious damage to our economy and weaken it and cause higher interest rates.

You know, throughout the last year we have talked a lot about spotting systemic risk in our economy. Well, there is one major risk in it right now, our mammoth Federal deficit and ever-increasing debt. Washington and the Democrat majority leadership must get serious about addressing this fast.

WE NEED A JOBS BILL

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

Ms. NORTON. One has to congratulate the other side for chutzpah. After racking up most of what is now the deficit, they have gotten religion on the deficit in the middle of a recession. When conservative and progressive economists say when the only body that has any money is the government, you better spend it for jobs.

I wonder if in this House we would at least do what they did in the other body yesterday, when five Republicans crossed over to actually be for a modest jobs bill. It certainly is not the bill that I would have wanted, but what is noteworthy is that the majority of Republicans actually voted against the jobs bill yesterday that spent only $15 billion.

Were you afraid that that would contribute to the deficit? How much are you willing to help the American people get out of the deficit that you left us and get out of the economic morass that you have bequeathed us? One begins to wonder if we could even get unemployment insurance passed. We have sent over a bill to the other body which is far larger. Let's hope that we can get more such bills passed.

□ 1330

THERE'S A BETTER WAY FORWARD

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

Mr. SAM JOHNSON of Texas. Mr. Speaker, you know, small businesses want, need, and deserve policies that will encourage, not punish economic growth. And yet, due to the Democrats' tax-and-spend agenda, job creators in my district are either cutting their payrolls or holding back on hiring. That's why we have a record 16 million Americans unemployed.

There's a better way forward, and that way forward is with pro-growth, small business tax cuts that will help get this economy moving again. Mr. Speaker, small business owners know how to run their company better than a Washington bureaucrat. It's time for the government to get out of the business of running small business.

THE RECOVERY ACT

(Ms. CASTOR of Florida asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Ms. CASTOR of Florida. Mr. Speaker, I'm here to report that the Recovery Act is working in my hometown of Tampa, Florida. Yesterday, I attended a groundbreaking for a new community health center that is desperately needed in a part of town where they don't have anywhere else to go other than the emergency room, where we all end up paying for their health care.

But in attendance at the groundbreaking were some of the construction workers, contractors, the architects, the real estate agents that will be put to work constructing this new community health center.

And just a couple of weeks ago I visited another community health center up the road, run by Tampa Family Health Centers, and met doctors, nurses, medical professionals, a new receptionist that were hired because of the Recovery Act. It's these dollars that are investing in our hometowns, putting people back to work in the short term constructing these new facilities, but in the long term providing better health care at affordable rates for our families.

OUR ECONOMIC FUTURE

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

Mr. REHBERG. Many in this Chamber think jobs come from the benevolence of the Federal Government. But last week I visited businesses in four Montana towns to hear what small business owners who actually create jobs had to say. They told me the Federal Government has created a lot of paralyzing uncertainty.

Small businesses like Printing for Less in Livingston are eager to expand and hire, but Federal policies hold them back. Andrew Field, the owner, cited concerns such as uncertainty about health care, cap-and-trade, and expiring tax cuts. He said, for example, that he needs the threat of health care mandates defeated.

I've never met someone who would buy a car made by Congress. That's because we've seen how Congress works. But after touring those small businesses and seeing firsthand the ingenuity of American entrepreneurs, I can think of no better hands in which to trust our economic future.

HEALTH CARE REFORM

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

Mr. PALLONE. Mr. Speaker, I'm very pleased that on Thursday we're going to have this health care summit because I do think there's an opportunity for us to work together on a bipartisan basis to achieve health care reform.

I think we need to achieve three things. First of all, we need to lower prices, or at least prevent the type of price increases we've seen in insurance premiums. We're hearing 20, 30 percent increases in many parts of the country.

Secondly, we have to try to cover as many Americans as possible. There are at least 30, 40 million Americans that have no health insurance right now.

And lastly, we have to get rid of discriminatory practices where people pay more or can't even get health insurance because of preexisting conditions or because of gender differences.

If we can accomplish the goal of all three of these items on a bipartisan basis, we can come up with a bill that can pass here and go to the President.

I believe that all of us would like to see health care reform on both sides of the aisle. We just need to sit down and work on it and get it done this year because the American people need health care reform.

WHERE ARE THE JOBS?

(Mr. LEE of New York asked and was given permission to address the House for 1 minute.)

Mr. LEE of New York. For months now my constituents in western New York have been asking, Where are the jobs?

It's very simple. The only city in the entire country that actually saw significant job growth is right here in good old Washington, D.C. The Federal Government is adding jobs at a rate of nearly 10,000 a month, the fastest pace since the 1960s when Medicare and Medicaid were created. There is definitely no recession going on in this city, while everybody else in this country is fighting to keep their jobs.

Instead of providing the right kind of incentives to grow the private sector and small business, the administration continues to bury this country further into debt.

Let's start working together to implement responsible solutions to the serious challenges facing our Nation. We have to stop this Federal takeover which is truly bankrupting our country.

NEW JOBS IN LOUISVILLE, KENTUCKY

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

Mr. YARMUTH. Mr. Speaker, we've heard one after another of our colleagues from the other side come today and ask, where are the jobs? Well, I invite them all to visit my district because in Louisville, Kentucky, the American Recovery and Reinvestment Act has created hundreds and hundreds of jobs and will create hundreds more. Already, 1,800 certified jobs, doing things like building additions to two new schools, building a new facility at our TARC system, our bus system, a new maintenance facility, a new fire station in Louisville, paving miles and miles of interstate, all of these things are bringing people to work, creating jobs, not to speak of the 600 jobs in our school system that have been saved because of the stimulus funding.

No, anybody who wants to see jobs created can come to Louisville, Kentucky. And as I said, they're not finished because, due to stimulus funding, General Electric's Appliance Park is about to bring 400 new jobs to our community to build an energy efficient water heater.

And lest anybody think these are jobs that are moving from one place to another, they're right. They're coming from China to the United States.

THE ECONOMY

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

Mr. KLINE of Minnesota. Mr. Speaker, at a town hall meeting in Faribault, Minnesota, just this past Friday night, a small business owner shared his frustrations that I am certain every Member of Congress is hearing from their constituents. And certainly, we heard the gentleman from Montana (Mr. REHBERG) describe the frustrations he heard from small business owners in his great State.

Whether it's the stimulus that failed to create jobs, or the job-killing national energy tax, or this massive government takeover of health care, small business owners are worried.

My constituent said, ''I've had small businesses most of my life, so I understand when you would feel like hiring more people. Businesses want to know the rules, and they want a consistent future where they can project and plan.

''What's going on in the White House, with all these different bills and health care, it's a big unknown out there. Businesses are scared, and they have no idea what the future is. They don't want to invest, they don't want to hire. The economy's not going to rebound if they badger businesses the way they are right now.''

I say ''Amen'' to that, Mr. Speaker. Let's push these job-killing bills off the table and get together and work in a bipartisan way.

WHAT ABOUT THE FREE TRADE AGREEMENTS?

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

Mr. ROSKAM. Mr. Speaker, a couple of weeks ago President Obama came and he addressed the House Republicans in our retreat in Baltimore, and I posed a question to him. And, in a nutshell, I asked, how about the free trade agreements?

This is an opportunity where we can come together, both sides of the aisle, frankly, at a no-cost job creation initiative. And we've heard a lot of consternation and a lot of hand-wringing today, and we've seen it on the House floor, where Democrats are very, very concerned about a debt that they've inherited, they claim. Republicans have pointed out the national debt has tripled under their watch.

And yet here is an opportunity to put together and to advance legislation that will open markets overseas in Panama, in Colombia, and in South Korea.

And in a moment of candor, President Obama acknowledged that the lion's share of the problem was on his side of the aisle, that in fact it was politics in the Democratic Caucus that was preventing that from coming to the floor.

And I think, Mr. Speaker, this is an opportunity for us to transcend those problems and do a no-cost job creator, and that is pass these free trade agreements.

RECENT EVENTS

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

Mr. CLYBURN. Mr. Speaker, I want to join all my colleagues in calling for jobs legislation that will get our people back to work and asking for a health care reform bill that will be affordable and accessible to all Americans.

But, Mr. Speaker, I rise also to ask my colleagues, as they think about recent events involving the Texas Federal building, where the IRS building was exploded by an airplane, and one of our colleagues has now called the act of terrorism a noble act.

The fact of the matter is, the gentleman that lost his life in that building, Vernon Hunter, is from, or was from, Orangeburg, South Carolina, which I proudly represent in this body. He spent two tours in Vietnam and was about the business of carrying out his duties and responsibilities to this great country of ours. If anybody is a hero, it is this victim. And I find it appalling that a Member of this body would call his death a noble happening.

DOMESTIC ENERGY PRODUCTION

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

Mr. CASSIDY. Mr. Speaker, Americans are asking, where are the jobs?

Now, to create jobs there must be affordable energy. As it turns out, creating energy creates jobs.

First, let me compliment the President. Last week, he announced a commitment to developing new power plants in the United States. It's a great step in the right direction because domestic energy production means more jobs, with good benefits, lower energy prices, and greater energy security.

Now, although moving forward with nuclear energy, the administration has effectively banned, through delays, new natural gas and oil production. The National Association of Utility Commissioners recently reported that the administration's current delay on natural gas and oil production eliminates 13 million jobs, $2.35 trillion in lower energy costs, and $2.36 trillion in economic growth. By the way, it also eliminates royalty payments and billions of dollars to cash-strapped States.

Now I applaud the President for advancing nuclear energy. Let's do the same with domestic oil and gas. We know where the jobs could be. They're in oil and gas. Mr. President, allow their creation.

JOBS

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

Mrs. HALVORSON. Mr. Speaker, it's critical that we get people back to work across this country. Nothing is more important to the American people at this time than jobs. That's why I was proud to announce $22 million in stimulus funds for my district's multimodal transportation center located in the city of Normal, Illinois.

There are those who have said, and continue to say, that projects like this will not put people back to work; who still say that the stimulus isn't working. But here's the reality: The construction of this center is going to put 300 people to work and give access to good transportation options to countless more residents of central Illinois. This project would not have been possible without the American Recovery and Reinvestment Act.

I'm proud that the Recovery Act is helping those individuals get back to work. We must continue to invest in American infrastructure, build upon the work that the Recovery Act is doing, and continue to work to create jobs.

HELPING THE PEOPLE

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

Mr. McCAUL. You cannot help the poor by destroying the rich. You cannot strengthen the weak by weakening the strong. You cannot bring about prosperity by discouraging thrift. You cannot lift the wage earner up by pulling the wage payer down. You cannot further the brotherhood of man by inciting class hatred. You cannot build character and courage by taking away people's initiative and independence. And you cannot help people permanently by doing for them what they could and should do for themselves.

That was a quote from President Abraham Lincoln.

TRANSFORMING THE AMERICAN ECONOMY

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

Mr. HASTINGS of Florida. Mr. Speaker, the economy in America did not transform overnight. Over a period of the last 40 years that I can account as an adult, or working person, many significant changes have taken place in this great country. It is obvious that there were Democrats and Republicans in the United States Congress during that 40 years, and that either party had control of either the House, or the Senate, or the White House, or all of the above, at some point.

In my view, it is a bit of hyperbole for someone to suggest that Barack Obama, once he became President of the United States, was to cure that 40-year transformation in our economy that led to joblessness and an almost clear financial disaster for this country and this globe. To expect this President to cure that problem in 1 year is just plain ridiculous.

We need a direct-hire job creation program, and we need it now.

□ 1345

WHERE ARE THE JOBS?

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

Mr. MARCHANT. Mr. Speaker, as we left church yesterday, our pastor ended his sermon with a prayer for all of those in our church that were unemployed. With this on my mind as I walked out into the foyer, I saw one of the largest employers in our area and walked up to him and said, ''Sir, what will it take for you to begin hiring again?''

He did not hesitate. He looked me right in the eye and said, ''Washington has injected too much uncertainty about what my health care expenses are going to be and what the health care that I have to provide my employees will have to be.'' He said, ''There is also a great deal of uncertainty about my tax rates and about what taxes I am going to have to pay.'' He said, ''Before I can begin to hire people again, Washington needs to clarify and remove that uncertainty.''

This is what's keeping us from having jobs today in the United States.

THE JOBS ARE HERE THANKS TO THE STIMULUS

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

Mr. GENE GREEN of Texas. Mr. Speaker, many times we come up here and we hear my Republican colleagues say, ''Where are the jobs?'' Well, I am going to tell you where the jobs are at.

In Houston, Texas, yesterday, we did an event with the Port of Houston and the industries along that channel—whether they be refineries or chemical plants or stevedoring companies or shippers. The jobs that we have through the American Recovery and Reinvestment Act are at the Port of Houston to the point of $98 million that came through that act to create and to expand the jobs at the Port of Houston, to make sure we can bring in those ships, make sure we can get that dredging done so they can be competitive not only with our own country's ports but also worldwide.

The jobs are in our district that were awarded money to benefit Early Head Start in Houston areas Head Start; the Department of Education; Early Head Start in the Galena Park School District received funds; expanding Head Start programs in our district, hiring more teachers, but also expanding it so parents can have a child go to Head Start, and they can go to work and earn some money—including new centers, one in Channelview, Texas, we hope to open. Expanded federally qualified health clinics in our district are serving more people because of the Recovery Act.

WHERE ARE THE JOBS?

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

Mrs. McMORRIS RODGERS. I want to join the chorus asking, Where are the jobs?

When the stimulus was passed a year ago, we were promised—promised—that jobs would be saved. Instead, we've seen 3½ million people lose their jobs. We were promised unemployment wouldn't go above 8 percent, and yet it's hovering at 10 percent.

Defenders of the stimulus bill argue that the situation would be much worse if the stimulus had never taken effect. But many economists are starting to ask a different question: Could it be that the stimulus itself is adding to job losses?

Today's Wall Street Journal features an op-ed by Robert Barro, who is a professor of economics at Harvard University. He argues that the forgotten element in the stimulus debate is whether the government's spending reduced or enhanced private spending and whether public sector hiring lowered or raised private hiring. He argues that opening the spigots of government spending has actually had a negative impact on our economy.

To quote Mr. Barro: ''Viewed over 5 years, the stimulus package is a way to get an extra $600 billion of public spending at the cost of $900 billion in private expenditure.''

This is a bad deal.

UP TO THE CHALLENGE

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

Mrs. DAVIS of California. Mr. Speaker, over the past week, the Olympics have been a reminder of how supportive and impressive our country truly is and what it can do when we come together for a common goal. But I know that feeling doesn't always translate to the issues that are weighing heavy on people across our country.

Every day, my constituents tell me that they need jobs and job security, as well as loans for small businesses and home mortgages, and they worry about excessive government spending, our debt to foreign nations, and unconscionable Wall Street payments.

We have saved our economy from the brink, but we cannot ignore the challenges still before us. We need to continue to pair fiscal responsibility with thoughtful job creation by encouraging small business growth and supporting needed infrastructure projects. And we have to keep holding Wall Street accountable by cracking down on big bonuses and making sure that taxpayers never have to bail it out again.

After spending time with my constituents in San Diego, I know what the American people want us to focus on. We need jobs, Mr. Speaker. We need to think about the future, we need to focus on our kids and their education.

This body, Mr. Speaker, is up to the challenge, and we need to move forward.

IT ISN'T WORKING

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

Mr. BURTON of Indiana. Mr. Speaker, I've had six town meetings in the last couple of weeks, and if I were talking to the President, I would like to tell him what those people have been saying.

Number one, they don't want a government-controlled health care plan. They just don't want it. And second, they want jobs.

What we ought to be doing is cutting spending and doing what Ronald Reagan did, and that is cutting taxes across the board. People said that was the wrong thing to do then, but it created 20 years of prosperity because we knew that if people had more disposable income, they would spend it and it would create jobs and a sound economy.

Instead, what have we got? Since the Democrats have taken control of Congress 3 years ago, we've got 7½ million jobs that have been lost. And since the President signed the stimulus bill—the jobs bill—we've lost 3.3 million jobs.

''It isn't working,'' if I were talking to the President I would tell him. It isn't working. We should focus on what's important now—not the health care bill. We need to solve that problem. But the first thing we need to do is cut spending, cut taxes, and that will create a sound economy.

THE STIMULUS BILL HAS WORKED

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

Mr. GARAMENDI. Mr. Speaker, I thought I would never hear such foolishness in all my life. In fact, in California, the stimulus bill has worked. We have thousands of teachers that are in the classroom teaching. In my own district, we have a $970 million stimulus program that is going to provide 6,000 jobs directly to drill a tunnel through the Caldecott Hills so that we can deal with the transportation program.

Thousands of people are working. It was David Stockman on national TV last week who said he no longer believes that you can move this economy forward by cutting taxes. And he was, as I recall, Mr. Reagan's budget director.

The fact of the matter is times have changed, and this call of cutting taxes and ending the stimulus is a lot of foolishness. We need jobs. We need to put people to work. That's the role of the Federal Government. And I would remind my colleagues on the other side that every industrialized nation of the world has done more to stimulate their economy than has ours, and they've been more successful.

We need a new jobs bill. We need those jobs now. And we also need to pay attention to what Mr. Stockman said.

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.

RECOGNIZING THE BRAVERY AND EFFORTS OF THE MEMBERS OF OPERATION UNIFIED RESPONSE

Mr. SKELTON. Mr. Speaker, I move to suspend the rules and agree to the resolution (H. Res. 1066) recognizing the bravery and efforts of the United States Armed Forces, local first responders, and other members of Operation Unified Response for their swift and coordinated action in light of the devastation wrought upon the nation of Haiti after a horrific 7.0 magnitude earthquake struck Port-au-Prince and surrounding cities on January 12, 2010.

The Clerk read the title of the resolution.

The text of the resolution is as follows:

H. RES. 1066

Whereas the recent crisis in Haiti was caused by a magnitude 7.0 earthquake, the worst the nation has experienced in over two centuries;

Whereas the disaster wrought by this earthquake has been catastrophic, destroying ports, infrastructure, hospitals, schools, homes, and businesses, making many roads impassable and incapacitating air travel, and severely hampering the efforts of disaster relief organizations;

Whereas one week after the earthquake hit, electricity was still down, running water was not available, and food supplies were quickly dwindling;

Whereas the cities of Port-Au-Prince, Jacmel, Gonaïves, Petionville, and surrounding areas have been devastated, affecting an estimated 3,000,000 Haitians;

Whereas the United States Coast Guard was the first to represent the United States in Haiti after the catastrophic earthquake and was an integral part of the initial relief efforts;

Whereas the ability of the Coast Guard to act quickly and efficiently set the foundation for the quickly escalating international response;

Whereas within the first 10 days, 24 United States Navy and Coast Guard vessels, thousands of international United States Army Reserve rescue workers, over 14,000 members of the United States Armed Forces, 71 United States helicopters, and 26 Department of Health and Human Services personnel arrived or were en route to provide logistical support, secure aid distribution, and set up temporary housing;

Whereas after just one week, Joint Task Force Haiti (JTF-Haiti) had established multiple forward operating bases throughout Haiti and immediately started passing out thousands of meals and bottled water;

Whereas in just one day, JTF-Haiti was able to deliver 396,808 water bottles, 238,585 meals, and 4,900 lbs. of medical supplies to Haitian survivors;

Whereas the United States Southern Command (SOUTHCOM) and the United States

Coast Guard have managed the safe arrival and departure of military and humanitarian flights at Port-Au-Prince Airport;

Whereas within the first 10 days, more than 11,000 United States citizens were evacuated;

Whereas the USNS Comfort hospital ship arrived in less than a week providing 600 medical personnel and the ability to treat more than a 1,000 patients;

Whereas the USNS Comfort has already treated 1,427 patients from 10 different hospital sites;

Whereas within the first two weeks, Department of Defense personnel distributed 1,820,463 bottles of water, 1,465,569 meals, and 57,083 lbs. of medical equipment;

Whereas these operations delivered life sustaining food, water, and medical supply packages to Haiti's displaced;

Whereas during coordinated relief efforts by the United States Agency for International Development (USAID), members of the United States Armed Forces, including members of the Army Reserves, the Federal Emergency Management Agency (FEMA), the Department of Defense, the Department of State, and the United Nations, personnel and equipment to manage 8 hospitals were delivered to provide crucial emergency medical services, and 6 field hospitals were set up, resulting in thousands of lives saved;

Whereas the first responders teams that readily responded to the call for assistance for the Haitian people within the first 24 hours after the disaster include the Miami-Dade Search and Rescue Team of Miami-Dade County, Florida, Fairfax County Search and Rescue Team of Fairfax County, Virginia, U.S. Urban Search and Rescue Teams (US&R) of Los Angeles County, New York City Firefighters, the BATAAN Amphibious Readiness Group (ARG)/Marine Expeditionary Unit (MEU), and the NASSAU ARG/MEU;

Whereas the coordinated relief efforts of the United States, international agencies, and the United Nations Stabilization Mission in Haiti (MINUSTAH) in the first week resulted in 122 courageous rescues of Haitians trapped beneath rubble, including a 2-year-old girl who had been trapped for 6 days;

Whereas during the ongoing relief efforts, USAID, members of the United States Armed Forces, including members of the Army Reserves, FEMA, the Department of Defense, the Department of State, and the United Nations coordinated teams that delivered 1,910 short tons of humanitarian aid in the first week; and

Whereas additionally, 954 Department of Defense, private, and commercial airlift sorties have been successfully conducted: Now, therefore, be it

Resolved, That the House of Representatives—

(1) recognizes the efforts of the United States Armed Forces, local first responders, and other members of Operation Unified Response for their swift, compassionate, and courageous action to meet the needs of Haiti's citizens and government and facilitate the evacuation, safety, and medical attention for United States citizens impacted by the earthquake in Haiti;

(2) recognizes the remarkable response by the men and women in the United States Armed Forces for their ability to deploy such a sizeable force in such a short amount of time while also engaged in two separate conflicts; and

(3) recognizes the dedication and sacrifice put forward by United States public servants to procure and deliver the enormous amounts of food, water, medical and hygienic supplies, and shelter and for their tireless effort to repair and rebuild critical infrastructure for the benefit of all Haitians.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Missouri (Mr. SKELTON) and the gentleman from Louisiana (Mr. FLEMING) each will control 20 minutes.

The Chair recognizes the gentleman from Missouri.

GENERAL LEAVE

Mr. SKELTON. Mr. Speaker, I ask unanimous consent that all Members have 5 legislative days within which to revise and extend their remarks on the resolution under consideration.

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

There was no objection.

Mr. SKELTON. Mr. Speaker, I yield myself such time as I might consume.

Mr. Speaker, I rise today in support of House Resolution 1066, recognizing the bravery and efforts of the United States Armed Forces, local first responders, and all of those involved in Operation Unified Response. I want to thank my colleagues for bringing this important measure before the House.

On January 12, a massive earthquake struck the nation of Haiti that was followed by a series of very powerful aftershocks that left catastrophic damage in and around the city of Port-au-Prince. The devastation resulted in an estimated 100,000 to 200,000 deaths, including over a hundred Americans reported dead and 3 million Haitians directly affected by the earthquake.

Within 2 weeks, the United States had deployed 25 Navy and Coast Guard ships, 79 helicopters, 290 vehicles, and 21,493 Armed Forces personnel. Medical military assets had treated over 4,000 patients, of which 2,000 were treated aboard the hospital ship USS *Comfort*. The United States had distributed 1.9 million bottles of water, 1.7 million meals, and over 74,000 pounds of medical supplies.

The United States acted immediately, setting up a whole-of-government response with the U.S. Agency for International Development in the lead and the Armed Forces playing a leading role. Within 24 hours, the U.S. had deployed Air Force special operations forces to secure the Port-au-Prince airport and reestablish airport operations, deployed the aircraft carrier USS *Carl Vinson*, and started preparing both Army and Marine units for immediate deployment to that region.

This critical contribution to the Haiti relief effort comes at a time when the men and women of our military are already being stretched by two wars. Our troops have once again demonstrated their capability to respond quickly and effectively when disaster strikes.

U.S. military servicemembers and their families make tremendous sacrifices both for our Nation and in working to help people in times of need all over the world.

On behalf of Congress, I want to thank our heroes in uniform and all of those involved in Operation Unified Response for the extraordinary contributions to the Haitian people. I urge my colleagues to support this important resolution.

I reserve the balance of my time.

Mr. FLEMING. Mr. Speaker, I yield myself such time as I might consume.

Mr. Speaker, I would like to first of all thank Mr. SKELTON, chairman of the Armed Services Committee, and also Mr. MCKEON, the ranking member, and other Members who have supported this resolution.

I rise today in recognition of the men and women of the Armed Forces who have played such an important role in easing the suffering in Haiti after the January 12 earthquake that left thousands dead, thousands injured, and the country in ruins. Our military's swift, dedicated, and selfless action provided much-needed rescue, recovery, logistics and security capability in the immediate aftermath, and our service men and women who have done so much to put Haiti back on the road to recovery

We Americans can understand the impacts of disasters, such as Hurricane Katrina, Hurricane Andrew, the Northridge earthquake to name just a few. So our hearts go out to those in Haiti whose lives have been shattered by this earthquake.

Even so, the extent of the devastation was shocking. In over 200 years, Haiti has not felt as powerful an earthquake as was experienced that day in January. Over 3 million Haitians, a third of the country's entire population, were affected by the disaster. To put the scale of this earthquake's impact into perspective, imagine an event affecting more than 100 million Americans in an instant.

For a country whose infrastructure and services were already insufficient, the effects of the 7.0 earthquake were exacerbated. Buildings throughout Port-au-Prince and the surrounding countryside collapsed like card houses—trapping, injuring, and killing many. The United Nation's peacekeeping force in Haiti to aid in stabilizing that struggling nation was unable to fully respond as it had lost its headquarters and a number of peacekeepers during the quake.

The presidential palace, city hospital, and the World Bank building were all severely damaged. Roads, highways, power lines and basic services were all impacted, making immediate life-saving efforts all the more important and difficult. The images coming from Haiti revealed an apocalyptic scene.

Our military's response was immediate, focusing on life saving and assessment, humanitarian assistance, and disaster relief and evacuation operations. U.S. Southern Command was charged with coordinating and executing all military support and by chance found the Deputy Commander, Lieutenant General P.K. (Ken) Keen, already on the ground as he happened to be in Haiti on an official visit when the earthquake hit.

□ 1400

In these initial moments of confusion, our Armed Forces displayed the focus, determination, and steadiness that we all expect from such a well-trained force.

Under the direction of the U.S. Southern Command, the members of Operation Unified Response worked closely with the U.S. Embassy personnel, the U.S. Agency for International Development, the United Nations, and the many nations and the U.S. States who had sent rescue teams and aid personnel to quickly and effectively assess the damage, begin immediate rescue operations, and open logistical lines so that aid and recovery efforts could begin. All those involved in Operation Unified Response deserve our utmost thanks and praise for their efforts to save lives and restore hope in Haiti.

An estimated 230,000 lives were lost—76 American citizens are among the confirmed dead—and almost 200,000 injured in the earthquake. These already shocking numbers could have been all the worse had our response been any less. Instead, lives have been saved, the injured are receiving treatment, food and water are flowing, and recovery has started.

Mr. Speaker, Operation Unified Response is a reminder that America stands ready to aid a neighbor and friend in need. Once again, our military men and women have been a shining example of the American spirit. Today, we recognize and honor their efforts in Haiti and wish them, and all those helping Haiti recover, Godspeed in their work. And for Haiti and its people, we remind them that we, America, are with them in this time of need.

I reserve the balance of my time.

Mr. SKELTON. Mr. Speaker, I yield such time as he may consume to my friend, my colleague, and the sponsor of this resolution, the gentleman from Florida (Mr. MEEK).

Mr. MEEK of Florida. Mr. Speaker, I want to thank the chairman, the ranking member, and all of the Members that are cosponsors on House Resolution 1066.

I can't tell you how important this resolution is going to be for our men and women in uniform, not only those in the armed services, Mr. Speaker, but those that are serving as urban rescue personnel throughout this great country of ours.

I can tell you, being a Member of Congress that got to Port-au-Prince shortly after the event took place, seeing some of the loss of life that took place; seeing some of the people that were in desperation because they were without shelter and under blankets that they were using for tents; seeing a number of nongovernmental organizations trying to check their personnel, making sure that they are secure and rescue their personnel and help the Haitian people at the same time; but seeing our military stand up in a way, moving very fast, expeditiously to Haiti under the command of Southern Command, and also seeing a number including our Coast Guard that was one of the first on the scene; the urban rescue teams that came from not only L.A. County, but Fairfax County in Virginia, Miami-Dade County, New York City, and a number of other areas throughout this great country of ours responded to the needs of the Haitian people, and I can tell you that it was an outpouring of love and outstanding work on behalf of our men and women.

Madam Speaker, I just want to say that I had a chance to go out with the urban rescue team from Miami-Dade County. There were some 40 individuals. They came recently and presented me with this helmet with all of their signatures on it, just to tell them how much we appreciate the fact that we appreciate them for the work that they were able to do. But I have watched these men and women from the south Florida area work 20 hours saving lives, save not only a 2-year-old little girl and reunited her with her father, but there are a number of those kinds of stories that are scattered, and the work that our men and women in uniform have done as relates to saving lives throughout Haiti, but also as it relates to our first responders that are our urban rescue teams, one of the best units on the face of this Earth.

I am glad Chairman SKELTON and the ranking member took the time to allow us to bring this bill to the floor, 1066, to let those individuals know how much we appreciate them, those that are in the armed services, those that are our first responders, those in the recovery process in Haiti right now.

Being from Florida, Madam Speaker, I can tell you that the international response to Haiti is key. It was kicked off by many of our men and women in uniform and those that are first responders. It is an international response now, and it is very important that we continue in that spirit.

With that, I want to thank, Madam Speaker, the ranking member, and all of the Members that signed on to this bill to let these men and women know how much we truly appreciate their help and also their families' sacrifices for allowing them to serve our country and be goodwill ambassadors at a time when the poorest country in the Western Hemisphere needed us most.

Mr. FLEMING. Madam Speaker, I yield 3 minutes to the gentlelady from Florida (Ms. ROS-LEHTINEN).

Ms. ROS-LEHTINEN. Madam Speaker, I thank the gentleman for yielding.

I rise today as a proud original cosponsor of House Resolution 1066, recognizing the bravery and the efforts of the United States Armed Forces, the local first responders, and other members of Operation Unified Response.

Six weeks ago today, Haiti was struck by the largest earthquake to reach its shores in over two centuries. And while many of us were trying to grasp the tremendous impact of this disaster, the United States Armed Forces were mobilized. They were engaged in what turned out to be one of, if not the most key operation in Haiti's recovery.

Operation Unified Response was assembled almost immediately following the January 12 earthquake, and it was headed by the largest joint task force in the history of the U.S. Southern Command, SOUTHCOM.

At the height of the emergency relief efforts, there were more than 20,000 U.S. military personnel afloat and ashore working to facilitate search and rescue operations, delivering supplies, providing security in support of humanitarian assistance and disaster relief efforts.

In addition, the men and women of the U.S. military did a remarkable job in quickly standing up the airport in Port-au-Prince and in helping to repair and increase the capacity of many of the destroyed ports in that city. Before the earthquake, Port-au-Prince airport was averaging about 20 flights a day. In the days following the disaster, the airport was processing roughly 120 flights a day and really operating around the clock, 24 hours a day, thereby enabling countless shipments of vital supplies and resources to reach the citizens of Haiti during this most dire time of need.

Under the leadership of General Douglas Fraser, SOUTHCOM commander, and General Ken Keen, commander of the Joint Task Force-Haiti, Operation Unified Response has delivered, to date, and these are amazing numbers, over 2.5 million bottles of water, 2.2 million food rations, 14.1 million pounds of bulk food, and 125,000 pounds of medical supplies to Haiti's earthquake survivors.

In addition, our medical teams from the military have seen over 28,000 patients. They have performed more than 800 surgeries.

As the representative of Florida's 18th Congressional District, I take special pride in the instrumental role that SOUTHCOM has played in these vital relief efforts. I would like to again recognize the bravery of the efforts of all who were involved in Operation Unified Response. Thank you for your service.

And I thank my good friend and fellow Floridian, Congressman KENDRICK MEEK, for introducing this important measure. I encourage all of our colleagues to support it.

I thank the gentleman for the time.

Mr. SKELTON. Madam Speaker, before I yield to my friend, the gentlelady from California, let me acknowledge the cooperation of my friend and my colleague, the chairman of the Foreign Affairs Committee, Mr. BERMAN, for expediting consideration of this resolution. I extend these thanks to the committee's ranking member as well, the gentlelady from Florida (Ms. ROS-LEHTINEN).

HOUSE OF REPRESENTATIVES,
COMMITTEE ON FOREIGN AFFAIRS,
Washington, DC, February 4, 2010.

Hon. IKE SKELTON,
Chairman, Committee on Armed Services, Rayburn House Office Bldg., Washington, DC.

DEAR MR. CHAIRMAN: I am writing to you concerning House Resolution 1066, ''Recognizing the bravery and efforts of the United States Armed Forces, local first responders, and other members of Operation Unified Response for their swift and coordinated action in light of the devastation wrought upon the nation of Haiti after a horrific 7.0 magnitude earthquake struck Port-Au-Prince and surrounding cities on January 12, 2010.'' As you know, this measure was referred to the Committee on Armed Services and, in addition, to the Committee on Foreign Affairs 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.

This resolution contains provisions within the Rule X jurisdiction of the Committee on Foreign Affairs. In the interest of permitting your Committee to proceed expeditiously to floor consideration of this important resolution, I am willing to waive this Committee's right to mark up this resolution. I do so with the understanding that by waiving consideration of the resolution, the Committee on Foreign Affairs does not waive any future jurisdictional claim over the subject matters contained in the resolution which fall within its Rule X jurisdiction.

Please include a copy of this letter and your response in the Congressional Record during consideration of the measure on the House floor.

Sincerely,

HOWARD L. BERMAN,
Chairman.

HOUSE OF REPRESENTATIVES,
COMMITTEE ON ARMED SERVICES,
Washington, DC, February 5, 2010.

Hon. HOWARD L. BERMAN,
Chairman, Committee on Foreign Affairs, Rayburn House Office Building, Washington, DC.

DEAR MR. CHAIRMAN: Thank you for your letter regarding House Resolution 1066, ''Recognizing the bravery and efforts of the United States Armed Forces, local first responders, and other members of Operation Unified Response for their swift and coordinated action in light of the devastation wrought upon the nation of Haiti after a horrific 7.0 magnitude earthquake struck Port-Au-Prince and surrounding cities on January 12, 2010.'' This measure was referred to the Committee on Armed Services, and in addition to the Committee on Foreign Affairs, 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.

I agree that the Committee on Foreign Affairs has certain valid jurisdictional claims to this resolution, and I appreciate your decision to waive further consideration of H. Res. 1066 in the interest of expediting consideration of this important measure. I agree that by agreeing to waive further consideration, the Committee on Foreign Affairs is not waiving its jurisdictional claims over similar measures in the future.

During consideration of this measure on the House floor, I will ask that this exchange of letters be included in the Congressional Record.

Very truly yours,

IKE SKELTON,
Chairman.

Mr. SKELTON. I yield 3 minutes to my friend, the gentlelady from California (Ms. LEE).

Ms. LEE of California. Madam Speaker, let me first thank Chairman SKELTON for his leadership, for bringing this resolution to the floor today, and for his support and his love for the men and women in uniform.

I rise in support today of this resolution, which recognizes the honorable efforts of our United States Armed Forces and our local first responders to meet the needs of Haitians following the tragic earthquake of January 12, 2010. We thank them for their service, we thank them for making us very proud, and we thank them for their compassion and their professionalism as they conducted their work.

As Chair of the Congressional Black Caucus, I would like to extend our thanks also to Congressman MEEK for his work on this bipartisan resolution as well as for his leadership on issues related to Haiti, which he has demonstrated for so many years, long before this devastating earthquake struck. I actually spoke with Congressman MEEK when he was in Haiti recently, and I will tell you that his work and his insights and his commitment to help those suffering was deep and real.

The CBC has a long history of working with the Haitian and Haitian American communities, and during the current crisis, we have and will continue to work closely with the Obama administration to provide whatever assistance it can to the relief, recovery, and reconstruction efforts.

I would also like to take a moment and thank Congressman MCMAHON and Congressman TIM MURPHY for their work on two more Haiti-related resolutions coming to the floor today. H. Res. 1059, honoring the heroism of the USAID urban search and rescue teams, one of which is from my home State of California; and H. Res. 1048, commending the work of the men and women of the USNS *Comfort* and the United States Navy.

As our President recently said, America has no greater resource than the strength and the compassion of the American people. During the current crisis, we have seen the strength and compassion firsthand. Our Armed Forces, our urban rescue teams, our first responders have certainly shown us this firsthand and, as I said earlier, they have made us extremely proud.

While all of our eyes are on Haiti, we must determine the best way to help Haiti move forward, to empower Haitians to rebuild in a much more sustainable manner, one that can withstand natural disasters and economic recessions alike. What an even greater tragedy it would be if just a few years down the line another disaster strikes and again we look to ourselves to ask the same questions: What went wrong? What do we do now?

So now is the time to garner the support of the international community. Now is the time to develop a strategy to promote the long-term reconstruction and development of one of the poorest countries in the world yet one we call our neighbor, one whose people are strong and resilient. We have not only the resources; we have the compassion of the American people.

So I ask my colleagues to join me in supporting this measure and to express our deep appreciation to our Armed Forces, to our first responders, to the urban rescue teams.

The SPEAKER pro tempore (Ms. TITUS). The time of the gentlewoman has expired.

Mr. SKELTON. I yield the gentlewoman an additional 30 seconds.

Ms. LEE of California. I just want to make sure that we recognize and understand that this resolution is so important today, because we don't have many opportunities to thank our Armed Forces and our first responders and the urban rescue teams who were the face of America, who are the face of America, as they rose to the occasion to help the people of Haiti in the wake of this ongoing tragedy.

Ms. JACKSON LEE of Texas. Madam Speaker, I rise in support of H. Res. 1066—to honor the extreme bravery, responsiveness and effectiveness demonstrated by our United States Armed Services, local first responders and other members in support of Operation Unified Response led by USAID.

As you know, on Tuesday, January 12, a massive, 7.0 magnitude earthquake struck Haiti near the capital of Port-au-Prince. There is still no official estimate of death or destruction but the damage to buildings is extensive and the number of injured or dead is estimated to be in the hundreds of thousands.

Within hours of the earthquake, the United States sent world-class teams of first responders and search and rescue teams to help search for survivors. These teams, from all across the country, comprised roughly one-third of the entire international search and rescue effort in Haiti. In total, the United States sent over 511 rescue workers. These rescue workers worked tirelessly to search for survivors, and found and rescued more than 130 people from under the rubble. Without these search and rescue units, it is possible that these people would not have been located in time to save their lives.

In the following days, U.S. Southern Command deployed a team of 30 people to Haiti to support U.S. relief efforts in the aftermath of one of the largest natural disasters in the western hemisphere. The team included U.S. Coast Guard, U.S. military engineers, operational planners, and a command and control group and communication specialists arriving on two C–130 Hercules aircraft.

Shortly thereafter, U.S. Southern Command had established Joint Task Force-Haiti to oversee U.S. military relief efforts in which was commanded by U.S. Army Lt. Gen. Ken Keen. From the initial response forward more than 13,000 U.S. military personnel, 19 ships and more than 60 aircraft are supporting operations to provide relief and care to more than three million Haitians who were affected by the January 12 earthquake.

U.S. military forces are currently supporting efforts to provide shelter, establish settlements, and conduct debris removal as well as ensuring the delivery of aid to the Haitian people. They are also assisting the World Food

Program's food distribution surge while continuing to work with the U.N. Stabilization Mission in Haiti, MINUSTAH, the international community and local responders to alleviate human suffering and support humanitarian relief efforts.

The hospital ship USNS *Comfort*, embarked with nearly 1,000 medical personnel, is treating a steady stream of Haitian patients. *Comfort*'s hospital capabilities include fully-equipped operating rooms, digital radiological services, a medical laboratory, a pharmacy, an optometry lab, a CAT-scan and two oxygen-producing plants. Comfort's bed capacity is about 1,000.

Members supporting Operation Unified Response are also helping move thousands of pounds of medical aid to various distribution points and are working with local officials to address long-term rehabilitation of the Haitian public health system.

As of February 21 the incredible members of Operation Unified Response had delivered more than 2.6 million bottles of water, 2.2 million food rations, 17 million pounds of bulk food and 147,000 pounds of medical supplies into Haiti. Additionally, water production continues as U.S. military and international water purification units produce thousands of gallons of drinkable water daily.

I would like to personally thank the professional team of Sailor, Soldiers, Airmen, Marines and Coast Guardsmen of U.S. Southern Command for their role in providing guidance and securing passage for a Texas-based initial response medical team. These military professionals played a key role in arranging for the doctors and medical personnel from the Forest Park Medical Center to obtain the necessary clearance from the State and Defense Departments to fly jets carrying supplies, seven doctors, six nurses, two techs, and two search and rescue volunteers to Haiti.

The medical team, led by Dr. Richard Toussaint, flew from Dallas Love Field Airport and arrived in Haiti where they treated about 600 patients, including 70 amputations, and 150 surgeries. The team also provided medical and supplies to Haiti's Hospital Sacre Coeur.

America is committed to deliver her support to our neighbor who is still in dire need of our continued and immediate humanitarian assistance. This effort will be a monumental task that will take years to complete but we must be resolute to help the people of this struggling island nation rebuild their livelihoods.

To date the United States Government has contributed over $400 million in earthquake response funding for Haiti. It has also deployed approximately 19,000 military personnel in support of the relief effort. Subsequently, as part of the new Government of Haiti-lead effort, the U.N. World Food Program will provide commodities, non-governmental organizations will manage distributions, and U.S. military will provide security escorts.

America and her allies have delivered a comprehensive, interagency response to the earthquake. The State Department, Department of Defense, Department of Homeland Security, Coast Guard, USAID—all worked vigorously to ensure critical resources were positioned to support the response and recovery effort, including efforts to find and assist American citizens in Haiti.

Once again I am proud of our Armed Services, the first responders and all the members of Operation Unified Relief that deliver an overwhelming successful initial response. We all owe you a debt of gratitude and our undying support.

Ms. EDDIE BERNICE JOHNSON of Texas. Madam Speaker, I rise today to voice my support for H. Res. 1066 to recognize the bravery and efforts of the United States Armed Forces, local first responders, and other members of Operation Unified Response for their coordinated response to the January 12, 2010 Haitian earthquake. I am remarkably proud of the work we have done to assist with the recovery efforts in Haiti after this earthquake devastated Port-au-Prince and surrounding areas.

With this in mind, many citizens from my home city of Dallas answered the call to service and went to Haiti to help with relief efforts. I am particularly moved by the work of Dr. Craig Hobar who is the founder of Life Enhancement Association for People, LEAP, a non-profit organization dedicated to enhancing and enriching the lives of people around the world by providing specialized medical services. Shortly after the earthquake in Haiti, Dr. Hobar was in the country with Dr. Ale Mitchell to help assist with amputations and trauma surgeries. In addition to this, Dr. Hobar has pledged to help bring volunteer medical teams to Haiti from around the world for the next year through the LEAP Foundation.

Madam Speaker, I encourage my fellow colleagues to join me today in honoring all the first responders in Haiti by supporting this important resolution.

□ 1415

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

Mr. SKELTON. Madam Speaker, having no further requests for time, I yield back the balance of my time as well.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Missouri (Mr. SKELTON) that the House suspend the rules and agree to the resolution, H. Res. 1066.

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. SKELTON. 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.

HONORING THE HEROISM OF THE SEVEN URBAN SEARCH AND RESCUE TEAMS DEPLOYED TO HAITI

Mr. MCMAHON. Madam Speaker, I move to suspend the rules and agree to the resolution (H. Res. 1059) honoring the heroism of the seven United States Agency for International Development and Office of U.S. Foreign Disaster Assistance supported urban search and rescue teams deployed to Haiti from New York City, New York, Fairfax County, Virginia, Los Angeles County, California, Miami, Florida, Miami-Dade County, Florida, and Virginia Beach, Virginia, and commending their dedication and assistance in the aftermath of the January 12, 2010, Haitian earthquake, as amended.

The Clerk read the title of the resolution.

The text of the resolution is as follows:

H. RES. 1059

Whereas a catastrophic earthquake measuring 7.0 on the Richter scale struck the nation of Haiti at 4:53 p.m. (local time) on January 12, 2010;

Whereas the January 12, 2010, earthquake was the largest earthquake to hit the island-nation in over 200 years and has caused unconscionable loss of life, affected over 3,000,000 people, and caused widespread physical devastation to buildings and infrastructure;

Whereas United States urban search and rescue teams (US&R) were immediately activated and deployed from Fairfax County, Virginia, Los Angeles County, California, and Miami-Dade County, Florida, to assist the United States Agency for International Development (USAID) Disaster Assistance Response Team (DART);

Whereas each US&R task force is comprised of 70 members, who are multifaceted and cross trained in the major functional areas of search, rescue, medical, hazardous materials, logistics, and planning, and who are supported by trained canines able to conduct physical search and heavy rescue operations;

Whereas task forces have been activated for natural and man-made disasters and incidents both at home and abroad, including hurricanes, earthquakes, and the attacks of September 11, 2001;

Whereas New York City's first responders asked the Office of U.S. Foreign Disaster Assistance (OFDA) to activate a New York City US&R task force shortly after the disaster struck;

Whereas the 511 United States rescue workers comprised roughly one-third of the entire international US&R effort in Haiti;

Whereas more than 130 people have been rescued from under the rubble in Haiti by the US&R task forces, of whom at least 47 were rescued by United States US&R task forces;

Whereas United States US&R task forces deployed to Haiti also trained many of the other foreign search and rescue task forces in Haiti;

Whereas, on January 21, 2010, Assistant Secretary of State for the Bureau of International Narcotics and Law Enforcement Affairs David T. Johnson and New York City Police Commissioner Raymond W. Kelly signed a Memorandum of Understanding (MOU) to provide the Haitian national police, among other police forces, with training and technical assistance; and

Whereas the search and rescue effort in Haiti officially transitioned to a long-term humanitarian relief effort on January 23, 2010: Now, therefore, be it

Resolved, That the House of Representatives—

(1) honors the bravery and dedication of the United States Agency for International Development, Office of U.S. Foreign Disaster Assistance, and Federal Emergency Management Agency supported urban search and rescue teams, the best trained of these teams in the world;

(2) congratulates the 511 United States urban search and rescue workers for the many lives they helped to save in Haiti;

(3) recognizes the contribution of these teams not only in the lives that they directly saved, but to the international teams that they trained and to the people of Haiti;

(4) expresses its gratitude and appreciation to the individuals and organizations that comprise the National Urban Search and Rescue System for their unyielding determination and work as first responders to victims of disasters from all hazards;

(5) welcomes home the brave first responders of the United States urban search and rescue teams; and

(6) views the work of such teams and volunteers as an important part of the Nation's contribution to the recovery of Haiti.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from New York (Mr. MCMAHON) and the gentlewoman from Florida (Ms. ROS-LEHTINEN) each will control 20 minutes.

The Chair recognizes the gentleman from New York.

GENERAL LEAVE

Mr. MCMAHON. 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 gentleman from New York?

There was no objection.

Mr. MCMAHON. Madam Speaker, I rise in strong support of this resolution and yield myself such time as I may consume.

Madam Speaker, on January 12, 2010, the most devastating earthquake to strike Haiti in over 200 years ravaged the island nation and took with it hundreds of thousands of lives. The aftermath of this tragic earthquake will undoubtedly be felt for years to come, but through the tragedy over 50 Haitian and American families celebrated the moment when their loved ones were rescued from the rubble by the 511 brave volunteers of the USAID/OFDA-supported urban search and rescue teams deployed to Haiti.

These teams, which hail from New York City; Fairfax County, Virginia; Los Angeles County, California; Miami, Florida; Miami-Dade County, Florida; and Virginia Beach, Virginia, in most cases alerted their rescue team commanders that they were ready and willing to serve in Haiti even before their activation by OFDA. Their heroism is a true testament to the American spirit and the underlying concern of all Americans toward their neighbors and friends.

While highly skilled and experienced in this type of dangerous work, the challenges facing the search and rescue teams in the aftermath of this devastating earthquake were particularly daunting. One night, as New York's Task Force One team had already gone to base camp, the team rushed back to the streets of Port-au-Price when they heard rumors that there were still children trapped in rubble nearby. That night, an 8-year-old boy was pulled by the team from the rubble and thanked his rescuers with a big hug and a big smile. The rescue team also saved a little girl buried in the same massive pile of rubble where the team recovered the bodies of three other children that day.

The U.S. task force teams arrived in Haiti completely self-reliant. They brought their own shelter, food, and equipment. New York City Fire Commissioner and Staten Island native Sal Cassano says the groups that were sent to Haiti were among the best trained in the world by, of course, his department and the police department led by Commissioner Ray Kelly. The teams assisted in all types of search and rescue operations, including concrete removal, void searches, and confined space searches. They truly made a difference in the lives that they saved and in the other international search and rescue teams which they trained as well.

Altogether, the international search and rescue effort in Haiti resulted in over 130 lives saved. And although the search and rescue phase of the disaster relief effort in Haiti is over, many of the rescuers and members of the New York City Police Department have stayed on or will return to provide the Haitian national police, among other police forces, with training and technical assistance.

It is essential that immediate rescue and relief efforts be followed with a sustained commitment to Haiti's long-term reconstruction and development, and I commend President Obama, with the support of this Congress, and his able team for their leadership in this area.

I commend the great heroism of the seven United States search and rescue teams that served in Haiti and welcome them back to their homes and families in New York, California, Virginia, and Florida.

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 today as a proud original cosponsor of the bill before us, House Resolution 1059.

In the days following this horrific disaster, many of us watched the endless news cycles with cautious hope as search and rescue efforts were streamed live around the world. With bated breath, we watched as time after time earthquake survivors miraculously appeared from the rubble, each rescue helping to reinforce the faith, the strength, and the determination of all who were and are involved in the relief efforts in Haiti.

More than 130 individuals were ultimately saved from the rubble in the weeks following the earthquake, more rescues of survivors over more days than ever before. This is a testament to both the survivors and the rescuers. The U.S. search and rescue units are the best trained in the world. Without hesitation, several of these teams deployed almost immediately following the earthquake. We ultimately sent seven of our best teams, roughly compromising one-third of the entire urban search and rescue effort in Haiti. My own district was proud to send one team from both the city of Miami and Miami-Dade County.

Importantly, however, this resolution also recognizes the entire urban search and rescue team system that we have operating in this great country of ours. Because the U.S. swiftly contributed seven courageous teams to the search and rescue efforts in Haiti, there were a number of additional teams standing ready to deploy should they be called upon. It is this compassion and this courage which characterizes the spirit of the American people.

Helping to train and work with various international search and rescue teams on the ground, there is no doubt that the contributions of our urban search and rescue teams went far and beyond the many lives that they saved.

I had the honor to meet with Mr. Dave Downey, the team leader of the Miami-Dade County urban search and rescue unit, just a couple of weeks ago here in D.C. to thank and congratulate him for the heroic service not just of Mr. Downey, but of his entire team. And I extend my heartfelt gratitude to all our urban search and rescue workers who deployed in the aftermath of the Haiti earthquake.

I talked about the Miami-Dade part of this rescue effort, but I also commend Miami Fire Chief Maurice Kemp and the City of Miami Department of Fire-Rescue for their heroic service in these efforts. The word ''team'' comes up a lot in this resolution, and that is how they acted, as a team, not as one unit versus another, but how we can come together as a nation. They represented the best of what America has to offer.

I thank my good friend, the Congressman, for introducing this important measure. I encourage my colleagues to support it. And I am so glad that Mr. MCMAHON put in there the contributions of Miami and Miami-Dade rescue units.

Ms. JACKSON LEE of Texas. Madam Speaker, I rise in support of H. Res. 1059—Honoring the heroism of the seven United States Agency for International Development and Office of U.S. Foreign Disaster Assistance supported urban search and rescue teams deployed to Haiti from New York City, New York, Fairfax County, Virginia, Los Angeles County, California, Miami, Florida, Miami-Dade County, Florida, and Virginia Beach, Virginia, and commending their dedication and assistance in the aftermath of the January 12, 2010 Haitian earthquake.

As you know, on Tuesday, January 12th, a massive, 7.0 magnitude earthquake struck Haiti near the capital of Port-au-Prince. There is still no official estimate of death or destruction but the damage to buildings is extensive and the number of injured or dead is estimated to be in the hundreds of thousands.

America is responding, and will continue to respond with immediate humanitarian assistance to help the people of this struggling island nation rebuild their livelihoods. I send my condolences to the people and government of Haiti as they grieve once again in the aftermath of a natural disaster. As Haiti's neighbor, I believe it is the United States' responsibility

to help Haiti recover, and build the capacity to mitigate against future disasters.

To date the United States Government has contributed over $402 million in earthquake response funding for Haiti. It has also deployed approximately 17,000 military personnel in support of the relief effort. Subsequently, as part of the new Government of Haiti-led effort, the U.N. World Food Program will provide commodities, non-governmental organizations will manage distributions, and U.S. Military will provide security escorts.

American and her allies have already initiated a comprehensive, interagency response to the earthquake. The State Department, Department of Defense, Department of Homeland Security, Coast Guard, USAID—all worked overnight to ensure critical resources were positioned to support the response and recovery effort, including efforts to find and assist American citizens in Haiti.

Within days of last week's devastating earthquake, U.S. Southern Command deployed a team of 30 people to Haiti to support U.S. relief efforts in the aftermath of one of the largest natural disasters in the western hemisphere. The team included U.S. military engineers, operational planners, and a command and control group and communication specialists arriving on two C–130 Hercules aircraft. Since, there has been a tremendous interagency response with support and partnering with U.S. Embassy personnel as well as Haitian, United Nations and international officials to assess the situation and facilitate follow on U.S. military support.

Within hours of the earthquake, the United States sent world-class teams of search and rescue to help search for survivors. These teams, from all across the country comprised roughly one-third of the entire international USAR effort in Haiti. In total, the United States sent over five hundred and eleven rescue workers. These rescue workers worked tirelessly to search for survivors, and found and rescued more than 130 people from under the rubble. Without these search and rescue units, it is possible that these people would not have been located in time to save their lives.

The search and rescue teams were, quite literally, our first responders. At a moment's notice these men and women packed their bags and left their homes to confront the aftermath of the largest natural disaster in recent memory. I commend them for their readiness and tireless commitment to saving lives. Madam Speaker, over a month has passed since the earthquake, the search and rescue missions have ended, and Haiti has transitioned to long term reconstruction and development.

Recently, I proposed a plan that would increase the ability of the U.S. to assist Haiti in its efforts toward reconstruction and stabilization to Dr. Rajiv Shah, the Administrator of the U.S. Agency for International Development.

This plan would create an oversight position within the USAID that would coordinate and regulate faith-based and non-profit organizations operating in the reconstruction efforts in Haiti. I also recommended the creation of a U.S. civilian corps, an extension of the American Peace Corps, that would be tasked the specific mission of assisting reconstruction efforts in Haiti. This civilian entity would serve as a supplemental contingent which could be incrementally dispatched as needed by U.S. Government agencies or Nongovernment Organization.

Once again I stand in solidarity with the people of Haiti and will do everything in my power to assist them with rebuilding their country and livelihoods. I am proud of our first responders, and pledge that America's long term commitment to Haiti will live up to the standard that the first responders set.

Mr. WOLF. Madam Speaker, I rise today in support of H. Res. 1059, a resolution honoring the heroism of the seven urban search and rescue teams deployed to Haiti from New York City, New York; Fairfax County, Virginia; Los Angeles County, California; Miami, Florida; Miami-Dade County, Florida; and Virginia Beach, Virginia, and commending their dedication and assistance in the aftermath of the horrific January 12 Haitian earthquake.

I was pleased to be an original cosponsor of this resolution which congratulates the more than 500 rescue workers, some of whom are from my congressional district in Fairfax County, for the lives they helped save and for the work they undertook to train additional international teams working in Haiti.

The enormity of the destruction that Haiti has experienced is difficult to comprehend. But in the face of this devastation, selfless men and women from around our country have given of their time and talents to help a people and a nation in desperate need. I join my colleagues in recognizing and thanking them for their service.

Ms. ROS-LEHTINEN. Madam Speaker, I yield back the balance of my time.

Mr. MCMAHON. I thank the ranking member of the committee for those remarks, 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. MCMAHON) that the House suspend the rules and agree to the resolution, H. Res. 1059, 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. MCMAHON. 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.

HONORING THE LIFE OF MIEP GIES

Mr. MCMAHON. Madam Speaker, I move to suspend the rules and agree to the resolution (H. Res. 1074) honoring the life of Miep Gies, who aided Anne Frank's family while they were in hiding and preserved her diary for future generations.

The Clerk read the title of the resolution.

The text of the resolution is as follows:

H. RES. 1074

Whereas Hermine ''Miep'' Gies was born on February 15, 1909, in Vienna, Austria;

Whereas Miep Gies was sent to live with a host family in the Netherlands when she was 11 years old after the tumult of World War I led to food shortages in Austria;

Whereas in 1933, Miep Gies took a job as an office assistant to Otto Frank, owner of Opekta, a pectin manufacturing company, and father of Anne Frank;

Whereas Miep Gies agreed without hesitation to hide and assist the Frank family to avoid Jewish persecution at the hands of Nazi Germany;

Whereas Miep Gies helped hide and sustain the Frank family, along with Hermann and Auguste Van Pels, their son Peter, and later Fritz Pfeffer, for two years in a secret room above Opekta's offices, bringing them food, supplies, and writing supplies for Anne;

Whereas when the Gestapo captured the Frank family, the Van Pels family, and Mr. Pfeffer, on August 4, 1944, Miep Gies discovered the pages of Anne Frank's diary in the secret room and hid them for safekeeping;

Whereas after learning that Anne Frank and her sister Margot died of typhus at Bergen-Belsen, Miep Gies gave Anne Frank's diary to her father Otto, the only surviving member of the family;

Whereas ''The Diary of a Young Girl'' by Anne Frank, which has been translated into 70 languages, is both an inspirational story about hope in the face of senseless tragedy and an important testament for future generations to the horrors of the Holocaust;

Whereas Miep Gies shared her recollections to author Alison Leslie Gold for the book ''Anne Frank Remembered'', which was later made into a powerful documentary film;

Whereas Miep Gies, who would recount her extraordinary life with a self-effacing modesty that betrayed her unfailing courage and integrity, serves as a powerful symbol of resistance against the forces of oppression and injustice;

Whereas Miep Gies represents the valor demonstrated by the countless ordinary individuals who stood up to and helped defeat Adolph Hitler's Nazi regime; and

Whereas Miep Gies passed away on January 11, 2010: Now, therefore, be it

Resolved, That the House of Representatives—

(1) recognizes Miep Gies's courage in risking her own life to hide and provide for the Frank family while they were in hiding;

(2) commends Miep Gies for retrieving and preserving the diary of Anne Frank, which has served as an inspiration to countless people the world over; and

(3) honors Miep Gies for her bravery during Nazi occupation of the Netherlands and her dedication to preserving the memory of Anne Frank and the Holocaust.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from New York (Mr. MCMAHON) and the gentlewoman from Florida (Ms. ROS-LEHTINEN) each will control 20 minutes.

The Chair recognizes the gentleman from New York.

GENERAL LEAVE

Mr. MCMAHON. 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 gentleman from New York?

There was no objection.

Mr. MCMAHON. Madam Speaker, I rise in strong support of this resolution and yield myself such time as I may consume.

Anne Frank and her family's struggle to survive the Holocaust is known to millions around the world, but few realize that the story of Anne and the

Frank family would never have been known had it not been for the selfless acts of Miep Gies, who passed away on January 11.

The Frank family was ultimately captured by the Gestapo and deported to the Bergen-Belsen concentration camp, where Anne and her sister Margor died of typhus. Anne's diaries survived the war and continue to serve as an inspirational story of hope in the face of senseless tragedy and an important testament for future generations to the horrors of the Holocaust. Were it not for the selfless acts of Miep Gies, an employee of Anne's father, Otto, who aided the Frank family while they were in hiding and preserved Anne's diary, Anne's story would likely never have been known. Miep agreed without hesitation to hide and assist the Frank family to avoid persecution in the hands of the Nazis, and by doing so put her own life at risk.

After the Gestapo discovered the Frank family's hiding place, Miep hid the pages of Anne's diary for safekeeping and years later returned them to Otto, the only surviving member of the Frank family. Miep Gies also shared her recollections to author Alison Leslie Gold for the book, ''Anne Frank Remembered,'' which was later made into a powerful documentary film. She recounted her extraordinary life with a self-effacing modesty that betrayed her unfailing courage and integrity, serving as a powerful symbol of resistance against the forces of oppression and injustice.

□ 1430

We mourn the passing of this extraordinary woman, and honor her for her bravery and compassion.

I ask my colleagues to join me in recognizing Miep Gies' courage in risking her own life to hide and to provide for the Frank family and for preserving the memory of Anne Frank and the Holocaust.

Madam Speaker, I reserve the balance of my time.

Ms. ROS-LEHTINEN. I yield myself such time as I may consume.

Madam Speaker, I am a proud cosponsor of this bill, and I rise in support of House Resolution 1074, which honors the life of Miep Gies, who helped Anne Frank's family while they were in hiding and who preserved Anne's famous diary for future generations.

With Miep's passing on January 11, the world has lost a true hero. Before German occupation, Miep worked as an office assistant in Amsterdam for Otto Frank, Anne Frank's father. After Nazi Germany occupied Holland and after Hitler began to accelerate his plan for total extermination of the Jews, Anne Frank's father began to make plans to hide his family from persecution.

As Miep later recalled in the spring of 1942, Otto Frank sat her down and told her that they were going to go into hiding, and he asked her if she would be willing to help out the family by bringing them food.

Miep simply answered, ''Yes, of course.''

For 2 years, Miep, her husband and a number of her friends helped the Frank family and four other Jews hide in a small attic apartment behind the office of the Frank Family business. They brought them food and other necessities while putting their own lives at risk every day.

During their years in hiding, Anne Frank, as we all know, kept a diary, which described her experiences. This diary would later become one of the most widely read books in the world, providing millions of people with a glimpse of the Holocaust through the eyes of a young, bright and ever hopeful Jewish girl.

In August of 1944, the Gestapo discovered their hiding place, and they arrested the Frank family. After the Frank family was captured, Miep discovered the pages of Anne Frank's diary, and held them in safekeeping until after the war. She later gave the diary to Anne's father, who returned to Amsterdam after surviving Auschwitz. In fact, he was the only member of the Frank family who managed to survive. Anne's mother died in Auschwitz, and Anne and her sister perished in the Bergen-Belsen concentration camp.

Decades after the Holocaust, Miep stated the following about what she and her husband and a number of her friends did to help the Frank family and others:

''It seemed perfectly natural to me. I could help these people. They were powerless. They didn't know where to turn. I always emphasize that we were not heroes. We did our duty as human beings.''

What Miep and others did during the Holocaust to save lives, while putting their own at risk, was nothing short of heroism. Miep has survived and has received many honors for her heroism, including being knighted by Queen Beatrix of the Netherlands and receiving a medal from Yad Vashem, the Holocaust Memorial in Jerusalem.

Though Miep passed away last month, her relentless courage, her compassion and her contribution to preserving one of the most unique and important documentations of the horrors of the Holocaust will not be forgotten.

I thank my distinguished colleague, Congresswoman KILROY, for introducing this measure which recognizes Miep's courage in risking her life to hide and to provide for the Frank family while they were in hiding. It commends Miep for retrieving and preserving the diary of Anne Frank. Further, it honors Miep for her bravery during the Nazi occupation of the Netherlands, and it honors her dedication to preserving the memory of Anne Frank so as to remember the terrible lessons of the Holocaust.

I support this important measure, Madam Speaker, and I urge my colleagues to do the same.

With that, I reserve the balance of my time.

Mr. MCMAHON. Madam Speaker, I yield 10 minutes to the prime sponsor of this resolution, the gentlewoman from Ohio (Ms. KILROY).

Ms. KILROY. Thank you, my colleagues.

Madam Speaker, I rise today in support of House Resolution 1074, legislation that I introduced to honor the life of Hermine ''Miep'' Gies, who aided Anne Frank's family while they were in hiding and who preserved her diary for future generations.

I want to thank Chairman BERMAN and Ranking Member ROS-LEHTINEN for their support in bringing this resolution to the floor.

Why is it important to honor Miep Gies?

I recently visited Yad Vashem, the Holocaust Memorial in Jerusalem. It is an overwhelming experience, and as we ponder the horror of Hitler's plan to eradicate the Jewish people, we ask ourselves: How could this have happened? How could so many stand by silently? How could so many actually participate?

So it is important, I think, to understand that there are some who spoke up, heroes like Miep Gies, and it is important to honor people like her, people who helped the Jews, who worked against the sea of hatred that had enveloped most of Europe at that time—people like Miep Gies, an ordinary woman, who did an extraordinary thing.

She was born to a German Catholic family in Austria on February 15, 1909. When she was 11, her family sent her to live with a foster family in the Netherlands to escape food shortages in postwar Austria. She worked as a servant, as a seamstress, as waitress. Then, in 1933, she took a job with an Amsterdam manufacturing company owned by Otto Frank, a German Jew, who left Frankfurt when Hitler became Chancellor of Germany and when the organized attacks on the Jews began, including the boycott on Jewish businesses.

Ms. Gies quickly became friends with the Frank family. On July 6, 1942, more than 2 years into the German occupation of the Netherlands, Otto Frank; his wife, Edith; and his daughters, Margot and Anne, went into hiding in a secret annex behind a bookshelf in Otto Frank's office. They were later joined by Hermann and Auguste Van Pels; their son, Peter; and Fritz Pfeffer.

For 2 more years, Miep Gies, along with her husband, Jan, and three other employees of Otto Frank, risked their lives to supply the eight people in hiding with food, clothing, with news from the outside, and with paper for Anne to write on.

As Anne noted in her diary, ''Miep has so much to carry; she looks like a pack mule. She goes forth nearly every day, scrounging for vegetables, and then bicycles back with her purchases in large shopping bags.''

Miep is also the one who brought five library books to Anne every Saturday. She did this during a time of war. It

was a time of shortages, a time when getting food meant managing ration coupons. Despite their efforts, though, on August 4, 1944, the Gestapo raided the secret hiding place, and they captured the eight hideaways who were betrayed by an anonymous tip.

Miep Gies discovered the pages of the diary that Anne kept during her time in hiding, and Miep locked them in a desk drawer for safekeeping. When she learned that Margot and Anne had died of typhus at the Bergen-Belsen concentration camp, she returned Anne's diary to Otto Frank, the only one of the eight to have survived the Holocaust.

Later in her life, she testified against the Neo-Nazis, who denied the authenticity of the diary. She helped in the establishment of a museum in the small building where Anne and her family had hid.

As was noted, she passed away recently, on January 11, 2010, at the age of 100, but she kept alive a very important part of Holocaust history by preserving Anne's diary and by helping us to learn, to understand and to remember so it will not happen again.

The ''Diary of a Young Girl,'' by Anne Frank, has been translated into 70 languages—an inspirational story about hope in the face of war and an important testament for future generations so that the horrors of the Holocaust will not be forgotten. Like so many others who read Anne's diary, as a young woman, I was deeply moved by her steadfast optimism even during a period of her life defined by the evil of that day.

Thanks to Miep Gies' bravery, Anne's recollections have been preserved for future generations. Miep later described her efforts to assist the eight people in hiding, saying, ''Of course, it's nice to be appreciated, but I only did my duty to my fellow man. I helped people in need. Anyone can do that, can't they?''

This understated appraisal of her heroic acts is just one example of her modesty and her integrity. We can learn much from Miep Gies, an ordinary woman, who showed extraordinary courage in the face of unspeakable peril during Nazi occupation and the Holocaust. She is a powerful symbol of resistance against oppression and injustice. She is an example of our human capacity to rise even to the most daunting of challenges.

I urge my colleagues to join me in recognizing this incredible woman's life and legacy.

Ms. JACKSON LEE of Texas. Madam Speaker, I stand before you today in support of H. Res. 1074 "Honoring the life of Miep Gies, who aided Anne Frank's family while they were in hiding and preserved her diary for future generations."

I would like to begin by thanking my colleague Representative MARY JO KILROY for introducing this resolution in the House, as it is important that we honor and recognize those who helped and aided groups of people who were persecuted by the Nazis during World War II. Furthermore, we must never forget the horrible atrocities of the Holocaust and continue to fight against acts of genocide around the world as well as fight against bigotry and intolerance here at home in the U.S.

During the Second World War, Miep Gies helped and assisted Anne Frank and her family by hiding and protecting them from Nazi persecution. In fact, Miep Gies agreed to hide and assist the Frank family in avoiding Jewish persecution at the hands of the Nazis without hesitation.

Miep Gies initially met Anne Frank's father, Otto Frank, in 1933 and worked as a secretary in his pectin manufacturing company, Opekta. After some time, she became well acquainted with the Frank family, as did her husband Jan Gies, whom she married on July 16, 1941.

In the early 1940s, the Nazis began targeting specific groups of people including Jews, ethnic Poles, Romani, Soviet civilians, Soviet prisoners of war, people with disabilities, homosexuals, Jehovah's Witnesses, and other political and religious groups. Between 1940 and 1945 during the Holocaust, more than 6 million Jews and other targeted groups were exterminated by the Nazis.

During this time, Miep Gies along with her husband and several colleagues helped hide the Frank family including Edith and Otto Frank, their daughters Margot and Anne, Hermann and Auguste van Pels, their son Peter, and Fritz Pfeffer, from Nazi persecution. Miep Gies' husband Jan Gies was a member of the Dutch Resistance who was dedicated to assisting Jews and other persecuted peoples escape by obtaining illegal ration cards for food and finding good hiding places. Miep Gies and her husband hid the Frank family in a secret upstairs room of the office building that was used by Mr. Frank's spice company from July 1942 to August 1944.

Every few days Miep Gies would come by the secret upstairs room of Mr. Frank's former office building and bring food supplies in addition to writing supplies for Anne Frank. Because of Miep Gies' genuine compassion and selflessness, her friends were able to evade the horrors of Nazi persecution for two years.

Sadly, on the morning of August 4, 1944, the Grüne Polizei arrested Anne Frank and her family who were hiding in the secret upstairs room of Mr. Frank's office building. Because of her genuine care and compassion for her friends however, Miep Gies attempted to petition and bribe the Austrian Nazi officer to release her friends for several days after their arrest. Unfortunately the officer would not allow for their release.

After being arrested, Anne Frank and her family were deported to the Auschwitz Nazi Concentration Camp where Anne stayed until being transferred to the Bergen-Belsen concentration camp. Sadly, Anne Frank later died there in March 1945 at the age of 15 though her father Otto Frank, from whom she was separated, survived the war.

Sometime after Anne Frank and her family were arrested and deported, Miep Gies found the diary Anne Frank had kept while hiding from the Nazis in the secret room and safeguarded it through the end of the war. It wasn't until after the end of World War II that Miep Gies released the pages of Anne Frank's diary to her father, Otto Frank.

The diary of Anne Frank was later published and entitled "The Diary of a Young Girl." The diary was also translated into 70 languages and remains as a testament for future generations on the horrors of the Holocaust and the importance of preventing genocide in all forms.

Sadly Miep Gies recently passed away on January 11, 2010 leaving behind a legacy of compassion and teaching. Today I stand in recognition of the courage that Miep Gies had in risking her own life to shelter and provide for the Frank family while they were in hiding from the Nazis. The love and selflessness that Miep Gies showed in sheltering her friends from the hatred and persecution of Nazi Germany should be an example to us all.

I would also like to commend Miep Gies for recovering and preserving the diary of Anne Frank through the end of World War II. Because of the thoughtfulness of Miep Gies, the Diary of Anne Frank now serves as both an inspiration as well as an example to millions of people around the world.

It is important that we never forget the horrible actions that took place during the Holocaust. It is also important that we never forget the courageous and noble acts of people all across Europe in the fight against the Nazi regime as well as those who assisted persecuted groups during those terrible times.

Furthermore, I would also like to urge countries and leaders across the world to reassess their efforts in fighting racism, intolerance and anti-Semitism. Through providing education and instruction to adults and children alike, we can help to ensure that what happened in Europe during the Holocaust is never allowed to happen again.

I ask my colleagues for their support of this legislation as well as their support for those who protect defenseless people across the world. I strongly urge you to support this resolution.

Ms. ROS-LEHTINEN. Madam Speaker, I yield back the balance of my time.

Mr. MCMAHON. 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 gentleman from New York (Mr. MCMAHON) that the House suspend the rules and agree to the resolution, H. Res. 1074.

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. MCMAHON. 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.

EXPRESSING THE SENSE OF THE HOUSE OF REPRESENTATIVES ON RELIGIOUS MINORITIES IN IRAQ

Mr. MCMAHON. Madam Speaker, I move to suspend the rules and agree to the resolution (H. Res. 944) expressing the sense of the House of Representatives on religious minorities in Iraq, as amended.

The Clerk read the title of the resolution.

The text of the resolution is as follows:

H. RES. 944

Whereas threats against members of even the smallest religious and ethnic minority communities in Iraq could jeopardize the future of Iraq as a diverse, pluralistic, and free society;

Whereas according to the Department of State's International Religious Freedom Report, violent acts continue to pose a significant threat to members of the country's vulnerable non-Muslim religious minority communities, including documented attacks against Chaldeans, Syriacs, Assyrians, and other Christians, Sabean Mandeans, and Yazidis, and ''very few of the perpetrators of violence committed against Christians and other religious minorities in the country have been punished'';

Whereas according to the United States Commission on International Religious Freedom, there are grave threats to religious freedom in Iraq, particularly for members of the smallest, most vulnerable religious minority communities in Iraq, including Chaldeans, Syriacs, Assyrians, and other Christians, Sabean Mandeans, and Yazidis;

Whereas the February 2009 Country Report on Human Rights Practices issued by the Department of State identifies on-going ''misappropriation of official authority by sectarian, criminal, and extremist groups'' as among the significant and continuing human rights problems in Iraq;

Whereas in recent years, there have been alarming numbers of religiously motivated killings, abductions, beatings, rapes, threats, intimidation, forced conversions, marriages, and displacement from homes and businesses, and attacks on religious leaders, pilgrims, and holy sites, in Iraq, with the smallest, non-Muslim religious minorities in Iraq having been among the most vulnerable, although Iraqis from many religious communities, Muslim and non-Muslim alike, have suffered in this violence;

Whereas the Assyrian International News Agency reports that 59 churches were bombed in Iraq between June 2004 and July 2009;

Whereas persecution and violence in Iraq have extended to church leaders as well, such as the March 2008 kidnap for ransom and killing of 65-year-old Chaldean Catholic Archbishop Paulos Faraj Rahho;

Whereas many members of non-Muslim religious minority communities in Iraq reportedly do not receive adequate official protection, and are legally, politically, and economically marginalized;

Whereas control of several ethnically and religiously mixed areas, including the Nineveh and Tamim (Kirkuk) governorates, is disputed between the Kurdistan regional government and the Government of Iraq, and Chaldeans, Syriacs, Assyrians, and other Christians, Sabean Mandeans, Yazidis, and Muslim ethnic minorities Shabak and Turkomans are caught in the middle of this struggle for control and have been targeted for abuses and discrimination as a result;

Whereas many members of vulnerable non-Muslim religious minority communities in Iraq have fled to other areas in Iraq or to other countries;

Whereas the flight of such refugees has substantially diminished their numbers in Iraq;

Whereas approximately 1,400,000 Christians were estimated to have lived in Iraq as of 2003, including Chaldean Catholics, Assyrian Orthodox, Assyrian Church of the East, Syriac Catholics, Syriac Orthodox, Armenians (Catholic and Orthodox), Protestants, Evangelicals, and others;

Whereas it is widely reported that only 500,000 to 700,000 indigenous Christians remained in Iraq as of 2009;

Whereas since 2003, the Sabean Mandean community has found itself targeted by both Sunni and Shia Islamic extremists, and by criminal gangs who use religion to justify their attacks;

Whereas the Sabean Mandean community in Iraq reports that almost 90 percent of the members of that community either fled Iraq or have been killed, leaving only about 3,500 to 5,000 Mandeans in Iraq as of 2009;

Whereas in August 2007 a series of bombings targeted the Yazidi community of Iraq resulting in an estimated 200 deaths and more than 200 injuries;

Whereas at least 20 people were killed and 30 wounded in a double suicide bombing in August 2009 which targeted the Yazidi minority in northern Iraq;

Whereas the Yazidi community in Iraq reportedly now numbers about 500,000, a decrease from about 700,000 in 2005;

Whereas the Baha'i faith, estimated to have only 2,000 adherents in Iraq, remains prohibited in Iraq under a 1970 law;

Whereas the ancient and once-large Jewish community in Iraq now numbers fewer than 10, and they essentially live in hiding;

Whereas in 2008, the United Nations High Commissioner for Refugees (UNHCR) reported that approximately 221,000 Iraqis returned to their areas of origin in Iraq, the vast majority of whom settled into neighborhoods or governorates controlled by members of their own religious community;

Whereas many of these returnees reported returning because of difficult economic conditions in their countries of asylum, principally Syria, Jordan, Egypt, and Lebanon; and

Whereas many members of vulnerable religious and ethnic minority communities are not believed to be represented in more than negligible numbers among these returnees: Now, therefore, be it

Resolved, That it is the sense of the House of Representatives that—

(1) the United States remains deeply concerned about the plight of members of the vulnerable religious and ethnic minority communities of Iraq;

(2) the Secretary of State should develop and report to Congress on a comprehensive strategy to encourage the protection of the rights of members of vulnerable religious and ethnic minority communities in Iraq;

(3) the United States Government should urge the Government of Iraq to enhance security at places of worship in Iraq, particularly where members of vulnerable religious minority communities are known to be at risk;

(4) the United States Government should continue to work with the Government of Iraq to integrate religious and ethnic minorities into the government in general, and the Iraqi Security Forces, in particular, with the goal of ensuring that members of such communities—

(A) suffer no discrimination in recruitment, employment, or advancement in government positions, in general, and the Iraqi police and security forces, in particular; and

(B) while employed in the Iraqi police and security forces, be initially assigned, in reasonable numbers, to their locations of origin, rather than being transferred to other areas;

(5) the Government of Iraq should, with the assistance of the United States Government—

(A) ensure that the upcoming national elections in Iraq are safe, fair, and free of intimidation and violence so that all Iraqis, including members of vulnerable religious and ethnic minority communities, can participate in the elections; and

(B) permit and facilitate election monitoring by experts from local and international nongovernmental organizations, the international community, and the United Nations, particularly in ethnic and religious minority areas;

(6) the United States Government should encourage the Government of Iraq to work with members of vulnerable religious and ethnic minority communities to develop and implement tangible, effective measures to protect their rights and measures to reverse the legal, political, and economic marginalization of religious minorities in Iraq;

(7) in providing assistance to Iraq, the United States Government should continue to take into account the needs of vulnerable members of religious and ethnic minority communities and expand upon efforts to work with local organizations that serve those communities;

(8) the United States Government should continue to fund capacity-building programs for the Iraqi Ministry of Human Rights, the independent national Human Rights Commission, and the newly-created independent minorities committee whose membership is selected by members of vulnerable religious and ethnic minority communities of Iraq;

(9) the United States Government should strongly encourage the Government of Iraq to direct the Iraqi Ministry of Human Rights to investigate and issue a public report on abuses against and the marginalization of members of vulnerable religious and ethnic minority communities in Iraq and make recommendations to address such abuses; and

(10) the Government of Iraq should, with the assistance of the United States Government and international organizations, help ensure that displaced Iraqis considering return to Iraq have the proper information needed to make informed decisions regarding such return.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from New York (Mr. MCMAHON) and the gentlewoman from Florida (Ms. ROS-LEHTINEN) each will control 20 minutes.

The Chair recognizes the gentleman from New York.

GENERAL LEAVE

Mr. MCMAHON. 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 gentleman from New York?

There was no objection.

Mr. MCMAHON. I rise in strong support of this resolution, and I yield myself such time as I may consume.

Madam Speaker, H. Res. 944 expresses the sense of the House of Representatives on the status of religious minorities in Iraq.

When the Iraq war began in 2003, little thought was given to the impact on Iraq's religious minorities. Only 3 percent of the population in Iraq is non-Muslim. These populations include Christians, Yazidis, Sabian-Mandaeans, Baha'is, Shabaks, Kaka'is, and a very small number of Jews.

Although the new Iraqi Constitution recognizes Islam as the official religion of Iraq, it also states that no law may be enacted that contradicts principles of democracy or the rights and basic

freedoms stipulated in the constitution. The constitution also guarantees freedom of thought, conscience, and religious belief and practice for both Muslims and non-Muslims.

Although the Iraqi Government generally respects these rights, ongoing violence restricts the free exercise of religion, and this violence poses a significant threat to the country's vulnerable religious minorities. These minorities continue to suffer at the hands of terrorists, extremists, criminal gangs, and even at the hands of unsavory elements within the Iraqi Government. Sectarian violence, including attacks on religious leaders and religious places of worship, continues to hamper their ability to practice religion freely.

Many experts consider the situation for Iraqi Christians as especially dire. According to Chaldean Catholic Auxiliary Bishop Andreos Abouna of Baghdad, the number of Christians in Iraq may have been cut in half since 2003. As documented by the State Department, Christians have been threatened with violence if they do not leave their homes. They have been accosted on the streets and have even been assassinated. Their churches have been bombed and destroyed.

Reports indicate that other religious minorities face similarly treacherous situations. The Yazidis, who are considered heretical by many Muslims because of their beliefs, have suffered under a tremendous onslaught of violence. Another targeted group, the Sabian-Mandaeans, numbered about 60,000 in 2003. Today, only about 5,000 Sabian-Mandaeans remain in Iraq, meaning that more than 90 percent have left the country or have been killed.

That is why we are considering House Resolution 944 today, and that is why I am proud to say that I am an original cosponsor of that resolution.

This resolution urges the Government of Iraq to enhance security in places of worship in Iraq, particularly where religious minorities are known to be at risk. The resolution calls for the urgent training of an appropriate number of security forces to protect religious minorities. It also urges the Iraqi Government to take affirmative measures to reverse the legal, political and economic marginalization of religious minorities in Iraq. In addition, it asks the United States to consider implementing programs for religious minorities as part of its overall economic assistance to Iraq.

□ 1445

Madam Speaker, I urge all of my colleagues to support this resolution in an effort to make certain that all religions survive and have a chance to prosper in the new Iraq.

Madam Speaker, I reserve the balance of my time.

Ms. ROS-LEHTINEN. Madam Speaker, I yield myself such time as I may consume.

I also rise in support of House Resolution 944, and I want to thank the gentleman from Michigan (Mr. PETERS) and the gentleman from Virginia (Mr. WOLF) for bringing this important human rights issue before us today.

The protection of members of vulnerable religious and ethnic minorities, including the smallest minority groups, is integral to the future of Iraq as a free and stable country. Iraq is home to ancient and diverse Catholic, Orthodox, and other Christian groups, including Chaldean, Assyrian, Syriac, and Armenian Christians, among many others. They have been targeted for kidnapping and murder by radical Islamic extremists. Various credible sources estimate that more than half of Iraq's Christians have already fled the country during the last several years.

However, these dangers are certainly not confined to Christians. The Baha'i faith remains prohibited in Iraq, and Iraq's ancient and once-flourishing Jewish community has reportedly dwindled to fewer than a dozen people.

All of us understand that Iraq's young democracy faces many challenges, including its own threats from insurgents and other extremists. But the marginalization, the displacement, the violence that threatens Iraq's minority communities also endanger the vitality and the inclusiveness of Iraqi society as a whole.

We must strive to ensure that the work that we and our allies do helps to build Iraq's capacity and commitment to protect its minority citizens, and we must encourage the Government of Iraq to ensure that its forthcoming elections are an opportunity to reinforce the growth of democracy and freedom in that country. Those elections should be safe, should be fair, should be transparent so that all Iraqis, including members of these vulnerable religious and ethnic minority communities, can participate. And we must not let members of those minorities under siege think that they are alone or that they are forgotten.

For these reasons, Madam Speaker, I am grateful for this resolution, which deserves our unanimous support.

Madam Speaker, I reserve the balance of my time.

Mr. MCMAHON. Madam Speaker, at this time I yield 3 minutes to the prime sponsor of this resolution, the gentleman from Michigan (Mr. PETERS).

Mr. PETERS. Madam Speaker, I thank the gentleman from New York for yielding the time.

While the majority of Iraqis are Muslim, there are many communities of religious and ethnic minorities whose history in Iraq goes back thousands of years. This includes Chaldeans, Syriacs, Assyrians, and other Christians, as well as Sabian Mandeans and Yazidis.

Since 2003, approximately 2½ million refugees and asylum seekers have fled Iraq, and millions more have become displaced, forced to flee their homes and neighborhoods because of sectarian violence. In fact, there were approximately 1½ million Christians in Iraq in 2003, and today there is less than half of that amount.

Many of these Iraqis would like nothing more than to return home. According to the United Nations High Commissioner for Refugees, in 2008, approximately 221,000 Iraqis returned to their home village or neighborhood in Iraq and the vast majority settled into areas where members of their own religious community controlled the neighborhood or local government.

Unfortunately, Iraqi religious minorities do not have militia or tribal structures to defend themselves, and they do not receive adequate protection from the police or security forces. Not only does this make the possibility of return nearly impossible for Iraqi religious minorities, it also leaves them particularly vulnerable to violence.

Iraqi Christians and other religious minorities are often specifically targeted in gruesome and random acts of violence such as murder, rape, and abductions. This includes the Chaldean community, who this week is mourning the kidnapping and murder of Archbishop Paulos Faraj Rahho on February 29, 2008.

Archbishop Rahho spent almost his entire life living in Mosul and serving its Christian communities which are among the oldest and largest in Iraq. For years, the archbishop was threatened with violence because he spoke out against discrimination against Christians by Muslim extremists. Sadly, the archbishop was murdered because he refused to lend the support of his church to terrorists in their fight against U.S. forces in Iraq.

These stories continue to be tragically common, and more must be done by the United States Government and by the Government of Iraq to protect religious minorities.

This resolution calls upon the United States and the Iraqi Government to protect religious minorities by encouraging free and fair elections, training Iraqi security forces, and providing safe places to worship. It also seeks an investigation into human rights violations and calls for an end to the abuse of Iraqi religious minorities. Finally, the resolution calls for the United States to work with the Iraqi Government to ensure the physical and economic safety of those wishing to return to Iraq.

I would like to thank my colleagues, Mr. WOLF and Ms. ESHOO, who, as co-Chairs of the Religious Minorities in the Middle East Caucus, have shown great leadership on this issue and for their support of this resolution. I would also like to thank Chairman BERMAN and Ranking Member ROS-LEHTINEN for their support and for their staffs' work in helping me bring this resolution forward today.

It is no longer possible to stand by and watch as millions of religious minorities are subject to torture, abuse, and discrimination, which is why I ask my colleagues to support this important resolution.

Ms. ROS-LEHTINEN. Madam Speaker, I am very pleased to yield 4 minutes to the gentleman from Virginia (Mr. WOLF), the co-Chair of the Tom Lantos Congressional Human Rights Commission and the coauthor of this important measure.

(Mr. WOLF asked and was given permission to revise and extend his remarks.)

Mr. WOLF. I thank the gentlewoman for yielding the time.

I want to support the comments that have been made by Members of both sides and let Members think about it for a moment. With the exception of Israel, the Bible, the Bible contains more references to the cities, the regions, and the nations of ancient Iraq than any other country. The patriarch Abraham came from the city of Ur. I actually visited the site, when the war began, of the location of Abraham's house. Isaac's bride, Rebekah, came from northwest Iraq. Jacob spent 20 years in Iraq, and his sons, the 12 tribes of Israel, were born in northwest Iraq. A remarkable spiritual revival as told in the Book of Jonah occurred in Nineveh. The events of the Book of Esther took place in Iraq, as did the account of Daniel in the lion's den.

So all of these religious things have taken place, and yet people have almost forgotten about Iraq. And the previous speaker in his comments has said the Christian community in these areas has been going through tremendous pressure.

I have appreciated Ambassador Chris Hill's commitment to this issue. In recent correspondence, he indicated that the security of the Christian community remains one of his paramount concerns, especially in light of attacks directed at Christian churches in Baghdad and Mosul over the past 5 months.

But there needs to be leadership from the highest levels within the State Department as well. We've long advocated both during the previous administration and the current one that the U.S. needs to adopt a comprehensive policy to address the unique situation of these defenseless minorities. This resolution, and I thank both sides for bringing it up, urges the Secretary of State to develop such a strategy.

In closing, let me just say it is time for this administration to start taking religious freedom seriously. The position of U.S. Ambassador for International Religious Freedom has been vacant, has been vacant for over a year. Did anyone hear? There is no ambassador for religious freedom that has been appointed by this administration. The position has been vacant, vacant for 1 year. Yet we see the persecution of the Coptic Christians in Egypt, the Assyrian Christians in Iraq, the Catholic Church in China, the Catholic Church in Vietnam, on and on. So we want to see this administration have an ambassador who can advocate, as the resolution calls for, to help Chris Hill and helps others to speak out and advocate. But the very fact that there has been no ambassador appointed for over 13 months kind of tells the story. Personnel, personnel is policy, and if there's no personnel, it's not a good policy.

Let me just end. I want to thank the gentlemen on both sides and the gentlewoman for speaking. And I hope there's a rollcall vote on this. I hope we have to vote up and down so we can send a message to the Assyrian Christians and those who are going through tremendous persecution wondering whether anybody in the West cares.

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

Ms. ROS-LEHTINEN. Madam Speaker, I do have an additional speaker in case the gentleman would like to reserve his time.

Mr. MCMAHON. Madam Speaker, I ask unanimous consent to reclaim the balance of my time.

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

There was no objection.

Ms. ROS-LEHTINEN. Madam Speaker, I now would like to yield 4 minutes to the gentleman from Tennessee (Mr. DUNCAN), a member of the Natural Resources, Oversight, and Transportation Committees, for his insight and the insight of his constituent who's very concerned about religious minorities in Iraq.

Mr. DUNCAN. I thank the gentlewoman from Florida for yielding me this time.

I also want to thank all of the previous speakers: the gentleman from Michigan, the original author of the resolution; the gentleman from New York; and especially the gentleman from Virginia, Congressman WOLF, who has been such a leader on these issues for many years now.

I rise in strong support of H. Res. 944, expressing the sense of the House of Representatives on religious minorities in Iraq.

While this bill calls attention to various religious minorities in Iraq that are victims of acts of violence and religious persecution, one group that is extremely vulnerable, especially vulnerable, is the Iraqi Christians. In the most recent series of attacks in Iraq's northern city of Mosul, five Iraqi Christians were attacked and killed just last week in various acts of violence. According to a February 17, 2010, article from Reuters, ''Bombings and shootings are recorded almost daily in the violent northern city of Mosul, where the situation has been described by one Christian priest as 'miserable.' Iraqi Christians are forced to hide in their homes in fear of being the next victim of what is being called a 'systematic campaign of violence against minorities.' And Sunni Islamist insurgent groups have labeled Christians and other Iraqi minorities as devil worshipers and infidels.''

There is growing concern, Madam Speaker, of even more violence and killings in the wake of the upcoming elections in March. These attacks are being used as a means of intimidation to discourage Iraqi Christians from voting in the upcoming elections. There have also been threats of violence using military means to prevent the elections from happening at all.

I first spoke out about the violence against Christians in Iraq that last year when one of my constituents and a native of Iraq, Susan Dakak, brought to my attention the escalation of violence against this particular religious group. I also met recently, a few weeks ago, with a member of the Iraqi Parliament, Yonadom Kanna, recently to discuss the ongoing persecution of Iraqi Christians.

The horrendous human rights violations and acts against religious minorities must end. The United States should do as much as possible to help stop the discrimination against and persecution of the Christian community in Iraq, and this resolution will be a meaningful step in that direction.

I urge my colleagues to support this resolution.

Ms. JACKSON LEE of Texas. Madam Speaker, I rise today in support of H. Res. 944—''Expressing the sense of the House of Representatives on religious minorities in Iraq.'' As a cosponsor of this resolution, I join my colleagues in expressing my concern about the plight of vulnerable religious and ethnic minorities of Iraq, and we are particularly concerned for the Chaldeans, Syriacs, Assyrians, and other Christians, Sabean Mandeans, Yazidis, Baha'is, Jews, and Muslim ethnic minorities, the Shabak and Turkomen, and other religious and ethnic minorities of Iraq.

Political and religious freedom in Iraq is a vital concern with regards to the nation and region. When we envision the long-term peace and security of Iraq, we envision a country with a strong, functioning democracy that respects the rights of all citizens. That vision is not a product of the imperialism of Western ideas; the tradition of religious plurality has roots in the history and religious beliefs of the Iraqi people. But, although Iraq has a strong history of multiculturalism, it must not rest on this reputation. The rights of minorities in Iraq are not fully protected, and the Iraqi government can and must do more to protect the rights of its minorities.

The degree to which Iraq protects those rights is a reflection on our country. Because of the United States' unfortunate detour from our struggle against terrorism into Iraq, the actions of the new government of Iraq directly reflect upon us. So far, I believe that the actions of the government of Iraq with respect to political and religious freedoms are problematic.

In no case is the Iraqi government's treatment of minorities more troubling than their treatment of the residents of Camp Ashraf. Although Camp Ashraf is halfway around the world, the conditions there affect Americans, including in my own district and throughout the state of Texas where some of my constituents have family members in Camp Ashraf. For example, my constituent, Mitra Sohrabi, has a brother who is currently detained in Camp Ashraf, and worries about his health on a daily

basis. I also know many people in Houston and throughout the state of Texas who were affected directly by the July 2009 raid on Camp Ashraf.

Late last year, three months after U.S. forces turned over control of Camp Ashraf, Iraqi Security Forces violated the human rights of the People's Mujahideen of Iran (PMOI). Camp Ashraf detains over 3,400 exiled Iranian political dissidents, who are members of the PMOI, including over 1,000 women. The PMOI opposes the current Iranian regime, and for their political beliefs they have been exiled from Iran and sequestered in Camp Ashraf. Several women detained at Camp Ashraf have reported acts of intimidation and threats of physical and sexual violence by members of the Iraqi security forces.

On July 28, 2009, Iraqi Security Forces conducted a raid on the detainees at Camp Ashraf. The raid occurred fewer than three months after the U.S. passed control of Camp Ashraf to the government of Iraq. The raid began on Tuesday, July 28th when Iraqi armored vehicles began attacks against the Iranian prisoners. The attacks continued for two full days and resulted in the death of 11 exiles and the injury of over 400 more. As a result of the raid on Camp Ashraf, 36 men were arrested under allegations of violent behavior. The 36 arrested Camp Ashraf residents have since been freed, but the United States has a continuing interest in ensuring that the events of July 28th never occur again.

Although most of the residents of Camp Ashraf were not religious minorities, the Iraqi government's treatment of the camp's residents sets a dangerous example. In recent years, there have been alarming numbers of religiously motivated killings, abductions, beatings, rapes, threats, intimidation, forced conversions, marriages, and displacement from homes and businesses, and attacks on religious leaders, pilgrims, and holy sites, in Iraq, with the smallest religious minorities in Iraq having been among the most vulnerable, although Iraqis from many religious communities, Muslim and non-Muslim alike, have suffered in this violence. In summary, members of small religious minority communities in Iraq do not have militia or tribal structures to defend them, do not receive adequate official protection, and are legally, politically, and economically marginalized.

This resolution will remind the Iraqi government that minorities of any type—be it race, religion, political affiliation, or difference of thought—are integral components of a robust civil society and a true democracy. I have faith that Iraq can and will achieve such a democracy, but we must remember that building democracy requires more than a constitution—it requires a commitment to democratic principles.

Ms. SCHAKOWSKY. Madam Speaker. I rise tonight in support of H. Res. 44, a resolution expressing concern about the situation facing religious minorities in Iraq. I'd like to thank my colleague, Congressman PETERS, for introducing this resolution, and for being a persistent champion on this important issue.

I am proud to cosponsor this resolution, which encourages the United States government, the Iraqi government, and the international community to take positive steps to protect Iraqi religious minorities.

Nearly seven years after the U.S.-led invasion, Iraq faces one of the largest displacement crises in the world. The country's religious minorities face a particularly desperate situation. Iraqi ethno-religious minorities, including Iraqi Jews as well as Assyrians, Chaldeans, and Syriac Christians, continue to face targeted killings, sexual assaults, abductions, and other forms of threats and violence. They comprise a disproportionately large percentage of the over 4 million Iraqis who have been displaced by the ongoing violence and instability.

Those who flee Iraq often encounter a life of crippling poverty. Many have great difficulty finding work in their new countries and often cannot support their families. They may bear physical and emotional scars as a result of years of trauma, tragedy, and abuse. Those who stay in Iraq, on the other hand, face a life of constant fear, intimidation, and outright violence.

I have a longstanding concern for Iraq's ethno-religious minorities. In particular, I have worked closely with Chicago's vibrant Assyrian community on efforts to protect Iraqi religious minorities and provide opportunities for refugees. In August of last year I wrote to Secretary Clinton, urging her to develop a comprehensive plan for protecting these groups. This critical issue is crying out for the attention it deserves.

That's why this resolution is so important. The protection of ethno-religious minorities must be a component of our overall strategy in Iraq, and the United States government must do more in partnership with the Iraqi government and the rest of the international community to ensure that all Iraqis, regardless of religious affiliation, can live free of fear and intimidation.

Ms. ESHOO. Madam Speaker, I rise today in support of House Resolution 944. I commend Representative PETERS for his valuable work with the Caucus on Religious Minorities in the Middle East, which, together with my colleague Representative FRANK WOLF, I am proud to co-chair. The second anniversary of the kidnapping and brutal murder of the Chaldean Archbishop of Mosul is a fitting time to remember our responsibility to these vulnerable groups both during and in the aftermath of the war.

As an Assyrian American, I am deeply disturbed by the ongoing struggle Iraq's minorities face each day. There have been dozens of church burnings, kidnappings, and random acts of violence against Assyrians, Chaldeans, Syriacs, and numerous other minority groups and this Resolution calls on the Iraqi government to take meaningful action to address their plight.

Last year, we took an important step by appropriating $10 million to assist Iraq's minorities in the Nineveh Plains region. I'm pleased that today's Resolution calls on the Iraqi government to protect the people in that area. Madam Speaker, for the sake of a free and pluralistic Iraq, I urge a "yes" vote on today's Resolution.

□ 1500

Ms. ROS-LEHTINEN. I have no further requests for time, and I yield back the balance of my time.

Mr. MCMAHON. Madam Speaker, I have no further requests for time, and I yield back the remainder of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from New York (Mr. MCMAHON) that the House suspend the rules and agree to the resolution, H. Res. 944, 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. MCMAHON. 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.

COMMENDING THE U.S. NAVY FOR ITS WORK IN HAITI

Mr. MCMAHON. Madam Speaker, I move to suspend the rules and agree to the resolution (H. Res. 1048) commending the efforts and honoring the work of the men and women of USNS *Comfort* and the United States Navy in the immediate response to those affected by the earthquake that struck Haiti on January 12, 2010, as amended.

The Clerk read the title of the resolution.

The text of the resolution is as follows:

H. RES. 1048

Whereas, on January 12, 2010, a 7.0 magnitude earthquake struck the country of Haiti;

Whereas casualty estimates, upwards of 150,000, as well as damage to roads, ports, hospitals, and homes, make this earthquake one of the worst catastrophes to hit Haiti in over two centuries;

Whereas an estimated 3,000,000 people have been directly affected by the disaster in Haiti, nearly one-third of the country's population, who are currently at risk of long-term displacement and vulnerability;

Whereas Haiti is the poorest, least developed country in the Western Hemisphere;

Whereas prior to the earthquake, Haiti was recovering from a terrible string of hurricanes and tropical storms, food shortages and rising commodity prices, and political instability, but was showing signs of improvement and resolve;

Whereas President Obama vowed the "unwavering support" of the United States and pledged a "swift, coordinated and aggressive effort to save lives and support the recovery in Haiti";

Whereas the people of Haiti have shown remarkable resilience and courage in the face of epic tragedy;

Whereas the United States Navy responded within hours of the earthquake to swiftly provide the Haitians with aid;

Whereas the USNS Comfort and its crew of more than 1,200 has provided 24-hour care for over 900 Haitians, ranging from newborns to critically ill patients;

Whereas the USNS Comfort's over 550-person medical staff includes trauma surgeons, orthopedic surgeons, head and neck surgeons, eye surgeons, and obstetricians and gynecologists;

Whereas the medical staff of the USNS Comfort, as of February 18, 2010, had performed over 755 surgeries;

Whereas the extraordinary USNS Comfort medical staff has saved countless lives;

Whereas the people of the United States empathize with the medical staff of the USNS Comfort who must make agonizing decisions about the use of scarce resources for critically ill patients;

Whereas prior to the arrival of the USNS Comfort, the USS Carl Vinson dutifully provided initial triage of patients; and

Whereas the USNS Comfort and the USS Carl Vinson have been aided in their efforts by other Navy vessels, including the crews of the USS Higgins, the USS Underwood, the USS Normandy, the USS Bunker Hill, the USS Bataan, the USS Carter Hall, the USS Gunston Hall, the USS Fort McHenry, the USNS Grasp, the Navy Underwater Construction Team One, and the Navy Mobile Diving Salvage Unit Two: Now, therefore, be it

Resolved, That the House of Representatives—

(1) expresses its deepest condolences and sympathy for the horrific loss of life and the physical and psychological damage caused by the earthquake of January 12, 2010;

(2) expresses solidarity with Haitians, Haitian-Americans, and all those who have lost loved ones or have otherwise been affected by the tragedy;

(3) commends the efforts of the people of the United States, including the Haitian-American community, to provide relief to families, friends, and unknown peoples suffering in the country; and

(4) commends the efforts and honors the work of the men and women of USNS Comfort and the United States Navy in the immediate response to those affected by this calamity.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from New York (Mr. MCMAHON) and the gentlewoman from Florida (Ms. ROS-LEHTINEN) each will control 20 minutes.

The Chair recognizes the gentleman from New York.

GENERAL LEAVE

Mr. MCMAHON. 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 gentleman from New York?

There was no objection.

Mr. MCMAHON. Madam Speaker, I rise in strong support of this resolution, and yield myself as much time as I may consume.

Madam Speaker, this resolution recognizes the tireless, selfless, and heroic efforts of the men and women of the USNS *Comfort* and the entire United States Navy in responding to the tragic earthquake that rocked Haiti, the poorest nation in the Western Hemisphere, on January 12, 2010.

While many have known about Haiti's long and trying history in the face of natural disaster, food shortage, volatile prices, and an unstable political system, this latest trial, a 7.0 magnitude earthquake has brought with it a sea of new challenges, directly affecting 3 million people, nearly one-third of the country's population.

Amid the catastrophic destruction of homes, roads, schools, hospitals, and infrastructure, and casualty estimates being measured in the hundreds of thousands, there is a deep need for immediate material aid and medical support for survivors. Within hours of the quake, the United States Navy was on the scene in Port-au-Prince to swiftly administer aid to the Haitian people.

The USNS *Comfort* and its 1,200 crew members have since offered around-the-clock medical services for up to 900 Haitians facing a wide range of health issues and maladies, many of them critical. They have saved the lives of 98 percent of the ship's patients, a testament to the USNS *Comfort*'s dedication and laudable medical capabilities.

The 550 medical personnel aboard the *Comfort* represent a wide array of specialties, including trauma surgeons, and have been working around the clock, since even before the *Comfort* reached Haiti, as patients began arriving by helicopter while they were en route. This vessel's brave crew has brought with it rays of hope, and is a symbol of the United States' and international outpouring of aid and sympathy.

In the wake of this terrible catastrophe, the Haitian people have once again called upon their reserves of courage and resilience, and the United States is proud to stand as a leader with them in their hour of need.

I believe it is fair to say that the USNS *Comfort* is aptly named. It has provided comfort in terms of health and saving lives to the victims of this terrible calamity. I therefore, Madam Speaker, urge my colleagues to strongly support this resolution.

HOUSE OF REPRESENTATIVES,
HOUSE COMMITTEE ON ARMED SERVICES,
Washington, DC, February 22, 2010.

Hon. HOWARD L. BERMAN,
Chairman, House Committee on Foreign Affairs, Rayburn House Office Building, Washington, DC.

DEAR MR. CHAIRMAN: On January 27, 2010, the House Resolution 1048, ''Commending the efforts and honoring the work of the men and women of USNS Comfort and the United States Navy in the immediate response to those affected by the earthquake that struck Haiti on January 12, 2010'' was introduced in the House. This measure was referred to the Committee on Foreign Affairs, and in addition to the Committee on Armed 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.

Our Committee recognizes the importance of H. Res. 1048, and the need for the legislation to move expeditiously. Therefore, while we have a valid claim to jurisdiction over this legislation, the Committee on Armed Services will waive further consideration of H. Res. 1048. I do so with the understanding that by waiving further consideration of the resolution, the Committee does not waive any future jurisdictional claims over similar measures.

I would appreciate the inclusion of this letter and a copy of your response in the Congressional Record during consideration of the measure on the House floor.

Very truly yours,

IKE SKELTON,
Chairman.

HOUSE OF REPRESENTATIVES,
COMMITTEE ON FOREIGN AFFAIRS,
Washington, DC, February 23, 2010.

Hon. IKE SKELTON,
Chairman, Committee on Armed Services, Rayburn House Office Bldg., Washington, DC.

DEAR MR. CHAIRMAN: Thank you for your letter regarding House Resolution 1048, ''Commending the efforts and honoring the work of the men and women of USNS Comfort and the United States Navy in the immediate response to those affected by the earthquake that struck Haiti on January 12, 2010.'' This measure was referred to the Committee on Foreign Affairs, in addition to the Committee on Armed 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.

I agree that the Committee on Armed Services has certain valid jurisdictional claims to this resolution, and I appreciate your decision to waive further consideration of H. Res. 1048 in the interest of expediting consideration of this important measure. I understand that by agreeing to waive further consideration, the Committee on Armed Services is not waiving its jurisdictional claims over similar measures in the future.

During consideration of this measure on the House floor, I will ask that this exchange of letters be included in the Congressional Record.

Sincerely,

HOWARD L. BERMAN,
Chairman.

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 today as a proud cosponsor of the bill before us, House Resolution 1048, commending the efforts and honoring the work of the men and women of the USNS *Comfort* and the United States Navy in the immediate response to those affected by the earthquake that struck Haiti on January 12, 2010.

The tremendous impact of this natural disaster appeared almost insurmountable at one point. Six weeks later, however, we have seen remarkable achievements and great promise for the future. The swift and comprehensive response of the United States has helped to save countless lives. In particular, the men and women of the U.S. Navy, particularly those serving on the hospital ship *Comfort*, have provided vital medical and relief services.

Before it had even reached the shores of Haiti, the *Comfort* was receiving patients flown in from the USS *Carl Vinson*. They had nearly 100 new admissions on their first day on station. Within 2 weeks of arriving, the *Comfort* had performed over 500 surgeries and provided 24-hour care for countless others. And as of late last week, nearly 800 surgeries had been performed. I join my colleagues in commending this tremendous performance and recognizing the admirable service of the men and women of the U.S. Navy Ship *Comfort*, and the many other Navy vessels and crews who have contributed to the relief efforts in Haiti.

In addition, I would like to recognize the ongoing selfless acts of the people

of the United States, including the Haitian American community, to provide relief to the people of Haiti. I have seen group after group from my own district in South Florida and across the country mobilize to provide medical assistance, humanitarian services, all kinds of goods to the Haitian people. I am confident, Madam Speaker, that with this type of ongoing support, Haiti will see a brighter future.

Again, I would like to commend and honor the work of the men and women of the United States Navy, and particularly those on the Navy Ship *Comfort* for the immediate response that they gave to the earthquake victims in Haiti. And I thank Congressman MURPHY for introducing this important measure.

Madam Speaker, if I may, I would like to yield such time as he may consume to the gentleman from Pennsylvania (Mr. TIM MURPHY), the author of this resolution, a member of the Committee on Energy and Commerce.

Mr. TIM MURPHY of Pennsylvania. Thank you, Ranking Member ILEANA ROS-LEHTINEN, for this opportunity to speak about this important issue of one of America's proud moments of how it helps when the world has need.

On January 12 of this year, we were shocked and saddened by the devastating earthquake in Haiti. More than 230,000 Haitians are dead, perhaps even more we will find, hundreds of thousands injured, a million left homeless. The world responded immediately with food, donations, and rescue workers, but among the first to respond were our military, particularly the crew of the USNS *Comfort*. This 894-foot-long floating Naval hospital set sail from Baltimore Harbor soon after the earthquake.

Members of the ship's crew, most of whom hailed from the Navy's hospitals in Maryland and Virginia, were soon on board and underway. By the 17th of January, the *Comfort* was making full speed towards Port-au-Prince. Before its arrival, the USS *Carl Vinson* aircraft carrier provided immediate relief to injured Haitians. Today, the 1,200-person *Comfort* crew, made up of over 550 civilian and uniformed doctors, nurses, and others, is providing the best possible care under very challenging circumstances.

With limited supplies but limitless compassion and skill, surgeons and nurses and a host of other specialties, obstetricians, pharmacists, pediatricians, and Navy personnel from the medical corps, the medical service corps, nursing corps and so many others were there to treat Haitians who came on board with wounds, fractures, and infections. The crew's superb performance is a testament to our Navy and our Marines who are confronting these very, very difficult challenges.

Even before the devastating earthquake of January 12 that took so many lives, Haiti was a country enduring many difficult problems. Nearly four-fifths of its people live in absolute poverty. It has less than 50 hospitals, some of which are only staffed by a pair of nurses and medical interns. The country has fewer than three physicians for every 10,000 people. By comparison, our country has nearly 100 doctors for every 10,000 people.

The absence of a medical infrastructure made treating Haitians even more challenging, where doctors in the pediatric ward estimated that a fifth of the children in their care had untreated, and in many cases previously undiagnosed, medical conditions.

The USNS *Comfort* docked near Port-au-Prince on January 20 with 250 medical beds, but the crew quickly realized it would serve as the primary place of treatment for a country with hundreds of thousands of injured people. The *Comfort* transformed itself into a thousand-bed facility, with 880 ward beds, 80 intensive care units, 20 post-anesthesia care unit beds, 12 operating rooms.

On the second day of the *Comfort*'s mission, Lieutenant Commander Erika Beard-Irvine and Lieutenant Commander Shannon Lamb delivered a premature baby, a 4-pound, 5-ounce baby girl named Esther, whose mother during the earthquake, after a building collapsed upon her, had severe injuries. Her mother went without treatment, but surgeons couldn't repair her fractures without threatening the baby's life, so on that day they delivered a healthy baby. She was seven weeks early, but right on time for a ship that had never before witnessed an onboard delivery in its 22 years of service.

The *Comfort* already had infants aboard, brought to the ship by mothers unable to find post-natal care in Haiti. One of the ship's youngest male patients is Vinson, named for the aircraft carrier USS *Carl Vinson*, where his mother gave birth to him.

At the end of its second day, the *Comfort* had seen 184 patients, a third of whom saw surgery. Said Lieutenant Commander Don D'Aurora, director of the ship's receiving ward and division officer of the emergency department at the National Naval Medical Center in Bethesda to the Baltimore Sun, quote, ''I saw more patients in six hours today than I would normally see in 24 hours back home. This is what we train for. This is what it is about for all of us.''

Even with the crew sleeping in shifts, helicopters dropping supplies from dawn until dusk, and the crew running around-the-clock operations at everything from the barber shop to the mess hall, wave after wave of critically injured patients pushed the limits of the *Comfort*'s capabilities. Some were stories about senses of helplessness, physical pain, or feelings of despair and the loss of loved ones, but some provide inspiration.

Due to the work of a Port-au-Prince native, fireman Jean Rabel, a Navy translator aboard the *Comfort*, and Joe Fiscus of Rochester, Pennsylvania, near Pittsburgh, Haitian national Antonio Jeanite was reunited with his 3-month-old daughter, Christ-Yarah, on February 2. He said, ''I am very happy. It has been seven days since I sent my daughter to another hospital.''

The *Comfort*'s crew knows that someday its mission will end, the ship will return to Baltimore Harbor, and the best medical care in the Caribbean Sea will depart with it. That is why the *Comfort* is making arrangements with a stateside hospital for continuing care to treat seriously burned patients who require months of medical attention.

The *Comfort* has cared for over 2,000 Haitians, and much work remains to be done. I know that the crew and its able commander, Captain Jim Ware, are up to the task. I commend them for their diligence, and call for us to honor their unbreakable spirit by passing this resolution.

I would also like to recognize the crews of the *Vinson* (CVN–70); the USS *Fort McHenry* (LSD 43), a dock landing ship; the USS *Bataan* (LHD 5), a Wasp-class amphibious assault ship; the USS *Carter Hall* (LSD 50), another dock landing ship; and several other ships, the *Higgins* (DDG–76), the *Underwood* (FFG–36), the *Normandy* (CG–60), the *Bunker Hill* (CG–52), the *Gunston Hall* (LSD–44), the *Grasp* (T-ARS–51), and so many other Navy personnel and Marines who worked around the clock providing care to so many.

You know, when one of us feels overcome with doubt or confusion, let us think about those fatigued corpsmen and doctors and nurses aboard the *Comfort* who carefully and skillfully bring their patients back, sometimes from the brink of death, hours after hours of work with very little sleep, pushing themselves to the limits. Let's remember those sailors and Marines and Air Force personnel and Army soldiers who went to Haiti, establishing the logistics, rescuing patients, taking them out of broken buildings.

And one final story for us to remember. Rico Duprevil spent 13 days buried alive in the rubble of a collapsed house. His legs were crushed, his pelvis dislocated. He could not move.

□ 1515

He said, ''There was darkness all around, all of the time. I could not move inside. I could hear distant voices, but they could not hear mine.''

With only a few sips of water available, he stayed alive. Almost 2 weeks later he was discovered. He said, ''I was never scared because God was on my side. I survived by thinking of Him and praying. I thought about my family.''

He was taken to a local hospital for basic triage. A day later he arrived at Port-au-Prince for evaluation and possible transfer to the *Comfort*. Due to the quick collection of information by Captain Richard Sharpe, an on-site medical commander, he was transferred within just an hour to the proper ward care above the *Comfort*.

All of us are proud of the great work that so many do in their armed services. We oftentimes talk about them, but this is a great moment of pride for

our Nation. In particular, I'd like to salute my colleagues in the Navy where I serve, also at the Bethesda National Naval Medical Center, but thank the Navy, the Marines, the Army, the Air Force, the Coast Guard and all the civilians who reached out and showed the compassion that is one of America's bright moments, and show the world what America is all about. When the world needs us, when tragedy strikes, Americans gather together and support them. And today, we salute those Americans who have helped so many of those in need in Haiti.

Mr. MCMAHON. Madam Speaker, at this time I yield as much time as he shall consume to the gentleman from Maryland (Mr. RUPPERSBERGER).

Mr. RUPPERSBERGER. Madam Speaker, first, when it is not on one of its lifesaving missions, the USNS *Comfort*'s home is in the Port of Baltimore. The virtual floating hospital has provided humanitarian aid to hundreds of thousands of patients all over the world.

The *Comfort* was deployed after Hurricane Katrina in the Gulf Coast, and has supported Operation Iraqi Freedom, and was activated on September 11, 2001, to provide meals, housing, medical, and psychological services to volunteer and relief workers at Ground Zero.

It was once again called into service after the devastating earthquake in Haiti in January that, at the most recent count, has claimed 150,000 lives.

As the representative of the Port of Baltimore, I have always been especially proud of the *Comfort* and its critical missions. I felt especially privileged to have the chance to board the *Comfort* to send off the men and women the night before they departed for Haiti.

It was a humbling experience to climb the steps aboard the *Comfort* and witness doctors and nurses training for what would help them on the shores of Haiti. I saw seamen practicing security drills, volunteers distributing blankets and pillows, and sterilizing medical equipment, and toured the operating rooms where so many lives would be saved by the military personnel of our U.S. Navy.

Huge cranes were loading truckloads of medical supplies onto its deck. In what should have been chaos, I saw the focus and precision perhaps capable only by our United States military.

Once in Haiti, these men and women faced choices unimaginable to those of us back here watching it all on TV. On their first day they felt tremendous frustration when the helicopter that would carry patients aboard had no place to land on shore.

They have delivered babies, treated patients who are paralyzed, missing limbs, and suffering from infections made worse by neglect. They have performed more than 600 surgeries in Haiti so far.

When the *Comfort* left, the Navy said they would be here as long as it took. One month later, these military personnel still remain in Haiti, away from their families, treating hundreds of patients each day. Because the ship is now over capacity, the workers are sleeping in shifts. And I know that most of them wouldn't want to be anywhere else.

Amid the horror, the USNS *Comfort*, a mile out into the bay, is a beacon of hope for those still injured and untreated.

My heart goes out to the people of Haiti and their relatives throughout the United States. We are proud of the men and women aboard Baltimore's own *Comfort* who are saving lives with the vigor and skill, again, perhaps only capable of the United States military.

I would also like to take this opportunity to recognize the teams for the world-renowned University of Maryland Shock Trauma who have also traveled to Haiti. My life was saved at Maryland Shock Trauma many years ago, and now the people of Haiti are benefiting from the skills and expertise of the world's top medical professionals.

The teams at Shock Trauma set up operating rooms on open ground, under tents, and are committed to remaining there until they can deliver health care on an ongoing basis.

I've heard stories from the team, and I know the conditions take an emotional toll, but their determination in the face of what may be, or what could be, considered a hopeless situation is a testimony to the American spirit.

I wish to express my sincere gratitude for the commitment of both the men and women of the USNS *Comfort* and Maryland Shock Trauma, and wish them luck at their missions.

And I also would like to say, this is the United States putting out to people in need throughout the world. We are all Americans. We have debates here on the floor, health care, all issues involving jobs, but we still have to remember we're all Americans, and we all can say that we should be very proud of what the United States military is doing with the USNS *Comfort* and the United States Navy and all the men working in that regard.

Ms. JACKSON LEE of Texas. Madam Speaker, I rise in support of H. Res. 1048. This resolution commends the efforts and honors the work of the men and women of USNS *Comfort* and the United States Navy in the immediate response to those affected by the earthquake that struck Haiti on January 12, 2010.

As you know, on Tuesday, January 12, a massive, 7.0 magnitude earthquake struck Haiti near the capital of Port-au-Prince. There is still no official estimate of death or destruction but the damage to buildings is extensive and the number of injured or dead is estimated to be in the hundreds of thousands.

America is responding, and will continue to respond with immediate humanitarian assistance to help the people of this struggling island nation rebuild their livelihoods. I send my condolences to the people and government of Haiti as they grieve once again in the aftermath of a natural disaster. As Haiti's neighbor, I believe it is the United States' responsibility to help Haiti recover, and build the capacity to mitigate against future disasters.

To date the United States Government has contributed over $402 million in earthquake response funding for Haiti. It has also deployed approximately 17,000 military personnel in support of the relief effort. Subsequently, as part of the new Government of Haiti-led effort, the U.N. World Food Program will provide commodities, non-governmental organizations will manage distributions, and the U.S. military will provide security escorts.

American and her allies have already initiated a comprehensive, interagency response to the earthquake. The State Department, Department of Defense, Department of Homeland Security, Coast Guard, USAID—all worked overnight to ensure critical resources were positioned to support the response and recovery effort, including efforts to find and assist American citizens in Haiti.

Within days of last week's devastating earthquake, U.S. Southern Command deployed a team of 30 people to Haiti to support U.S. relief efforts in the aftermath of one of the largest natural disasters in the western hemisphere. The team included U.S. military engineers, operational planners, and a command and control group and communication specialists arriving on two C–130 Hercules aircraft. Since, there has been a tremendous interagency response with support and partnering with U.S. Embassy personnel as well as Haitian, United Nations and international officials to assess the situation and facilitate follow-on U.S. military support.

Within hours of the earthquake, the United States mobilized a multi-agency response that included our armed forces and civil service. With their hospitals reduced to rubble, Port-au-Prince was unable to treat the hundreds of thousands of injured people seeking help. In response, the U.S. efforts included the hospital ship USNS *Comfort* as well as naval helicopter ships such as the USS *Carl Vinson*. Arriving on station less than 72 hours after the quake, *Carl Vinson* immediately rendered assistance. Over two weeks, *Vinson* and its embarked 19 helicopters flew more than 2,200 sorties, delivering more than 166 tons of food, 89,000 gallons of water and 38,700 pounds of medical supplies to earthquake victims. Additionally, *Vinson's* helicopters conducted 476 medical evacuations, MEDEVACs, and the ship's doctors and corpsmen treated 60 patients in its medical ward.

The USNS *Comfort*, a floating hospital, brought to Haiti a 550-person medical staff that included trauma surgeons, orthopedic surgeons, head and neck surgeons, eye surgeons, and obstetricians and gynecologists. The USNS *Comfort* and its crew of 1,200 have provided 24-hour care for nearly 500 Haitians, ranging from newborns to critically ill patients. As of January 24, 2010, the medical staff of the USNS *Comfort* had performed over 100 surgeries.

The skill and perseverance displayed by these men and women are extraordinary. The USNS *Comfort* medical staff has saved the lives of 98 percent of the ship's patient population as of January 25, 2010.

Madam Speaker, over a month has passed since the earthquake, the search and rescue missions have ended, and Haiti has transitioned to long-term reconstruction and

development. Because our Navy cannot remain off of Haiti's coast forever, we must work with the Haitian government to rebuild the capacity of Haiti's medical system. Although this mission will take time, I am confident that Haiti will build their health care system back to be more comprehensive and robust than before the earthquake. This will be an especially critical part of the Haitian government because the thousands injured by the earthquake will need long-term medical care.

Recently, I proposed a plan that would increase the ability of the U.S. to assist Haiti in its efforts toward reconstruction and stabilization to Dr. Rajiv Shah, the Administrator of the U.S. Agency for International Development.

This plan would create an oversight position within the USAID that would coordinate and regulate faith-based and non-profit organizations operating in the reconstruction efforts in Haiti. I also recommended the creation of a U.S. civilian corps, an extension of the American Peace Corps, that would be tasked the specific mission of assisting reconstruction efforts in Haiti. This civilian entity would serve as a supplemental contingent which could be incrementally dispatched as needed by U.S. Government agencies or nongovernment organizations.

Once again I stand in solidarity with the people of Haiti and will do everything in my power to assist them with rebuilding their country and livelihoods. I am proud of our first responders, and pledge that America's long-term commitment to Haiti will live up to the standard that the first responders set.

Mr. JOHNSON of Georgia. Madam Speaker, I rise in support of House Resolution 1048, which would commend the efforts and honor the work of the men and women of the USNS *Comfort* and the United States Navy who assisted those affected by the earthquake that struck Haiti on January 12, 2010.

Madam Speaker, in the immediate aftermath of the earthquake that wrought devastation upon our friends and neighbors in impoverished Haiti, President Obama pledged the "unwavering support" of the United States and a "swift, coordinated and aggressive effort to save lives and support the recovery."

Today we recognize some of those who have worked tirelessly to fulfill that pledge.

The USNS *Comfort*, a *Mercy*-class hospital ship, has previously been deployed to support Operations Desert Shield and Desert Storm, Operation Sea Signal, Operation Uphold Democracy, Operation Noble Eagle, Operation Iraqi Freedom, Joint Task Force Katrina, Operation Continuing Promise, and now Operation Unified Response to support relief efforts in Haiti.

The *Comfort*'s 550-person medical staff includes trauma surgeons, orthopedic surgeons, head and neck surgeons, eye surgeons, obstetricians and gynecologists. As of January 24, 2010, the medical staff had performed over 100 surgeries. By January 25, the ship's staff had saved the lives of 98 percent of the ship's patient population.

Madam Speaker, I urge my colleagues to support this resolution, which expresses our deepest condolences to the victims of the tragic earthquake; our solidarity with Haitians, Haitian-Americans, and all those who have been affected by this natural disaster; our commendation of all who have contributed to relief efforts; and, in particular, and our recognition of the invaluable efforts of those life-savers on the USNS *Comfort* and in the United States Navy who have provided critical immediate assistance to those suffering as a result of the earthquake.

Mr. AL GREEN of Texas. Madam Speaker, I strongly support H. Res. 1048, a resolution commending the efforts and honoring the work of the men and women of USNS *Comfort* and the United States Navy in response to those affected by the earthquake that struck Haiti on January 12, 2010. I would also like to thank Representative TIM MURPHY for introducing this piece of legislation.

Before the earthquake hit Haiti, the country was already in recovery from a string of hurricanes and tropical storms, food shortages and rising commodity prices, and political instability. These problems were compounded when a 7.0 magnitude earthquake hit the country of Haiti, erasing any recovery efforts done prior to this catastrophe.

Estimated casualties were reported to be over 150,000 and Haiti withstood millions in damages to the country's infrastructure. It has been reported that 3,000,000 of Haiti's population were directly affected by the disaster, and as a result, one third of the existing population is displaced.

Immediately following this tragedy, President Barack Obama vowed the "unwavering support" of the United States and pledged a "swift, coordinated and aggressive effort to save lives and support the recovery in Haiti." Days after the earthquake, the United States Navy responded to President Obama's request and delivered aid. The crew of the USNS *Comfort* provided 24-hour service to hundreds of critically ill men, women and children patients. Our Navy medical personnel on USNS *Comfort* saved the lives of 98 percent of the ship's patient population, which holds a capacity of 1,000 patients, and successfully performed 100 surgeries as of January 24, 2010.

Due to the limited resources for critically ill patients, the USNS *Comfort* medical staff often find themselves making grave decisions in terms of the use of their existing resources. President Obama's pledged support of $100 million in humanitarian aid will go a long way toward supporting their efforts.

I commit my full support to H. Res 1048 and urge my colleagues to vote in favor of this piece of legislation.

Ms. ROS-LEHTINEN. Madam Speaker, we have no further requests for time. I yield back the balance of our time.

Mr. MCMAHON. 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 gentleman from New York (Mr. MCMAHON) that the House suspend the rules and agree to the resolution, H. Res. 1048, 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.

MESSAGE FROM THE PRESIDENT

A message in writing from the President of the United States was communicated to the House by Ms. Wanda Evans, one of his secretaries.

BILLY'S LAW

Mr. SCOTT of Virginia. Madam Speaker, I move to suspend the rules and pass the bill (H.R. 3695) to authorize funding for, and increase accessibility to, the National Missing and Unidentified Persons System, to facilitate data sharing between such system and the National Crime Information Center database of the Federal Bureau of Investigation, to provide incentive grants to help facilitate reporting to such systems, and for other purposes, as amended.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 3695

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 "Help Find the Missing Act" or "Billy's Law".

SEC. 2. AUTHORIZATION OF THE NATIONAL MISSING AND UNIDENTIFIED PERSONS SYSTEM.

(a) IN GENERAL.—The Attorney General, through the Director of the National Institute of Justice, is authorized to maintain public databases, known as the "National Missing and Unidentified Persons System" or "NamUs", to contain missing persons records and unidentified remains cases for purposes of assisting to identify missing people and solve cases of unidentified human remains. All functions, personnel, assets, liabilities, and administrative actions applicable to the National Missing and Unidentified Persons System carried out by the National Institute of Justice on the date before the date of the enactment of this Act shall be transferred to the National Missing and Unidentified Persons System authorized under this section as of the date of the enactment of this Act.

(b) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to carry out this section $2,400,000 for each of the fiscal years 2011 through 2016.

SEC. 3. SHARING OF INFORMATION BETWEEN NCIC AND NAMUS.

(a) SHARING OF INFORMATION.—Not later than the end of the 30-day period beginning on the date the online data entry format is updated under subsection (c), the Attorney General shall, in accordance with this section, provide for information on missing persons and unidentified human remains contained in the NCIC database (as defined in section 7) to be transmitted to, entered in, and otherwise shared with the NamUs databases (as defined in such section) and for such information contained in the NamUs databases to be transmitted to, entered in, and otherwise shared with the NCIC database.

(b) RULES ON CONFIDENTIALITY.—

(1) IN GENERAL.—Not later than one year after the date of the enactment of this Act, the Attorney General, in consultation with the Director of the Federal Bureau of Investigation (in this Act referred to as the "FBI"), shall promulgate rules pursuant to notice and comment that specify the information the Attorney General may provide from the NCIC files to the NamUs databases for purposes of this Act. Such rules shall—

(A) provide for the protection of law enforcement sensitive, confidential, and private information contained in the NCIC files;

(B) be promulgated only after the Director approves recommendations by the Advisory Policy Board of the Criminal Justice Information Services Division of the FBI;

(C) specify the circumstances in which portions of information may be withheld from transfer, entry, or sharing from the NCIC database to the NamUs databases; and

(D) provide that once an authorized agency provides an authorization to permit the transmission, entering, or sharing of information (or portions of information) from the NCIC database to the NamUs databases, such authorization shall be deemed to apply to any updates made to such information, unless otherwise specified by the agency.

(2) SUBMISSIONS PRIOR TO ONLINE DATA ENTRY FORMAT UPDATE.—With respect to information submitted to the NCIC database before the end of the 30-day period specified in subsection (a), the Attorney General may solicit from appropriate authorized agencies authorization to transmit, enter, or share such information.

(c) UPDATES.—

(1) IN GENERAL.—Not later than 1 year after the date of the enactment of this Act, the Attorney General shall update the online data entry format for the NCIC database and NamUs databases to provide State criminal justice agencies, offices of medical examiners, and offices of coroners with the option to authorize the submission of new information and data that is reported to and entered into the NCIC database to simultaneously be submitted to and entered into the NamUs databases.

(2) NCIC FORMAT.—

(A) IN GENERAL.—In the case of the NCIC database, an update described in paragraph (1) shall include—

(i) an update to the NCIC database online data entry format that States use in submitting missing persons and unidentified remains reports, including the addition of a new data field allowing States, on behalf of the authorized agency that originally submitted the data, to select whether or not to have the NCIC report, subject to the rules promulgated under subsection (b), shared with the NamUs databases; and

(ii) subject to subparagraph (B), a requirement that as a condition of participating in the NCIC database, States must update their missing persons and unidentified remains collection processes from local and tribal law enforcement, medical examiners, and coroners to enable the States to acquire information on whether or not the authorized agencies originally submitting data with respect to a missing person or unidentified remains have provided authorization to share the information with the NamUs databases.

(B) EXCEPTION.—Subparagraph (A)(ii) shall not apply with respect to any State that has in effect a State law providing for a methodology to authorize the sharing of information between the NCIC database and NamUs databases.

(d) AMENDMENTS TO TITLE XXXVII OF THE CRIME CONTROL ACT OF 1990 TO REQUIRE REPORTS OF MISSING CHILDREN TO NAMUS.—

(1) REPORTING REQUIREMENT.—Section 3701(a) of title XXXVII of the Crime Control Act of 1990 (42 U.S.C. 5779(a)) is amended by striking the period and inserting the following: ''and, consistent with section 3 (including rules promulgated pursuant to section 3(b)) of the Help Find the Missing Act, shall also report such case, either directly or through authorization described in such section to transmit, enter, or share information on such case, to the NamUs databases (as defined in section 7 of such Act).''.

(2) STATE REQUIREMENTS.—Section 3702 of title XXXVII of the Crime Control Act of 1990 (42 U.S.C. 5780) is amended—

(A) in paragraph (2), by striking ''or the National Crime Information Center computer database'' and inserting '', the National Crime Information Center computer database, or the NamUs databases (as defined in section 7 of the Help Find the Missing Act)'';

(B) in paragraph (3), by striking ''and the National Crime Information Center computer networks'' and inserting '', the National Crime Information Center computer networks, and the NamUs databases (as so defined)''; and

(C) in paragraph (4)—

(i) in the matter preceding subparagraph (A), by inserting ''or the NamUs databases'' after ''National Crime Information Center''; and

(ii) in subparagraph (A), by striking ''and National Crime Information Center computer networks'' and inserting '', National Crime Information Center computer networks, and the NamUs databases''.

(3) EFFECTIVE DATE.—The amendments made by this subsection shall apply with respect to reports made before, on, or after the date of the enactment of this Act beginning on the last day of the 30-day period described in subsection (a).

SEC. 4. INCENTIVE GRANTS PROGRAM.

(a) ESTABLISHMENT.—Not later than one year after the date of enactment of this Act, the Attorney General shall establish a program to provide grants to qualifying law enforcement agencies (as defined in subsection (j)), offices of coroners, offices of medical examiners, and other authorized agencies to facilitate the process of reporting information regarding missing persons and unidentified remains to the NCIC database and NamUs databases for purposes of assisting in locating such missing persons and identifying such remains.

(b) REQUIREMENTS.—As a condition of a grant under this section, a grant recipient shall, with respect to each case reported to the agency or office of the recipient relating to a missing person described in a category under subsection (e) or relating to unidentified remains—

(1) not later than 72 hours after such case is reported to the agency or office and consistent with subsection (c), submit to the NCIC database and NamUs databases—

(A) in the case of a missing person described in a category under subsection (e), at least the minimum information described in subsection (f)(1); and

(B) in the case of unidentified remains, at least the minimum information described in subsection (f)(2); and

(2) not later than 60 days after the original entry of the report, verify and update any original report entered into the State law enforcement system, the NCIC database, or NamUs databases after receipt of the grant with any additional information, including, to the greatest extent possible—

(A) information on the extent to which DNA samples are available, including the availability of such samples submitted to the National DNA Index System under subsection (b)(3);

(B) fingerprints, medical and dental records, and photographs of any distinguishing characteristics such as scars, marks, tattoos, piercings, and other unique physical characteristics;

(C) in the case of unidentified remains, photographs or digital images that may assist in identifying the decedent, including fingerprint cards, radiographs, palmprints, and distinctive features of the decedent's personal effects; and

(D) any other information determined to be appropriate by the Attorney General; and

(3) not later than 60 days after the original entry of the report, to the greatest extent possible, submit to the National DNA Index System of the Federal Bureau of Investigation, established pursuant to section 210304 of the Violent Crime Control and Law Enforcement Act of 1994, (either directly or through use of NamUs victims assistance resources and DNA collection services) DNA samples and information relating to such case.

For purposes of paragraph (2), in the case of information a grant recipient authorizes to be transferred, entered, or shared under section 3 between the NCIC database and NamUs databases, any update to such information shall be simultaneously made with respect to both databases unless specified otherwise by the recipient.

(c) SUBMISSION OF REPORTS.—To satisfy subsection (b)(1), a recipient of a grant under this section shall submit information required under such subsection—

(1) separately to the NCIC database and NamUs databases; or

(2) in accordance with section 3, simultaneously to the NamUs databases when reporting to the NCIC database or to the NCIC database when reporting to the NamUs databases.

(d) PERMISSIBLE USE OF FUNDS.—

(1) IN GENERAL.—The permissible uses of grants awarded under this section include the use of funds—

(A) to hire additional personnel, to acquire technology to facilitate timely data entry into the relevant databases;

(B) to conduct contracting activities relevant to outsourcing the processing of unidentified remains and the reporting of the resulting information to the NCIC database and NamUs databases;

(C) to train local law enforcement personnel, medical examiners, and coroners to use the NCIC database and NamUs databases;

(D) to assist States' transition into the new system under which information is shared between the NCIC database and NamUs databases; and

(E) for other purposes consistent with the goals of this section.

(2) CLARIFICATION.—In no case may a recipient of a grant under this section use funds to enter or help facilitate the entrance of any false or misleading information about missing persons or unidentified remains.

(e) CATEGORIES OF MISSING PERSONS.—The categories of missing persons described in this subsection are the following:

(1) A missing person age 21 or older who—

(A) is senile or is suffering from a proven mental or physical disability, as documented by a source deemed credible to an appropriate law enforcement entity; or

(B) is missing under circumstances that indicate, as determined by an appropriate law enforcement entity—

(i) that the person's physical safety may be endangered;

(ii) that the disappearance may not have been voluntary, such as abduction or kidnapping; or

(iii) that the disappearance may have been caused by a natural disaster or catastrophe (such as an airplane crash or terrorist attack).

(2) A missing person who does not meet the criteria described in paragraph (1) but who meets one of the following criteria:

(A) There is a reasonable concern, as determined by an appropriate law enforcement entity, for the safety of the missing person.

(B) The person is under age 21 and emancipated under the laws of the person's State of residence.

(f) MINIMUM INFORMATION REQUIRED.—

(1) CONTENT FOR MISSING PERSONS.—The minimum information described in this section, with respect to a missing person, is the following:

(A) The name, date of birth, city and State of residence, gender, race, height, weight, eye color, and hair color of the missing person.

(B) The date and location of the last known contact with the missing person.

(C) The category described in subsection (e) in which the missing person is classified.

(2) CONTENT FOR UNIDENTIFIED HUMAN REMAINS.—The minimum information described in this section, with respect to unidentified human remains, is the following:

(A) The estimated age, gender, race, height, weight, hair color, and eye color.

(B) Any distinguishing characteristics such as scars, marks, tattoos, piercings, and other unique physical characteristics.

(C) A description of clothing found on the decedent.

(D) City and State where the unidentified human remains were found.

(E) Information on how to contact the law enforcement agency handling the investigation and the unidentified human remains.

(F) Information on the extent to which DNA samples are available, including the availability of such samples submitted to the National DNA Index System under subsection (b)(3).

(g) ADMINISTRATION.—The Attorney General shall prescribe requirements, including with respect to applications, for grants awarded under this section and shall determine the amount of each such grant.

(h) CONFIDENTIALITY.—As a condition of a grant under this section, the recipient of the grant shall ensure that information reported under the grant meets the requirements promulgated by the Attorney General under section 3(b)(1).

(i) ANNUAL SUMMARY.—For each of the fiscal years 2012 through 2015, the Attorney General shall publish an annual statistical summary of the reports required by subsection (c).

(j) QUALIFYING LAW ENFORCEMENT AGENCY DEFINED.—For purposes of this Act, the term ''qualifying law enforcement agency'' means a State, local, or tribal law enforcement agency.

(k) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to carry out this section $10,000,000 for each of the fiscal years 2011 through 2015.

SEC. 5. REPORT ON BEST PRACTICES.

Not later than 1 year after the date of the enactment of this Act, the Attorney General shall issue a report to offices of medical examiners, offices of coroners, and Federal, State, local, and tribal law enforcement agencies describing the best practices for the collection, reporting, and analysis of data and information on missing persons and unidentified human remains. Such best practices shall—

(1) provide an overview of the NCIC database and NamUs databases;

(2) describe how local law enforcement agencies, offices of medical examiners, and offices of coroners should access and use the NCIC database and NamUs databases;

(3) describe the appropriate and inappropriate uses of the NCIC database and NamUs databases; and

(4) describe the standards and protocols for the collection, reporting, and analysis of data and information on missing persons and unidentified human remains.

SEC. 6. REPORT TO CONGRESS.

(a) IN GENERAL.—Not later than 1 year after the date of the enactment of this Act and biennially thereafter, the Attorney General shall submit to the Committee on the Judiciary of the House of Representatives and the Committee on the Judiciary of the Senate a report describing the status of the NCIC database and NamUs databases.

(b) CONTENTS.—The report required by subsection (a) shall describe, to the extent available, information on—

(1) the process of information sharing between the NCIC database and NamUs databases; and

(2) the programs funded by grants awarded under section 4.

SEC. 7. DEFINITIONS.

For the purposes of this Act, the following definitions apply:

(a) AUTHORIZED AGENCY.—The term ''authorized agency'' means a government agency with an originating agency identification (ORI) number and that is a criminal justice agency, as defined for purposes of subpart A of part 20 of title 28, Code of Federal Regulations.

(b) NAMUS DATABASES.—The term ''NamUs databases'' means the National Missing and Unidentified Persons System Missing Persons database and National Missing and Unidentified Persons System Unidentified Decedents database maintained by the National Institute of Justice of the Department of Justice.

(c) NCIC DATABASE.—The term ''NCIC database'' means the National Crime Information Center Missing Person File and National Crime Information Center Unidentified Person File of the National Crime Information Center database of the Federal Bureau of Investigation, established pursuant to section 534 of title 28, United States Code.

(d) STATE.—The term ''State'' means any State of the United States, the District of Columbia, the Commonwealth of Puerto Rico, the Virgin Islands, American Samoa, Guam, and the Commonwealth of the Northern Mariana Islands.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Virginia (Mr. SCOTT) and the gentleman from Texas (Mr. POE) each will control 20 minutes.

The Chair recognizes the gentleman from Virginia.

GENERAL LEAVE

Mr. SCOTT of Virginia. Madam Speaker, I ask unanimous consent that all Members have 5 legislative days to revise and extend their remarks and include extraneous material on the bill under consideration.

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

There was no objection.

Mr. SCOTT of Virginia. I yield myself such time as I may consume.

Madam Speaker, the Help Find the Missing Act, or Billy's Law, will help families of missing persons find their loved ones by strengthening Federal databases about missing persons and unidentified remains.

Every year, tens of thousands of Americans go missing and are never found. In the subcommittee we heard moving testimony from Ms. Janice Smolinski, whose son, Billy, went missing in 2004. While she has not found her son, she has dedicated her life to improving the system for others, including highlighting the need to strengthen and expand access to our missing persons databases. I thank her for her dedication to this worthy cause.

Billy's Law will facilitate the sharing of information between the FBI's NCIC databases and the NamUs databases recently established by the National Institute of Justice. Facilitating information-sharing between those two databases will assist the public, medical examiners, and coroners in looking for missing persons and identifying remains.

Billy's Law also authorizes grants for personnel, technology, and training to help States submit data to NCIC and NamUs. These grants will strengthen the system by providing an incentive for States to provide critical information to the databases shortly after missing person cases are reported.

This bill is strongly supported by the Department of Justice. And I would like to commend our colleagues, the gentleman from Connecticut (Mr. MURPHY) and the gentleman from Texas (Mr. POE), for their hard work on this piece of legislation.

I strongly urge my colleagues to support H.R. 3695.

I reserve the balance of my time.

Mr. POE of Texas. Madam Speaker, I yield myself such time as I may consume.

Madam Speaker, I'm proud to join my colleague, Mr. MURPHY, in supporting and sponsoring H.R. 3695, the ''Help Find the Missing Act'' or ''Billy's Law,'' as we call it.

It's my pleasure today to speak in support of a commonsense piece of legislation that probably should have been passed years ago. I would like to thank my colleague, Congressman MURPHY, for taking this worthy cause and asking me to work with him on it.

I'd also like to thank a citizen of our Nation, Janice Smolinski, the mother of Billy Smolinski, for whom this bill is named. Without her devotion and the time that she spent on this issue, Billy's Law never would have happened. Her work, along with the response of her representative, Congressman MURPHY, to create this legislation is an example of Congress working the way our Founders intended it to.

Janice Smolinski talked to her congressman, Mr. MURPHY. He listened. He responded. He moved quickly, and thus this piece of legislation is brought to the House to solve this problem.

In the years since her son's disappearance, Janice Smolinski has worked to improve our Nation's reporting system for the missing so that other families do not have to suffer as she did. As we vote today on Billy's Law, it is imperative for us to remember how important this bill is to people like Janice Smolinski all over the country.

There is a great need to improve our Nation's tracking of missing persons and identification of unknown and unidentified remains. This bill is a big step in fulfilling both of these goals.

Every year, tens of thousands of Americans disappear. They go missing, never to be seen by their loved ones again. In 2009, there were more than 100,000 missing persons records active in the FBI's National Crime Information Center.

Simultaneously, medical examiners and coroners across the country are holding tens of thousands of unidentified remains. There are an estimated 40,000 sets of unidentified remains being held by coroners throughout the country.

But as of January 2009, the NCIC database contains only 7,000 records of unidentified remains. This means that medical examiners and coroners offices are not recording in the NCIC database many of the unidentified remains they hold. Consequently, it is likely that many missing person cases remain open for failure to connect missing person profiles with unidentified remains that are being held.

There are many Federal, State, local, and nonprofit databases designed to help, but these databases are not sufficiently accessible to the public, and they do not do a good job of sharing information with each other.

Billy's Law addresses all of these concerns by increasing funding for a national, online repository and reporting system called NamUs, the National Missing and Unidentified Persons System. Billy's Law provides that the

FBI's NCIC database share information on missing and unidentified persons with the NamUs database system.

The goal is to have corners, medical examiners, law enforcement agents, and the public all reporting information to and getting information from one centralized Web site, NamUs.

Billy's Law also requires the Attorney General to establish a program to provide grants to qualifying medical examiners, coroners and law enforcement agencies for the purpose of facilitating better reporting of missing persons and unidentified remains to the NCIC and NamUs databases.

Having served as a prosecutor in Texas for over 8 years and a felony court judge for 22 years, I know firsthand the toll that violent crime puts on communities, but specifically on families. This pain is made even worse when a family of a victim is not able to determine what exactly happened to their missing loved one. Often, families have to wait for months or years until they can find closure. Some families, like the Smolinskis, never find out what happened to their loved one.

Shortly after I was elected to Congress, I started the Victims' Rights Caucus. This Caucus is a bipartisan group of Members of Congress, co-chaired by myself and Mr. COSTA from California, that supports legislation and advocates for policies that will help victims of crime in the United States and the families of victims. H.R. 3695 is one of these bills.

Billy's Law is supported by the National Center for Missing and Exploited Children, the National Organization of Police Associations, and the National Association of Medical Examiners.

I urge all my colleagues to support this bill.

I reserve the balance of my time.

□ 1530

Mr. SCOTT of Virginia. Madam Speaker, I yield such time as he may consume to the sponsor of Billy's Law, the gentleman from Connecticut (Mr. MURPHY).

Mr. MURPHY of Connecticut. First of all, let me extend my sincerest thanks to the chairman of the subcommittee, Mr. SCOTT, for bringing this bill to the floor with such speed, and then let me extend additional thanks to the chairman of the full committee, Mr. CONYERS, and Ranking Members GOHMERT and SMITH for their assistance in bringing this bill to the floor today.

Madam Speaker, when I was home over the break, I told a lot of people that I saw that for all of the attention on the news about the things that Republicans and Democrats disagree with, this legislation, Billy's Law, is an example of the vast legislative underbrush that happens here that changes lives but don't necessarily get the big headlines, places where both parties work together to make this government work better and to make it more compassionate.

I'd like to thank Representative POE for sponsoring this bill with me. This House has no stronger advocate for the rights of victims and their families, and it has been my pleasure to work with him to move this legislation forward.

But above all, I'd like to extend my personal thanks to Jan Smolinski and her husband Bill, the parents of Billy Smolinski, for whom this legislation is named. Their story is tragic, but Jan's pursuit of justice, her desire to do something with her situation, to change it for all of the other families who have gone through the same thing, that is nothing less than heroic.

Madam Speaker, Billy Smolinski of Waterbury, Connecticut, went missing on August 24, 2004, at the age of 31. In their search for their son, Jan and her husband Bill encountered a national missing persons system that is simply broken. They were met with law enforcement that didn't understand how to handle an adult missing persons case, and then they ran into a national system of disconnected and inaccessible databases that didn't allow them to be true partners in the search for justice. To this day, they haven't found Billy.

Sadly, their story is not a unique one. Every year, thousands of Americans go missing, often never to be seen by their loved ones again. In fact, according to the Bureau of Justice Statistics, there are over 100,000 missing persons cases open at any time and approximately 4,400 unidentified human remains are found every single year. Now, those numbers are too high, but just as intolerable are the roadblocks that family members face when they're trying to help law enforcement find a missing loved one.

That is why I am here to urge my friends to join us in supporting Billy's Law, legislation that will begin correcting these problems that plague our Nation's missing persons system.

My colleagues have really gone over the basics of the law so I won't belabor the point. But this legislation for the first time provides statutory authorization for NamUs, which is the Web-based database created in 2007 by the Department of Justice. It's the only federally funded database of missing persons and unidentified remains information that is open and accessible to the public. But currently it's not a congressionally authorized program.

Second, the bill connects NamUs with the other major Federal database housed at the FBI, which is now only accessible to law enforcement. We protect information that needs to stay private, but this new connected database, which will also work with protocols that build in other information from State and local nonprofit databases, creates a complete and powerful national powerful database that families can use along with law enforcement.

And third, as has been stated, it sets up a competitive grants program to make sure that all the information that a coroner may have in California is posted onto a national database so a family searching for their missing loved one in Connecticut has that information in real time.

On January 21, Madam Speaker, Jan Smolinski testified at a hearing on the bill that Subcommittee Chairman SCOTT so graciously held. During her testimony, she poignantly remarked, ''Uncertainty is a cancer that crushes the spirit of loved ones left behind, destroys marriages, and tears at the tissue of family bonds.''

By creating a robust, user-friendly national missing persons and unidentified remains database, Billy's law will help heal these wounds by finally giving parents and family members like the Smolinskis the ability to be true partners with law enforcement in the search for their loved ones.

I urge my colleagues to support this bipartisan bill. We owe it to the Smolinskis and to thousands of families like them across the country to make sure their personal nightmares are not repeated.

Mr. POE of Texas. Madam Speaker, I yield 3 minutes to the gentlewoman from Florida (Ms. GINNY BROWN-WAITE) who is a cosponsor of this legislation and who has also worked in the past on similar legislation.

Ms. GINNY BROWN-WAITE of Florida. Madam Speaker, I rise today in support of Billy's Law. I want to thank the many tireless advocates of missing children everywhere, and I certainly want to commend Representative MURPHY for sponsoring this very important piece of legislation.

Every day thousands of people are reported missing. The good news is that many of them are quickly located by our heroes in the local law enforcement agencies. What happens to those who are not found in the first few very critical days after they're reported missing? In the past, the names were noted in files of local police agencies, but without any leads, investigators were left with few options and their names lingered on this list.

Madam Speaker, in 2005, a group of people that included Federal, State, and local law enforcement agencies, medical examiners, forensic scientists, and other experts gathered in Philadelphia to discuss ways to solve missing persons cases. The National Missing and Unidentified Persons System is a result of that effort.

Local and State law enforcement agencies need a central database to which they can turn, and that is why I believe NamUs is so important. NamUs has also launched a DNA initiative, which is an effort to make sure we are using DNA technology in every way possible to track down missing persons. Billy's Law provides grants to local law enforcement agencies to improve their access to DNA technology and to NamUs.

In my district, Milton and Evelyn Nerenberg have spent years trying to find out what happened to their missing daughter, Audrey. Frustrated that

their daughter, too, remains missing, the Nerenbergs came to me for help. They were concerned that the Federal Government was not doing enough to make sure that information gathered in central Florida, for example, where they lived, was being shared with the right people in other parts of the country. They also wanted to make sure that the DNA technology be made available to law enforcement agencies throughout our Nation as well as in Florida. Billy's Law will make it happen. It is very similar to the legislation I previously introduced and that was named after Audrey Nerenberg.

Important progress has been made in the past 5 years, but more must be done. Forty thousand missing persons, including Audrey Nerenberg from my district, their families will certainly benefit from this legislation.

I have worked in previous Congresses to improve the Federal Government's ability to locate missing persons, and as a cosponsor, I am very pleased to see Billy's Law come to the floor, and I will be proud to vote in favor of its passage.

I urge my colleagues to support this bipartisan bill.

Mr. SCOTT of Virginia. Madam Speaker, I reserve the balance of my time.

Mr. POE of Texas. I yield myself such time as I may consume.

I want to thank the chairman, Chairman SCOTT, for bringing this legislation to the House floor as quickly as he has done, and, of course, Mr. MURPHY from Connecticut, the excellent job he has done to bring this legislation to our attention and make sure that this House creates a system where people can find their loved ones.

As a parent, the worst thing that any parent could hear is the fact that their child has disappeared. That would bring terror and fear into any parent. As a parent of four kids, I know that. I think about that constantly.

When Janice Smolinski learned that her son, Billy, had disappeared, she, like every mother would do, was relentless in finding out as much as she could about his disappearance. Unfortunately, she met a lot of stone walls in the criminal justice system. She had put posters up all over her neighborhood. She called everybody she knew. She called the police, and she got on the Internet trying to find out ways she could locate Billy. She was relentless in that pursuit.

And then she came in contact with her Congressman. The old statement ''call your Congressman,'' it worked, and it should have worked in this case and it worked well.

I commend her and other people like her who work to find their loved ones but also to make our system better. So when people that disappear, we are able to find out as much as we can about their disappearance and where they are because we're all in this together.

My grandmother used to say that there is nothing more powerful than a woman who has made up her mind. This is a perfect example of that. Janice Smolinski, a mother, a lady, has done everything she can to find Billy, and now it's time for Congress to do what it can to make sure that all of these different organizations that have information are connected through the Internet, through sophisticated technology, so that we can keep up with all of these children who turn up missing.

I yield back the balance of my time.

Mr. SCOTT of Virginia. I want to thank the gentleman from Connecticut and the gentleman from Texas for their work on this bill. I urge my colleagues to support the legislation, and I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Virginia (Mr. SCOTT) that the House suspend the rules and pass the bill, H.R. 3695, as amended.

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

A motion to reconsider was laid on the table.

NATIONAL URBAN CRIMES AWARENESS WEEK

Mr. SCOTT of Virginia. Madam Speaker, I move to suspend the rules and agree to the concurrent resolution (H. Con. Res. 227) supporting the goals and ideals of National Urban Crimes Awareness Week, as amended.

The Clerk read the title of the concurrent resolution.

The text of the concurrent resolution is as follows:

H. CON. RES. 227

Whereas National Urban Crimes Awareness Week will be celebrated the second week in February 2010;

Whereas 48,430 violent crimes occurred in New York City in 2008, compared to 28,941 in non-New York City counties in the State of New York;

Whereas an estimated 1,382,012 violent crimes occurred nationwide in 2008;

Whereas over 6,000,000 people were victims of crime in 2008;

Whereas according to the 2008 National Crime Victimization Survey, African-Americans experienced higher rates than Whites of every violent crime except simple assault;

Whereas acts of violence and crime cause pain and disruption that can have lasting effects;

Whereas the number of crimes can be reduced if community members are taught crime prevention techniques and become more involved in crime prevention activities;

Whereas neighborhood crime contributes to community neglect and disintegration; and

Whereas numerous studies demonstrate that evidence-based prevention and intervention programs can reduce delinquency and serious juvenile crime: Now, therefore, be it

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

(1) it is the sense of Congress that—

(A) National Urban Crimes Awareness Week provides a special opportunity to educate the people of the United States about urban violence and to take steps to encourage the prevention of urban violence, provide assistance, and support to crime victims;

(B) it is appropriate to properly acknowledge the more than 209,000 men and women who have been victims of urban violence in the United States each year, and to commend the efforts of survivors, volunteers, and professionals who work to prevent urban violence;

(C) national and community organizations and private sector supporters should be recognized and applauded for their work in promoting awareness about urban violent crimes, providing information and treatment to victims, families, and survivors, and increasing the number of successful prosecutions of its perpetrators;

(D) public safety, law enforcement, and health professionals should be recognized and applauded for their hard work and innovative strategies to increase the percentage of violent urban crime cases that result in the prosecution and incarceration of the offenders; and

(E) victim advocates and criminal justice professionals should be recognized, applauded, and encouraged for their work to establish effective programs as alternatives to incarceration, re-entry interventions for offenders who are completing sentences, and rehabilitation programs for offenders and victims alike; and

(2) Congress strongly recommends that national and community organizations, businesses in the private sector, colleges and universities, and the media—

(A) promote, through education and prevention measures, awareness of violent urban crimes and strategies to decrease the incidence of these crimes; and

(B) support the goals and ideals of National Urban Crimes Awareness Week.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Virginia (Mr. SCOTT) and the gentleman from Texas (Mr. POE) each will control 20 minutes.

The Chair recognizes the gentleman from Virginia.

GENERAL LEAVE

Mr. SCOTT of Virginia. Madam Speaker, I ask unanimous consent that all Members 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 gentleman from Virginia?

There was no objection.

Mr. SCOTT of Virginia. I yield myself such time as I may consume.

Madam Speaker, this resolution recognizes the important efforts to reduce crime in our Nation's urban areas and to support crime victims. We observed National Urban Crimes Awareness week during the second week of this month.

This resolution particularly recognizes the critical role of education and prevention programs in decreasing crime. It also highlights the need for redoubling our commitment to finding alternatives for incarceration, to engaging in reentry programs for those completing their programs, and for rehabilitation programs that will help prevent crime from happening in the first place. It is important that we in Congress emphasize our commitment

to reducing crime all across this country and to supporting the victims of crimes.

I want to thank the gentleman from New York (Mr. TOWNS) for introducing this resolution, I urge my colleague to support it, and I reserve the balance of my time.

Mr. POE of Texas. I yield myself such time as I may consume.

Madam Speaker, I am proud to join my colleague, Mr. TOWNS, in supporting House Concurrent Resolution 227.

More than 6 million people were victims of crimes in 2008; and more than 1 million violent crimes were committed in 2008. Violent crimes are especially frequent in cities and among gangs. Neighborhood crime harms persons and families and it degrades communities.

Studies show that crime can be reduced and communities saved if leaders in the communities are taught crime prevention techniques and become active in crime prevention programs. Crime prevention programs also help reduce domestic violence and aid victims and their families in recovery.

National Urban Crime Awareness Week promotes the work of organizations and individuals throughout the country who combat urban crime and treat victims. Law enforcement, victim advocates, health professionals, school teachers, and many others should be recognized and applauded for their work in helping victims and bringing criminals to justice.

Throughout my work on the Victims Rights Caucus, I have had the pleasure of working with some amazing people who advocate for victims of crime every day. They deserve to be commended for their work—such as the National Center for Victims of Crime, the Stalking Resource Center—which celebrates its 10-year anniversary this year—the Rape, Abuse and Incest National Network, the End Abuse and the National Network to End Domestic Violence—to name just a few. But there are hundreds more across the country, all of these groups working together on behalf of victims of crime.

□ 1545

I support the goals and ideals of National Urban Crime Awareness Week. I urge my colleagues to support this bill.

I reserve the balance of my time.

Mr. SCOTT of Virginia. Madam Speaker, I yield such time as he may consume to the Chair of the Government Oversight and Reform Committee and sponsor of this resolution, the gentleman from New York (Mr. TOWNS).

Mr. TOWNS. I thank Chairman SCOTT, Ranking Member POE, the full committee Chair, and the ranking member as well for moving this legislation forward.

Madam Speaker, I rise today to urge my colleagues to support H. Con. Res. 227, as amended, a concurrent resolution that designates the second week of February as National Urban Crime Awareness Week. This occasion provides an opportunity to shed light on the volatile issues affecting people within urban communities.

In September 2009, 133 metropolitan areas reported jobless rates above the national average. As a result of the economic downturn, many of our Nation's urban communities are experiencing a substantial growth in crime, which has been directly linked to increased unemployment rates. In other words, there is a definite correlation between unemployment and crime.

Madam Speaker, in 2008, there were an estimated 1,382,000 violent crimes that occurred nationwide. In New York, approximately 48,430 violent crimes took place, compared to 28,941 reported cases in non-New York City counties.

Over 60 percent of the Nation's youth have been exposed to violence in the past year. This exposure adversely affects their physical and mental health and long-term functioning into adulthood, and can force youth into gangs where they are more likely to perpetuate additional acts of violence.

This resolution seeks to properly acknowledge the men, women, and children who have been victims of violence in urban communities. It will also commend the tireless efforts of survivors, volunteers, and professionals who work to prevent urban violence, and will recognize them as well as law enforcement and health professionals for their hard work and innovative preventative strategies.

National Urban Crime Awareness Week is a time for us to advocate for people affected by urban violence. I urge all of my colleagues here in the House of Representatives to join me in support of this awareness campaign.

Again, I want to thank the ranking member of the committee, Mr. POE, and also thank the Chair of the committee, Mr. SCOTT, for their assistance in moving this legislation forward. I think it is so important that we do everything that we can to recognize and let people become aware of how important it is to come together to fight crime. I think it is just so important to deal with our young people at an early age and let them know that we are concerned about crime, and that we recognize that there is a correlation between unemployment and crime and we have to create jobs and should be working on that. I am hoping that we can pull together as a body here and work on creating jobs.

Ms. JACKSON LEE of Texas. Madam Speaker, I rise today in strong support of H. Con. Res. 227, brought forth by my esteemed colleague, Representative EDOLPHUS TOWNS, New York, which articulates support for the ultimate goal that the National Urban Crimes Awareness Week stands to convey. This message is not for a specific neighborhood, race or ethnicity, but is for all nationalities and communities. Through reaching out to various organizations, businesses, colleges and universities, crime awareness will spread through like "wild fire."

This resolution states that Congress realizes the importance of National Crime Awareness Week and acknowledges and welcomes the opportunity to educate the public about urban violence and take steps to prevent violence and provide support to victims.

I cannot stress enough the significance of Congress supporting the concept of the resolution; not only for actual crime prevention, but also for the victims of crime. By joining in a consensus, we are informing Americans that we empathize and sympathize with their issues, concerns and safety. We are also declaring that we support both in theory and implementation any approach necessary to increase support for victims, increase successful and fair prosecutions and applaud the courage of individuals who pick up the shattered pieces of their lives and triumph in the midst of adversity! This resolution also acknowledges more comprehensive rehabilitation programs for ex-offenders.

This is especially important in my city, Houston, TX, where the population is the fourth largest in the United States. It is imperative to spread crime awareness, not only in this month, but every day, to maintain order and a safe living environment for all.

So in conclusion, I immensely support H. Con. Res. 227 and I encourage my colleagues to follow my lead.

Mr. POE of Texas. We have no other speakers. I strongly support this legislation.

I yield back the balance of my time.

Mr. SCOTT of Virginia. Madam Speaker, I thank the gentleman from New York for introducing the resolution and urge my colleagues to support it.

I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Virginia (Mr. SCOTT) that the House suspend the rules and agree to the concurrent resolution, H. Con. Res. 227, 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. SCOTT of Virginia. 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.

NATIONAL NUTRITION MONTH

Ms. CASTOR of Florida. Madam Speaker, I move to suspend the rules and agree to the resolution (H. Res. 274) expressing support for designation of March as National Nutrition Month.

The Clerk read the title of the resolution.

The text of the resolution is as follows:

H. RES. 274

Whereas according to the American Dietetic Association good nutrition is vital to a healthy and long life;

Whereas according to the American Dietetic Association the National Nutrition

Month campaign focuses attention on the importance of making informed food choices and developing sound eating and physical activity habits;

Whereas the first Nutrition Campaign was launched with a presidential proclamation in 1973 as National Nutrition Week;

Whereas National Nutrition Week became National Nutrition Month in 1980;

Whereas poor nutrition and sedentary lifestyles are linked to obesity and health problems;

Whereas 17 percent of children between the ages of 6 and 11 are overweight;

Whereas 17.6 percent of adolescents between the ages of 12 and 19 are overweight;

Whereas 33.3 percent of adult men are obese and 35.3 percent of adult women are obese in the United States;

Whereas according to the Centers for Disease Control, since 1980 obesity rates for adults have doubled and rates for children have tripled;

Whereas dietary factors are associated with 4 of the 10 leading causes of death, including heart disease, cancer, stroke, and diabetes;

Whereas these health conditions are estimated to cost the United States over $600,000,000,000 each year in medical expenses and lost productivity;

Whereas access to proper nutrition helps fight off illness and disease and is vital to children's cognitive development;

Whereas poor nutrition, inactivity, and weight problems in school age children may cause low academic performance or behavioral problems resulting in additional costs; and

Whereas March would be an appropriate month to designate as National Nutrition Month: Now, therefore, be it

Resolved, That the House of Representatives—

(1) supports the designation of National Nutrition Month;

(2) supports the goals and ideals of National Nutrition Month;

(3) encourages local communities to raise awareness surrounding nutritional health;

(4) encourages awareness about diseases and death caused by lack of nutrition; and

(5) recognizes and salutes health care professionals such as registered dietitians, that spread the knowledge and importance of nutrition each day.

The SPEAKER pro tempore. Pursuant to rule, the gentlelady from Florida (Ms. CASTOR) and the gentleman from Nebraska (Mr. TERRY) each will control 20 minutes.

The Chair recognizes the gentlelady from Florida.

GENERAL LEAVE

Ms. CASTOR of Florida. Madam Speaker, I ask unanimous consent that all Members have 5 legislative days within which to revise and extend their remarks and include extraneous material therein.

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

There was no objection.

Ms. CASTOR of Florida. Madam Speaker, I yield myself such time as I may consume.

We are going to continue to work for a healthier America, and this year marks the 30th year that March is celebrated as National Nutrition Month. The National Nutrition Month campaign focuses attention on the importance of making informed food choices, developing sound eating habits, and promoting exercise in our daily lives.

The first nutrition campaign was launched in 1973, with the Presidential proclamation as National Nutrition Week, and became National Nutrition Month in 1980. I am especially proud to support National Nutrition Month, as First Lady Michelle Obama has just recently launched the Let's Move campaign to target childhood obesity.

This initiative has four components: One, making healthy choices; two, putting healthy foods in schools; three, increasing access and affordability of healthy foods; and, four, increasing physical education.

Good nutrition and healthy eating habits play a fundamental role in the overall health of both children and adults. The Children's Health Care Caucus, which I am proud to co-Chair with my Republican colleague Congressman DAVE REICHERT of Washington, is helping to raise awareness regarding good nutrition and healthy eating habits and how they improve the lives of all Americans. Poor nutrition and sedentary lifestyles are linked to obesity and countless health problems.

Today, one-third of adults in the United States are obese. Can you believe that? And childhood obesity rates have tripled since 1980. In my home State of Florida, one-third of children in our State are overweight or obese, and that is a statistic that replays itself in every State across America.

In my Tampa Bay area community, in Hillsborough County, more than 80 percent of children are not getting the recommended daily serving of fruits and vegetables. So we have a lot of work to do.

Dietary factors are associated with four of the 10 leading causes of death in the United States, including heart disease, cancer, stroke, and diabetes. These health conditions are estimated to cost the United States over $6 billion annually in medical expenses and lost productivity. We can do better.

Parents, you must focus on healthy choices for your children. You must become good role models for your kids.

For children, poor nutrition, inactivity, and weight issues can often lead to low academic performance or behavioral problems resulting in additional costs. Proper nutrition helps to fight illnesses, and it is vital to our children's cognitive development.

House Resolution 274 designates March as National Nutrition Month and encourages communities all across America to increase awareness about nutritional health.

Additionally, this resolution recognizes the hard work of registered dieticians and health care professionals that help to educate communities about good nutrition.

I reserve the balance of my time.

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

On behalf of the ranking member and the Energy and Commerce Committee, I rise in support of H. Res. 274, supporting the designation of March as National Nutrition Month.

Over the last 20 years, obesity rates have been steadily increasing in the United States. According to the CDC, in 2008, 32 States had a prevalence of obesity equal to or greater than 25 percent. Six of these States—Alabama, Mississippi, Oklahoma, South Carolina, Tennessee, and West Virginia—had a prevalence of obesity equal or greater than 30 percent. I am glad that my home State of Nebraska is not on this, but we have been shoveling enough snow that our children are getting some exercise.

Obesity rates among children and adolescents are especially staggering and have led to increasing health problems such as diabetes and heart disease among this population. Poor nutrition habits and sedentary lifestyle both have been linked with many of the obesity and health problems that afflict Americans today. Many dietary factors have led to conditions such as heart disease, cancer, stroke, and diabetes. But through proper nutrition, regular exercise, and controlling weight problems, these threats to our health are far less likely to occur.

It is important for Americans to recognize the significance of monitoring their own eating habits and that of their family. Proper nutrition, exercise, and healthy living could help lead to lower obesity rates, fewer medical expenses, and increased productivity.

I stand in support of this resolution and hope that my colleagues will join me.

Madam Speaker, I reserve the balance of my time.

Ms. CASTOR of Florida. Madam Speaker, I am pleased to yield 2 minutes to a champion for children from the Education and Labor Committee and the State of California, Congresswoman WOOLSEY.

Ms. WOOLSEY. Madam Speaker, I thank Madam CASTOR for her good leadership.

It is our job as adults to help children make the right decisions about everything, particularly about eating healthy and nutritious foods, because what they eat has a powerful impact on how they learn, how they grow, and how they thrive.

Children who have nutritious meals at home and in schools are more likely to get the most out of their education and to stay on a path toward a healthy lifestyle. We here in this Congress, we as adults, we as parents and grandparents have a responsibility to support good nutrition for all children, for teenagers, for adults, which is why I am proud to rise today as a cosponsor of H. Res. 274, which expresses strong support for designating March as National Nutrition Month.

Today, 23 million children and adolescents are obese or overweight. Obesity rates for children between 6 and 11 years old have more than quadrupled over the last 40 years. Throughout

their lives, these children are at a much greater risk for heart disease, type 2 diabetes, stroke, cancer, and social and psychological problems. Enabling children to make healthy choices is a smart down payment on supporting healthy future generations.

I commend the President, and I commend the First Lady and USDA Secretary Tom Vilsack for continuing to champion a strong investment in our children's nutrition programs and working with me to ensure that the only foods in schools will be healthy foods based on current nutrition science, and that only healthy foods are sold in the schools throughout the day.

Madam Speaker, it is time to update our nutrition standards for food sold in vending machines——

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

Ms. CASTOR of Florida. I yield the gentlewoman an additional 1 minute.

Ms. WOOLSEY. Because those standards haven't changed for the last 30 years, standards for a la carte lines for school snacks and for outside vending machines.

□ 1600

All of this has to do with meeting obesity head on.

Recognizing the month of March as National Nutrition Month will shine a light on the problems of obesity and poor nutrition in this country. So I thank my colleague, Congresswoman CASTOR, for introducing this important resolution, and I urge my colleagues to join me in passing it today.

Mr. TERRY. I continue to reserve.

Ms. CASTOR of Florida. Madam Speaker, at this time, I am pleased to yield 2 minutes to one of the experts on nutrition in the Congress, Congresswoman DAHLKEMPER from Pennsylvania.

Mrs. DAHLKEMPER. Madam Speaker, I rise in support of House Resolution 274, supporting March as National Nutrition Month.

Madam Speaker, for over 25 years I served as a clinical dietitian helping hospitals, schools, and other organizations prepare healthy menus and emphasizing good nutrition, good diet and long-term wellness.

National Nutrition Month is an important tool for health and wellness advocates across the country. Every year, we as dietitians and those in the health care field use this designation to promote nutritious diets and to educate people about healthy eating habits. Proper nutrition and healthy eating are essential to improving our Nation's long-term health and to lowering the rate of chronic diseases such as heart disease, diabetes and cancer.

Madam Speaker, I call upon my colleagues to support House Resolution 274 to help make healthy living a national priority.

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

Ms. CASTOR of Florida. Madam Speaker, I would like to thank my colleague, Congressman TERRY from the Energy and Commerce Committee, and urge my colleagues to support this House resolution designating March as National Nutrition Month.

Ms. JACKSON LEE of Texas. Madam Speaker, I stand before you today in support of H. Res. 274 "Expressing support for designation of March as National Nutrition Month."

I would like to begin by thanking my colleague Representative KATHY CASTOR for introducing this resolution in the House of Representatives, as it is important that we acknowledge and recognize the importance of good nutrition toward maintaining a healthy and productive nation.

Furthermore, it is important that we continue to educate and encourage our local communities to raise their awareness of nutritional health and encourage an expanded knowledge within the community regarding the benefits of proper nutrition. By improving nutrition standards within our communities we can help support people in their efforts toward living a long, healthy and productive life.

Unfortunately, obesity and poor nutrition among citizens is especially prevalent in my home city of Houston, Texas. For years Houston has been consistently rated as the "fattest city in America." Currently, 58 percent of adults and 39 percent of children are classified as overweight or obese in the Greater Houston community. This resolution would also seek to help the people of my district in Houston by raising the awareness of nutritional health issues.

It is estimated that since 1980, obesity rates for adults have doubled and obesity rates for children have nearly tripled due to poor nutrition and sedentary lifestyles in the United States. Furthermore, four of the top ten causes of death including heart disease, cancer, stroke and diabetes have been attributed to factors surrounding a person's nutrition and diet. These four health conditions are estimated to cost the United States over $600 billion each year in medical expenses and lost productivity.

These are several of the major factors highlighting the importance of good nutrition in our nation. It also shows the importance of making informed food choices and developing sound eating and physical activity habits. In conjunction with good nutrition, it is also important that citizens take on healthy physical activity on a regular basis to maintain good health.

These health and nutrition factors take an even greater level of importance when we discuss the effects of nutrition on our nation's children. Poor nutrition and lack of exercise in school-age children has been shown to cause a decrease in academic performance in addition to behavioral problems. In younger children, poor nutrition can manifest itself in more severe ways. Lack of proper nutrition also makes young children more prone to illness and disease and inhibits children's cognitive development.

Furthermore it is important that we recognize the gaps in school lunch programs at public schools. The National School Lunch Program was designed to provide low cost or free school lunch meals to qualified students through subsidies given to schools. In many school districts however, this poses a problem as children are only in school around 180 days out of the year. How is this federally mandated program supposed to adequately provide for and supplement children's diets when it is only available to them for half of the year?

It is vitally important that we work together as a nation to improve nutrition standards across the board; particularly for children and the elderly. It is appalling to me that children still go hungry in this great nation and it is our duty to ensure that all children receive proper nutrition in addition to great physical education in schools.

Officially establishing the month of March as "National Nutrition Month" would seek to improve the lives of our citizens as well as increase our citizen's awareness of the importance of good nutrition in living a healthy and productive life. Furthermore, by providing education and instruction to adults and children alike, we can help to ensure that the United States continues to serve as a model of balanced nutrition to the world.

I ask my colleagues for their support of this legislation as well as their support for the improving nutrition across our country. I strongly urge you to support this resolution.

Ms. CASTOR of Florida. Madam 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. CASTOR) that the House suspend the rules and agree to the resolution, H. Res. 274.

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.

HONORING THE CONTRIBUTIONS OF AFRICAN AMERICANS TO THE TRANSPORTATION AND INFRASTRUCTURE OF THE UNITED STATES

Ms. CORRINE BROWN of Florida. Madam Speaker, I move to suspend the rules and agree to the resolution (H. Res. 1085) honoring and celebrating the contributions of African-Americans to the transportation and infrastructure of the United States.

The Clerk read the title of the resolution.

The text of the resolution is as follows:

H. RES. 1085

Whereas African-Americans have played an instrumental role in developing and improving the transportation and infrastructure of the United States through leadership, design, and innovation;

Whereas the contributions of African-Americans have had significant and far-reaching impacts on modern transportation systems, including airways, highways, and railways, and have led to momentous improvements to transportation safety and security;

Whereas, in aviation, for example, Elizabeth "Bessie" Coleman, a daring stunt pilot known as "Queen Bess", was the first African-American woman to become a licensed airplane pilot in 1921 and the first United States citizen of any race or gender to hold an international aviation license from the Federation Aeronautique Internationale;

Whereas Eugene Jaques Bullard was the first African-American military pilot in history, serving as a United States volunteer in the French army during World War I;

Whereas Cornelius R. Coffey established the Coffey School of Aeronautics at Harlem Airport in Chicago, where more than 1,500 African-American students trained as pilots and mechanics from 1938 to 1945, including many who would later become Tuskegee Airmen;

Whereas Willa Beatrice Brown, the first African-American woman to receive a United States private pilot license in 1938, helped found the National Airmen's Association of America in 1939, later became the coordinator of war-training service for the Civil Aeronautics Authority, and served as the first African-American female officer in the Civil Air Patrol;

Whereas Neil V. Loving helped form an all African-American Civil Air Patrol Squadron in Detroit, established the Wayne School of Aeronautics in 1946, designed and built several experimental aircraft, and performed critical research as an aerospace engineer for the United States Air Force;

Whereas Marlon Green became the first African-American pilot for a major airline in 1965 after winning a landmark racial discrimination employment case in the Supreme Court of the United States, and served earlier in his career as a Captain in the United States Air Force for 9 years;

Whereas the Tuskegee Airmen were the first African-American airmen, aircraft and engine mechanics, armament specialists, radio repairmen, parachute riggers, control tower operators, policemen, and administrative clerks during World War II, and whose service and performance were instrumental in ending segregation in the United States military;

Whereas Dr. Lewis A. Jackson, an aviation pioneer and educator, was the director of training at the Army Air Force 66th Flight Training Detatchment at Moton Field, the primary flight training site for the Tuskegee Airmen, and also pursued designing an experimental aircraft called a roadable airplane;

Whereas Elinor Williams became the first African-American woman to be an air traffic controller in 1968 and the first African-American woman to manage an Air Route Traffic Control Center, who then went on to become the regional administrator of the Great Lakes Region for the Federal Aviation Administration;

Whereas LeRoy Wilton Homer, Jr., courageously served as the first officer of United Airlines Flight 93, which was overtaken by terrorists on September 11, 2001, and previously served in the United States Air Force in the Persian Gulf War;

Whereas Barrington Irving became the first African-American and youngest individual at 23 to fly solo around-the-world in his custom-built Columbia 400 named Inspiration in June 2007, and founded the nonprofit organization Experience Aviation, Inc. to introduce youth to aviation and aerospace and to address the shortage of young people pursuing careers in those fields;

Whereas African-Americans have also played important roles in shaping the Nation's highways, bridges, and transit and rail systems throughout the country's history through innovation, pioneering new technologies, and building the infrastructure that connects the Nation and enables economic growth and prosperity;

Whereas Garrett A. Morgan invented the Automatic Traffic Signal, a precursor to the modern traffic light;

Whereas Horace King became known as ''The Bridge Builder'' for his work rebuilding bridges throughout Georgia, Mississippi, South Carolina, Alabama, New York, and many other States and passed on his legacy to his children through the family business, the Bridge Company;

Whereas Archibald Alexander placed his mark on the Nation's capital by designing the Tidal Basin Bridge and the Whitehurst Freeway in Washington, DC;

Whereas the all African-American 93rd, 95th, and 97th Army Engineer General Service Regiments overcame harsh environmental conditions and racial discrimination to help build the most difficult and hazardous portion of the Alaska Highway;

Whereas Frederick M. Jones patented the air-conditioning controlling device to enable the transportation of perishable food using trucks and rail cars, and also patented the gas engine starter and a control device for internal combustion engines;

Whereas Richard Spikes is credited with the invention of such advancements as the automatic car washer, automobile directional signs, the automatic gear shift and transmission, and the automatic safety brake system;

Whereas M.A. Cherry invented a device known as the Velocipede, a precursor to the bicycle, and the streetcar fender, designed to prevent collisions with debris on streetcar tracks;

Whereas Issac R. Johnson invented the bicycle frame in 1899;

Whereas Humphrey Reynolds invented the safety gate for bridges to prevent cars and pedestrians from entering the tracks at the same time a train is approaching;

Whereas Benjamin Banneker, an astronomer, surveyor, almanac author, and farmer, helped survey the boundaries of what became the District of Columbia;

Whereas Walter McClennan invented the automatic railway car door in 1920;

Whereas Elijah McCoy, a fireman and oiler for the Michigan Central Railroad, developed a ''lubricating cup'' in 1872 to automatically oil steam engines on trains, which dramatically improved efficiency by eliminating the frequent stopping necessary for lubrication of the engine;

Whereas other inventors attempted to sell their own versions of the ''lubricating cup'' but most companies wanted the authentic device for their trains, requesting ''the Real McCoy'';

Whereas according to Booker T. Washington, McCoy had produced more patents than any other African-American inventor of his time, many of which contributed to the railroad industry;

Whereas McCoy was inducted into the National Inventors Hall of Fame in Akron, Ohio, in 2001;

Whereas Granville T. Woods invented over a dozen devices to improve the railroad system including his most notable invention in 1887, the Synchronous Multiplex Railway Telegraph, which enabled communications between moving and stationary trains creating a system that enabled a railroad engineer to determine the distance between trains to help improve accidents and collisions;

Whereas Woods also founded the Woods Railway Telegraph Company and is credited with the development of a system for overhead electrified railroads, patented several overhead wire and third rail transmissions systems, and made improvements to the steam-boiler furnace;

Whereas Andrew Beard, an ex-railroad worker who lost his leg in a car coupling accident, invented a device in 1897 that automatically performs the dangerous job of linking rail cars together, commonly called the Jenny Coupler, the device served as the precursor for the modern system;

Whereas Lewis Howard Latimer, who drafted the patent drawings for Alexander Graham Bell's patent application for the telephone and established public lighting systems for entire cities like New York City, Montreal, Paris, and London, invented a flushing water closet for trains in 1874;

Whereas, A.B. Blackburn patented a railway signal in 1888 designed to be operated by the wheels of a train;

Whereas W.F. Burr invented a railway switching device in 1899;

Whereas Elbert R. Robinson invented the electric railway trolley in 1893;

Whereas the work of many influential African-Americans through the civil rights movement and other social and political movements in the United States led to desegregation in transportation as well as significant improvements to the working conditions and rights of transportation workers throughout the United States;

Whereas Rosa Parks, Homer Plessy, and many other civil rights activists insisted on equitable access to public transportation;

Whereas Pullman Porters, which provided service to and attended to the needs of passengers on board trains, became leaders in the civil rights movement and formed the Brotherhood of Sleeping Car Porters in 1925, under the leadership of civil rights leader A. Philip Randolph, who fought tirelessly to improve the working conditions and pay for the Pullman Porters;

Whereas the Brotherhood of Sleeping Car Porters was the first African-American labor union to sign a collective bargaining agreement with a major United States corporation on August 25, 1937; and

Whereas National African American History Month is celebrated in February 2010: Now, therefore, be it

Resolved, That the House of Representatives—

(1) supports the goals and ideals of National African American History Month;

(2) honors and celebrates the important contributions that African-Americans have made throughout history to the transportation and infrastructure of the United States; and

(3) urges citizens and communities throughout the United States to join with representatives of the Federal Government to recognize the substantial contributions that African-Americans have made and continue to make to the Nation's transportation and infrastructure systems.

The SPEAKER pro tempore. Pursuant to the rule, the gentlewoman from Florida (Ms. CORRINE BROWN) and the gentleman from Louisiana (Mr. CAO) each will control 20 minutes.

The Chair recognizes the gentlewoman from Florida.

GENERAL LEAVE

Ms. CORRINE BROWN of Florida. Madam Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks and include additional materials on House Resolution 1085.

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

There was no objection.

Ms. CORRINE BROWN of Florida. Madam Speaker, I yield myself such time as I may consume.

Madam Speaker, it is a privilege to offer this resolution during Black History Month honoring African Americans' contributions to transportation and infrastructure in America.

African Americans have played an instrumental role in developing and improving the transportation and infrastructure of the United States. African Americans have had significant and far-reaching influence on all modes of transportation, leading to major improvements in operations, safety, and security on our railways, airways, and highways.

Because of the contributions of these pioneering African Americans, thousands of young people have been inspired to a higher calling. Without their contributions, we wouldn't have the bicycle, safety gates on bridges, turning signals, automatic traffic signals, air-conditioned trucks and rail cars, automatic transmissions, and hundreds of other inventions that make transportation safer and more efficient for everyone.

Transportation also has a storied history in the civil rights movement. Everyone knows that Rosa Park's refusal to move to the back of the bus was one of the defining moments in the fight for equal rights for people of color.

When I was elected to Congress in 1992, I, along with Congressman ALCEE HASTINGS and Congresswoman CARRIE MEEK, were the first African Americans to serve in the House of Representatives from Florida since Reconstruction. From the moment I was elected, I fought for a seat on the Transportation and Infrastructure Committee, and I am honored to serve as Chair of the Subcommittee on Railroads, Pipelines, and Hazardous Materials.

Serving on the Transportation and Infrastructure Committee has allowed me to provide good jobs and expand economic development and new transportation options for the people of my district, my State, and throughout the United States.

Today on the Transportation and Infrastructure Committee, African Americans serve four Chairs in six subcommittees, and along with Chairman OBERSTAR and other Members, we are working to restore fairness for minorities and women in all aspects of our Nation's transportation system. We all do our part to support the Nation's transportation system, and we all deserve a seat at the table so we can build and design the systems of the future. I often compare it to my grandmother's delicious sweet potato pie: We all pay for the ingredients, and we all deserve a slice of the pie. I believe it is our duty to ensure that minorities and women-owned businesses are able to compete for contracts as we spend billions of Federal dollars on transportation projects.

The tragedies in Haiti and the Gulf Coast show just how critical our transportation systems are to protecting our citizens; without it, we are often helpless. Too often we take our infrastructure for granted, but it is truly what separates a superpower from a Third World country.

Lastly, I would like to talk about the importance of transportation to our economy. Transportation projects put people to work, create economic development, and provide a better community. Nothing creates jobs better than infrastructure projects. In fact, the $34.3 billion in the Recovery Act for transportation projects created 250,000 direct jobs and 760,000 indirect jobs.

Today we are standing on the shoulders of those pioneering giants that came before us. As we make bigger strides each day to improve transportation, we must not forget the ''never give up'' attitude that made these inventions and milestones possible. I would encourage all Members to vote ''yes'' on this resolution and show their support for the brave men and women who against all odds made America a better place to live.

Madam Speaker, I reserve the balance of my time.

Mr. CAO. Madam Speaker, I rise today in support of H. Res. 1085 and yield myself such time as I may consume.

Madam Speaker, I rise in support of H. Res. 1085, a resolution to honor and celebrate the contributions of African Americans to the transportation infrastructure of the United States. Our transportation systems are an everyday part of both our business and our social lives. We take advantage of transportation infrastructure every day and think little about what it has taken over history to put these modern systems in place.

Today, as we celebrate African American History Month, it is fitting that this House should pay special honor to those African Americans who have contributed to the creation of the modern transportation system on which our economy depends.

African Americans have been instrumental in the development of transportation infrastructure in many ways. They have been pioneers of aviation; they were dedicated railroad Pullman Porters who saw to the safety and comfort of passengers; they have been bridge architects and engineers; and they have been inventors, developers, and manufacturers of such transportation innovations as devices to make refrigerated trucks and railcars possible, automatic traffic signals, automatic coupling devices for railcars, the electric railway trolley, railway switching devices, automatic transmissions, and safety gates for bridges. In addition, while making these achievements, these men and women had to overcome the racial discrimination of their day. I am pleased to rise today in recognition of their remarkable achievements and urge all Members to support the resolution.

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

Mr. OBERSTAR. Madam Speaker, I rise today in strong support of H. Res. 1085, introduced by the gentlewoman from Florida (Ms. BROWN), which honors and celebrates the numerous contributions of African-Americans to the transportation and infrastructure of the United States.

As we celebrate National African American History Month this February, we recognize the contributions that African-Americans have made to American history through art, politics, business, and science. Today, we are taking time to recognize the significant and extensive contributions African-Americans have made to the transportation systems that connect our nation, bringing communities together and enabling economic growth and prosperity across the country.

Whether we are talking about the development of our world class aviation system, or our highways or railways, African-Americans have played an important role in the development of our nation's transportation systems throughout history.

In aviation, as a result of the leadership of Cornelius R. Coffey in establishing the Coffey School of Aeronautics at Harlem Airport in Chicago, more than 1,500 African-American students were trained as pilots and mechanics from 1938 and 1945. Many of the students of the Coffey School of Aeronautics went on to become Tuskegee Airmen. The Tuskegee Airmen were the first African-American airmen, aircraft and engine mechanics, armament specialists, radio repairmen, parachute riggers, control tower operators, policemen and administrative clerks during World War II. The service and performance of the Tuskegee Airmen was instrumental in ending segregation in the United States military.

Benjamin Banneker, a self-educated scientist, astronomer, surveyor, almanac author, writer and farmer, is known for many things including helping to survey the boundaries of what is now the District of Columbia. In addition, the precursor to the modern day traffic light was invented by Garret A. Morgan, who is credited with the design of the Automatic Traffic Signal.

Through innovation and invention, African-Americans have had a profound impact on the development of our world class railway system. One of the most notable inventors, Granville T. Woods, patented dozens of devices during his life to improve the railroad system, including one very notable invention that has improved railway safety by reducing accidents and collisions. In 1887, Mr. Woods invented the Synchronous Multiplex Railway Telegraph that enabled communications between moving and stationary trains, helping railroad engineers to determine the distance between trains for the first time, and thereby substantially enhancing safety.

Through the Civil Rights movement, many influential African-Americans, such as Rosa Parks and Homer Plessy, were leaders in social and political movements to desegregate transportation, while other African-American leaders worked to make significant improvements to the working conditions and rights of transportation workers throughout the nation.

I note the significant contributions of the Pullman Porters, who worked on board passenger trains and who became leaders in the civil rights and labor movements when they formed the Brotherhood of Sleeping Car Porters in 1925, under the leadership of civil rights leader A. Philip Randolph. The Brotherhood of Sleeping Car Porters was the first African-American labor union to sign a collective bargaining agreement with a major U.S. corporation. The Brotherhood literally paved the way for union labor throughout this country, and fought tirelessly to improve the often

harsh working conditions and low pay that Pullman Porters and others received.

I urge my colleagues to join me in celebrating and honoring these African Americans and their important contributions to our nation's transportation and infrastructure systems by supporting H. Res. 1085.

Ms. CORRINE BROWN of Florida. Madam Speaker, I yield back the balance of my time.

The SPEAKER pro tempore (Ms. RICHARDSON). The question is on the motion offered by the gentlewoman from Florida (Ms. CORRINE BROWN) that the House suspend the rules and agree to the resolution, H. Res. 1085.

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. CORRINE BROWN of Florida. 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.

CONTINUATION OF THE NATIONAL EMERGENCY RELATING TO CUBA AND OF THE EMERGENCY AUTHORITY RELATING TO THE REGULATION OF THE ANCHORAGE AND MOVEMENT OF VESSELS—MESSAGE FROM THE PRESIDENT OF THE UNITED STATES (H. DOC. NO. 111–94)

The SPEAKER pro tempore laid before the House the following message from the President of the United States; which was read and, together with the accompanying papers, referred to the Committee on Foreign Affairs and ordered to be printed:

To the Congress of the United States:

Section 202(d) of the National Emergencies Act (50 U.S.C. 1622(d)) provides for the automatic termination of a national emergency unless, prior to the anniversary date of its declaration, the President publishes in the Federal Register and transmits to the Congress a notice stating that the emergency is to continue in effect beyond the anniversary date. In accordance with this provision, I have sent the enclosed notice to the Federal Register for publication, stating that the national emergency declared with respect to the Government of Cuba's destruction of two unarmed U.S.-registered civilian aircraft in international airspace north of Cuba on February 24, 1996, as amended and expanded on February 26, 2004, is to continue in effect beyond March 1, 2010.

BARACK OBAMA.

THE WHITE HOUSE, *February 23, 2010*.

PROVIDING FOR CONSIDERATION OF H.R. 2314, NATIVE HAWAIIAN GOVERNMENT REORGANIZATION ACT OF 2009

Mr. POLIS. Madam Speaker, by direction of the Committee on Rules, I call up House Resolution 1083 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 1083

Resolved, That upon the adoption of this resolution it shall be in order to consider in the House the bill (H.R. 2314) to express the policy of the United States regarding the United States relationship with Native Hawaiians and to provide a process for the recognition by the United States of the Native Hawaiian governing entity. All points of order against consideration of the bill are waived except those arising under clause 9 or 10 of rule XXI. The bill shall be considered as read. All points of order against provisions of the bill are waived. The previous question shall be considered as ordered on the bill and on any amendment thereto to final passage without intervening motion except: (1) one hour of debate equally divided and controlled by the chair and ranking minority member of the Committee on Natural Resources; (2) the amendment in the nature of a substitute printed in part A of the report of the Committee on Rules accompanying this resolution, if offered by Representative Abercrombie of Hawaii or his designee, which shall be in order without intervention of any point of order except those arising under clause 9 or 10 of rule XXI, shall be considered as read, and shall be separately debatable for 30 minutes equally divided and controlled by the proponent and an opponent; (3) the amendments to the amendment in the nature of a substitute printed in part B of the report of the Committee on Rules, each of which may be offered only by a Member designed in the report, shall be in order without intervention of any point of order except those arising under clause 10 of rule XXI, shall be considered as read, and shall be separately debatable for 10 minutes equally divided and controlled by the proponent and an opponent; and (4) one motion to recommit with or without instructions.

SEC. 2. During consideration of an amendment printed in part B of the report of the Committee on Rules accompanying this resolution, the Chair may postpone the question of adoption as though under clause 8 of rule XX.

□ 1615

The SPEAKER pro tempore. The gentleman from Colorado is recognized for 1 hour.

Mr. POLIS. For the purpose of debate only, I yield the customary 30 minutes to the gentleman from Florida (Mr. DIAZ-BALART). All time yielded during consideration of the rule is for debate only. I yield myself such time as I may consume.

GENERAL LEAVE

Mr. POLIS. I also ask unanimous consent that all Members be given 5 legislative days in which to revise and extend their remarks on House Resolution 1083.

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

There was no objection.

Mr. POLIS. Madam Speaker, House Resolution 1083 provides for consideration of H.R. 2314, the Native Hawaiian Government Reorganization Act of 2009, under a structured rule. The rule provides for 1 hour of debate in the House, controlled by the Committee on Natural Resources. The rule waives all points of order against consideration of the bill, except for clauses 9 and 10 of rule XXI. The rule makes in order an amendment in the nature of a substitute by Representative ABERCROMBIE, which is debatable for 30 minutes. The rule also makes in order two second-degree amendments to the substitute. The amendments are to be offered by Representative HASTINGS of Washington and by Representative FLAKE of Arizona. The amendments are each debatable for 10 minutes. Finally, the rule provides one motion to recommit, with or without instructions.

Madam Speaker, I want to thank Chairman RAHALL and the hardworking staff of the Natural Resources Committee for their dedication to the health and welfare of the many native peoples of this country and particularly for their work on this important legislation.

I also want to thank my colleagues from Hawaii, Congressman ABERCROMBIE and Congresswoman HIRONO, for bringing this legislation forward in the House, as well as the bill's original author, Senator AKAKA, for his tireless work on behalf of the people of Hawaii in the Senate.

Our diversity is not only what makes us great but also what makes us American. My home State of Colorado is a beautiful land with awe-inspiring mountains and rugged landscapes, but the people are who make it truly beautiful. Colorado's rich history and diverse culture is interwoven with the Apache, Arapaho, Cheyenne, Pueblo, Shoshone, and Ute peoples, who helped found our State and who continue to play such an important role in our vibrant diversity today.

While Hawaiians celebrate the sun and while Coloradans treasure the snow, the same connection between land and people can be found in the unique beauty of Hawaii.

As we have seen in Colorado, with the Southern Ute and Ute Mountain Ute and across the country, the U.S. has a longstanding policy of providing its indigenous people—those who exercised sovereignty until the United States expanded its borders into their homeland—with an opportunity to organize, to protect and to perpetuate their cultures and traditions and to look out for their interests. It is only right that all indigenous people should have a right to determine how they should interact with our government. This bill merely brings about parity in the U.S. treatment of its indigenous people—American Indians, Alaska natives and Native Hawaiians.

H.R. 2314 would establish a Native Hawaiian interim governing council to develop elements of the organic governing documents and other criteria for the Native Hawaiian governing entity. These documents would detail the powers and authorities of the governing entity, but they would also include membership criteria as well as requirements for the election of government officials.

The Secretary of the Interior would be required to certify that the organic documents meet specified criteria and are consistent with applicable Federal law and our Constitution. After this certification, the government-to-government relationship with the Native Hawaiians should be reaffirmed.

It is also worth mentioning that these were the conditions set forward by the United States and that Hawaii agreed to in Statehood. These conditions of Statehood were set forth in the Admissions Act, signed August 21, 1959, which posed that the State of Hawaii would assume administration of the congressionally established Hawaiian Homes Commission Act trust, as well as ensure that former Hawaiian Government public lands held in trust would be utilized for one of five purposes, including the betterment of the conditions of Native Hawaiians.

Like American Indians, Native Hawaiians have no other homeland to keep their culture alive. Like American Indians, disenfranchisement has left Native Hawaiians at the bottom of national health, education and economic rankings. Through all of this, however, Native Hawaiians continue to maintain their cultural identity and dignity as a distinct native community.

This bill would reaffirm the Federal delegation of authority to the State of Hawaii, found in the State's Admissions Act, and would provide Native Hawaiians with the tools and status needed to preserve their vibrant culture and unique heritage for future generations.

Last year, Madam Speaker, Hawaii celebrated the 50th anniversary of its Statehood. It is long past time that Congress grants the same opportunity for self-determination to Native Hawaiians.

In 2000, the Hawaii Congressional Delegation offered the first Native Hawaiian Government Reorganization Act. Since then, Congress has held six joint hearings of the Senate Committee on Indian Affairs and of the House Natural Resources Committee, five of which were in Hawaii, with a total of 12 congressional hearings within the last 9 years on the issue. The House has passed this legislation twice, in the 106th and 110th Congresses.

While the bill has evolved over the years and has received input from many stakeholders, it has maintained true to its intent to extend the Federal policy of self-governance and self-determination to Native Hawaiians for the purposes of a federally recognized government-to-government relationship. This has received broad support from organizations and people across the ideological spectrum and the State of Hawaii.

As a Representative of Native Americans who live in Colorado's Second Congressional District, I urge my colleagues in Congress to join me in passing this rule to honor and respect, not just this generation, but future generations of Native Hawaiians and to promote the diversity of cultures everywhere that make our country so great. I ask you to end half a century of neglect and to provide the Native Hawaiians with the same representation provided to other native peoples across the country.

I reserve the balance of my time.

Mr. LINCOLN DIAZ-BALART of Florida. I would like to thank my friend, the gentleman from Colorado (Mr. POLIS) for the time, and I yield myself such time as I may consume.

Last week, the Department of Labor, Madam Speaker, reported that Americans filed 473,000 jobless claims in the week ending February 13. That is an increase of 31,000 more claims than the previous week. It is truly unfortunate that the number of jobless claims continues to rise 1 year after the passage of the massive so-called ''stimulus bill.'' Take, for example, the district that I am honored to represent. According to Recovery.gov, the administration's stimulus Web site, the stimulus bill spent $185 million to create 310 jobs. That was at a cost of $600,000 per job.

Now, Madam Speaker, what worries me even more than the $1 trillion so-called ''stimulus bill'' is the fact that it continues the process of adding to our national debt at a time when we can least afford it. It is expected that the deficit, in large part due to the waste of money in the stimulus bill, is set to hit a record $1.6 trillion. The U.S. economy is dangerously close to the catastrophic precipice of uncontrollable debt. We must urgently alter Washington's fiscal course before the American middle class, as we know it, is relegated to the history books.

Why do I mention the stimulus and the state of our economy? To point out that, while our economy continues to stumble and to stutter and as jobless claims rise, the majority has decided to pass legislation that would recognize Native Hawaiians as a sovereign governing entity. Now, just 2 months ago, the distinguished Speaker declared that her party should be judged on the issue of ''jobs, jobs, jobs.''

How does the bill before us today have anything to do with job creation?

I understand that this is the last week in Congress for my good friend, one of the most respected Members of this House, Representative ABERCROMBIE. I know I join all Members of the House in thanking him for his great work as a Member of this House and also for his friendship. As I say, I have great respect for him.

Last night, he testified before the Rules Committee about his work on the underlying legislation. He told us that he first began working on this issue when he was in the Hawaii legislature in 1974. It was very clear from his testimony that this is a very important issue for him, and I congratulate him for his hard work.

Yet there is an undeniable issue here that I have made reference to that was pointed out in terms of its importance to the American people by a recent opinion research poll which found that 84 percent of Americans think that Congress has not done enough for the creation of jobs. I think what the majority is doing today will simply reinforce that belief by the American people.

Madam Speaker, I thank the majority for their uncharacteristic generosity in allowing the House to debate both of the Republican amendments submitted to the Rules Committee for consideration. Unfortunately, over a year into this Congress, the purportedly most open and bipartisan Congress in history, the majority has yet to allow even one open rule. That's quite unfortunate, but yet it is business as usual for the majority to continue to claim bipartisanship while working to block full and open debate.

I reserve the balance of my time.

Mr. POLIS. Madam Speaker, again, I would like to establish that there were exactly two amendments proposed to this piece of legislation, both by members of the Republican Party, and both will be allowed for floor consideration under this rule.

With that, I yield 3 minutes to the gentlewoman from Hawaii (Ms. HIRONO).

Ms. HIRONO. Thank you very much.

Madam Speaker, I rise today in support of the rule for H.R. 2314, the Native Hawaiian Government Reorganization Act.

I appreciate the leadership of Chairwoman SLAUGHTER, of Congressman POLIS and of the work of the Rules Committee in crafting a fair rule. All amendments submitted to the Rules Committee were made in order, including two amendments from the minority.

As coauthor of this bill, I am concerned about the impact and intent of the Hastings and Flake amendments. However, the openness and fairness of the rule is consistent with a bill that has been more than 10 years in the making.

There have been 12 congressional hearings on this bill, five of which were held in Hawaii. It has been marked up by committees in both Chambers. The House passed the bill twice—first in 2000 and again in 2007.

The rule also makes in order the Abercrombie substitute amendment, which reflects a compromise between the Hawaii Congressional Delegation, the State of Hawaii, the Obama administration, Indian Country, and the Native Hawaiian community.

There have been many falsehoods and inaccurate statements made about this bill over the years. One of the many misrepresentations is that this bill is race-based legislation. Native Hawaiians are the native indigenous people of Hawaii. They were in Hawaii as long ago as 300 B.C., long before Captain Cook's so-called ''discovery'' of the Sandwich Isles, as he named this chain of islands.

The U.S. Supreme Court has repeatedly held that legislation enacted to address the special needs and conditions of the native people of the United States does not constitute discrimination on the basis of race or ethnicity.

The sovereign status of Indian tribes recognized by the Constitution was later extended to Alaska natives as indigenous people. On this same basis, Congress has enacted legislation for the aboriginal, indigenous people of Hawaii. The Constitution, including the Indian affairs powers, extends to the original and all subsequently acquired territory of the United States.

For example, in the Louisiana Purchase Treaty of 1803, President Thomas Jefferson bound the United States to honor the treaties between Spain, which held Louisiana prior to France, and Indian tribes until such time as the United States entered into its own treaties with the tribes.

In 1867, in the Treaty of Cession with Russia for what is now the State of Alaska, the United States agreed to pass laws for the benefit of Alaska natives just as it does for natives in the lower 48 States. The Supreme Court ruled in Sandoval v. United States that the Indian affairs power extends to all distinctly native communities within the borders of the United States.

While Congress' authority is not without limit, it clearly can act on behalf of ''distinctly Indian''—which means ''native''—communities. Congress, so long as it is not arbitrary, may rationally act to benefit the native people. Native Hawaiians are distinctly native. They have their own sovereign nation. They have their own language, culture, religion, traditional economy. They are the aboriginal, indigenous people of Hawaii.

I urge my colleagues to support the passage of this rule.

Mr. LINCOLN DIAZ-BALART of Florida. Madam Speaker, I yield back the balance of my time.

□ 1630

Mr. POLIS. Madam Speaker, for more than 200 years, Congress, the executive branch, and the Supreme Court have recognized certain legal rights and protections for America's indigenous people. It's the moral and legal responsibility of Congress to reaffirm a political relationship with the native peoples of Hawaii, and H.R. 2314 will achieve this purpose.

Madam Speaker, I ask my colleagues to pass this very fair rule that includes both Republican amendments that were filed and to allow for the further consideration of this bill on the floor of the House of Representatives.

Mr. KILDEE. Mr. Speaker, today I rise in strong support of H.R. 2314, the Native Hawaiian Government Reorganization Act of 2009.

I want to thank my dear friend and colleague Congressman NEIL ABERCROMBIE of Hawaii who introduced this legislation. As co-chair of the Native American Caucus, I have had the privilege of working alongside him over the years to fight for a strong agenda for our Native communities.

I applaud him for his work on this legislation that will finally reaffirm the inherent sovereignty of the Native Hawaiian people. His dedication over the years should be commended and his service and friendship will be greatly missed.

Mr. Speaker, this legislation will once and for all clarify the relationship between Native Hawaiians and the United States Government.

Congress has passed over 150 statutes addressing the needs of Native Hawaiians. In 1993, Congress passed an apology bill acknowledging the role of the Unites States Government in the overthrow of the Hawaiian Nation in 1893. That bill recognized that the Native Hawaiians never directly relinquished their inherent sovereignty.

Mr. Speaker, H.R. 2314, will finally provide for the reorganization of a Native Hawaiian Government and provides for Federal recognition of the Native Hawaiians.

It is long past time that we clarify that status of Native Hawaiians in this country. I strongly urge my colleagues to support this important legislation for Native Hawaiians.

Ms. BORDALLO. Mr. Speaker, I rise in strong support of H.R. 2314, legislation that has been championed by the Senators from the State of Hawaii in the other body and our colleagues in the House of Representatives representing the Aloha State. Those of us who are privileged to serve on the Committee on Natural Resources with our colleague, the distinguished gentleman from Hawaii, Mr. ABERCROMBIE, have witnessed his tireless efforts on behalf of preserving Native Hawaiian culture and in improving the federal relationship with the Native Hawaiian people. His passion and deep resolve on the issues important to his State and our country, as well as working class families, is revered and respected. It is fitting that the House take up this legislation during his final days of service in this Congress, and I want to emphasize on behalf of the people of Guam, who I represent, my support for its swift passage and enactment.

This is an indigenous peoples issue, and the indigenous peoples of the offshore territories are especially sensitive to the situation at-hand with regard to Native Hawaiians. Our governance system must be devised and shaped to respect their culture and to allow for their needs to be adequately addressed. I ask Members to recall the history of the annexation of their islands under the U.S. Flag and the overthrow of their Kingdom, for which Congress has previously recognized and extended an apology. There are unique historical circumstances which give rise to this debate and to this legislation. We have heard today the passionate and thoughtfully expressed appeals for our favorable action on the question of passage before us. We should be moved not only by the gravity of this debate, but also by the impartial review of the facts before us and because of what this means for our country and our obligations as legislators.

The native people of the Hawaiian Islands deserve no less than our resolve to accord them due legal rights and protections consistent with our national trust and obligation to native peoples of the lands for which the U.S. Flag now flies. Through passage of H.R. 2314 we will affirm a political relationship between our national Government directly with the native people of these beautiful islands. It is a relationship whose formation in the construct proposed by the legislation is entirely fitting and appropriate in the context of case law and precedent. It is merely because of historical circumstances that we are called to action now, 50 years after statehood. I support the substitute amendment, and the purpose of the underlying bill. I wish our colleague, Mr. ABERCROMBIE, the best in all of his future endeavors and thank him for his service in this institution and commend him for his work on this important legislation. I urge passage of H.R. 2314.

Mr. HONDA. Mr. Speaker, I rise today to express my support for H.R. 2314, the Native Hawaiian Government Reorganization Act of 2009. Passage of this legislation is a top priority of the Congressional Asian Pacific American Caucus, which I currently chair.

I commend Representative NEIL ABERCROMBIE, sponsor of the bill, and the House Committee on Natural Resources for recognizing the importance of self-determination to the Native Hawaiian people.

In 1893, the monarchy of the Kingdom of Hawai'i was overthrown by agents of the United States. This has created wounds and issues that have never been addressed or resolved. The United States took an important first step in reconciling this part of history by passing a resolution which acknowledged the overthrow of the Kingdom of Hawai'i and offered an apology to Native Hawaiians.

While these are laudable efforts, H.R. 2314 would continue the reconciliation and healing process by providing Native Hawaiians the same right of self governance and self determination that is afforded to other indigenous peoples. Since Hawaii was annexed as a territory, the United States has treated Native Hawaiians in a manner similar to that of American Indians and Alaska Natives. This bill would formalize that relationship and establish parity in federal policies towards all of our indigenous peoples.

I urge all of my colleagues to support H.R. 2314 and afford Native Hawaiians the opportunity for self determination and self governance.

Mr. POLIS. I yield back the balance of my time, and I move the previous question on the resolution.

The previous question was ordered.

The SPEAKER pro tempore. The question is on the resolution.

The question was taken; and the Speaker pro tempore announced that the ayes appeared to have it.

Mr. POLIS. 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, this 15-minute vote on adopting House Resolution 1083 will be followed by 5-minute votes on motions to suspend the rules with regard to:

House Resolution 1066;

House Resolution 1059;

House Resolution 1039; and

House Resolution 1046.

The vote was taken by electronic device, and there were—yeas 238, nays 165, not voting 29, as follows:

[Roll No. 51]

YEAS—238

Abercrombie
Ackerman
Adler (NJ)
Altmire
Arcuri
Baca
Baird
Baldwin
Barrow
Bean
Becerra
Berkley
Berman
Berry
Bishop (GA)
Bishop (NY)
Blumenauer
Boccieri
Boren
Boswell
Boucher
Boyd
Brady (PA)
Braley (IA)
Bright
Brown, Corrine
Butterfield
Cao
Capuano
Cardoza
Carney
Carson (IN)
Castor (FL)
Chandler
Childers
Chu
Clarke
Clay
Cleaver
Clyburn
Cohen
Connolly (VA)
Conyers
Cooper
Costa
Courtney
Crowley
Cuellar
Cummings
Dahlkemper
Davis (AL)
Davis (CA)
Davis (IL)
Davis (TN)
DeFazio
DeGette
Delahunt
DeLauro
Dicks
Dingell
Doggett
Donnelly (IN)
Doyle
Driehaus
Edwards (MD)
Edwards (TX)
Ellison
Ellsworth
Engel
Eshoo
Etheridge
Farr
Fattah
Filner
Foster
Frank (MA)
Fudge
Giffords
Gonzalez
Gordon (TN)
Grayson
Green, Al
Green, Gene
Gutierrez
Hall (NY)
Halvorson
Hare
Harman
Hastings (FL)
Heinrich
Herseth Sandlin
Higgins
Hill
Hinchey
Hirono
Holden
Holt
Honda
Hoyer
Inslee
Israel
Jackson (IL)
Jackson Lee (TX)
Johnson, E. B.
Kagen
Kanjorski
Kaptur
Kennedy
Kildee
Kilpatrick (MI)
Kilroy
Kind
Kirkpatrick (AZ)
Kissell
Klein (FL)
Kosmas
Kratovil
Kucinich
Langevin
Larsen (WA)
Larson (CT)
Lee (CA)
Levin
Lewis (GA)
Lipinski
Loebsack
Lofgren, Zoe
Lowey
Luján
Lynch
Maffei
Maloney
Markey (CO)
Markey (MA)
Marshall
Massa
Matheson
Matsui
McCarthy (NY)
McCollum
McDermott
McGovern
McIntyre
McMahon
McNerney
Meek (FL)
Meeks (NY)
Melancon
Michaud
Miller (NC)
Miller, George
Mitchell
Mollohan
Moore (KS)
Moran (VA)
Murphy (CT)
Murphy (NY)
Murphy, Patrick
Nadler (NY)
Napolitano
Neal (MA)
Nye
Oberstar
Obey
Olver
Ortiz
Owens
Pallone
Pascrell
Pastor (AZ)
Perlmutter
Perriello
Peters
Peterson
Pingree (ME)
Polis (CO)
Pomeroy
Price (NC)
Quigley
Rahall
Rangel
Reyes
Richardson
Rodriguez
Ross
Rothman (NJ)
Roybal-Allard
Ruppersberger
Rush
Salazar
Sánchez, Linda T.
Sanchez, Loretta
Sarbanes
Schakowsky
Schauer
Schiff
Schrader
Schwartz
Scott (GA)
Scott (VA)
Serrano
Sestak
Shea-Porter
Sherman
Skelton
Slaughter
Smith (WA)
Snyder
Space
Spratt
Stupak
Sutton
Tanner
Taylor
Teague
Thompson (CA)
Thompson (MS)
Tierney
Titus
Tonko
Towns
Tsongas
Van Hollen
Velázquez
Visclosky
Walz
Wasserman Schultz
Waters
Watson
Watt
Waxman
Weiner
Welch
Whitfield
Woolsey
Wu
Yarmuth
Young (AK)

NAYS—165

Aderholt
Akin
Alexander
Austria
Bachmann
Bachus
Bartlett
Barton (TX)
Biggert
Bilbray
Bilirakis
Bishop (UT)
Blackburn
Boehner
Bonner
Boozman
Boustany
Brady (TX)
Broun (GA)
Brown (SC)
Brown-Waite, Ginny
Buchanan
Burgess
Burton (IN)
Buyer
Calvert
Camp
Campbell
Capito
Carter
Cassidy
Castle
Chaffetz
Coble
Coffman (CO)
Cole
Conaway
Crenshaw
Davis (KY)
Deal (GA)
Dent
Diaz-Balart, L.
Diaz-Balart, M.
Dreier
Duncan
Ehlers
Emerson
Fallin
Flake
Fleming
Forbes
Fortenberry
Foxx
Franks (AZ)
Frelinghuysen
Gallegly
Garrett (NJ)
Gerlach
Gingrey (GA)
Gohmert
Goodlatte
Granger
Graves
Griffith
Guthrie
Hall (TX)
Harper
Hastings (WA)
Heller
Hensarling
Herger
Himes
Hunter
Inglis
Issa
Jenkins
Johnson (IL)
Johnson, Sam
Jones
Jordan (OH)
King (IA)
King (NY)
Kingston
Kirk
Kline (MN)
Lamborn
Lance
Latham
LaTourette
Latta
Lee (NY)
Lewis (CA)
Linder
LoBiondo
Lucas
Luetkemeyer
Lummis
Lungren, Daniel E.
Manzullo
Marchant
McCarthy (CA)
McCaul
McClintock
McCotter
McHenry
McKeon
McMorris Rodgers
Mica
Miller (FL)
Miller (MI)
Miller, Gary
Minnick
Murphy, Tim
Myrick
Neugebauer
Nunes
Olson
Paul
Paulsen
Pence
Petri
Pitts
Platts
Poe (TX)
Posey
Putnam
Rehberg
Roe (TN)
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Rooney
Roskam
Royce
Ryan (WI)
Scalise
Schmidt
Schock
Sensenbrenner
Sessions
Shadegg
Shimkus
Shuler
Shuster
Simpson
Smith (NE)
Smith (NJ)
Smith (TX)
Souder
Stearns
Sullivan
Terry
Thompson (PA)
Thornberry
Tiahrt
Tiberi
Turner
Upton
Walden
Westmoreland
Wilson (SC)
Wittman
Wolf
Young (FL)

NOT VOTING—29

Andrews
Barrett (SC)
Blunt
Bono Mack
Cantor
Capps
Carnahan
Costello
Culberson
Garamendi
Grijalva
Hinojosa
Hodes
Hoekstra
Johnson (GA)
Mack
Moore (WI)
Moran (KS)
Payne
Price (GA)
Radanovich
Reichert
Ros-Lehtinen
Ryan (OH)
Sires
Speier
Stark
Wamp
Wilson (OH)

□ 1657

Messrs. WILSON of South Carolina, SMITH of Nebraska, and NUNES changed their vote from ''yea'' to ''nay.''

Mr. HEINRICH changed his vote from ''nay'' to ''yea.''

So 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 THE BRAVERY AND EFFORTS OF THE MEMBERS OF OPERATION UNIFIED RESPONSE

The SPEAKER pro tempore. The unfinished business is the vote on the motion to suspend the rules and agree to the resolution, H. Res. 1066, 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 gentleman from Missouri (Mr. SKELTON) that the House suspend the rules and agree to the resolution, H. Res. 1066.

This will be a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 406, nays 0, not voting 26, as follows:

[Roll No. 52]

YEAS—406

Abercrombie
Ackerman
Aderholt
Adler (NJ)
Akin
Alexander
Altmire
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
Boccieri
Boehner
Bonner
Boozman
Boren
Boswell
Boucher
Boustany
Boyd
Brady (PA)
Brady (TX)
Braley (IA)
Bright
Broun (GA)
Brown (SC)
Brown, Corrine
Brown-Waite, Ginny
Buchanan
Burgess
Burton (IN)
Butterfield
Buyer
Calvert
Camp
Campbell
Cantor
Cao
Capito
Capuano
Cardoza
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
Courtney
Crenshaw
Crowley
Cuellar
Cummings
Dahlkemper
Davis (AL)
Davis (IL)
Davis (KY)
Davis (TN)
Deal (GA)
DeFazio
DeGette
Delahunt
DeLauro
Dent
Diaz-Balart, L.
Diaz-Balart, M.
Dicks
Dingell
Doggett
Donnelly (IN)
Doyle
Dreier
Driehaus
Duncan
Edwards (MD)
Edwards (TX)
Ehlers
Ellison
Ellsworth
Emerson
Engel
Eshoo
Etheridge
Fallin
Farr
Fattah
Filner
Flake
Fleming
Forbes
Fortenberry
Foster
Foxx
Frank (MA)
Franks (AZ)
Frelinghuysen
Fudge
Gallegly
Garrett (NJ)
Gerlach
Giffords
Gingrey (GA)
Gohmert
Gonzalez
Goodlatte
Gordon (TN)
Granger
Graves
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
Hinchey
Hirono
Holden
Holt
Honda
Hoyer
Hunter
Inglis
Inslee
Israel
Issa
Jackson (IL)
Jackson Lee (TX)
Jenkins
Johnson (GA)
Johnson (IL)
Johnson, E. B.
Johnson, Sam
Jones
Jordan (OH)
Kagen
Kanjorski
Kaptur
Kennedy
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
Loebsack
Lofgren, Zoe
Lowey
Lucas
Luetkemeyer
Luján
Lummis
Lungren, Daniel E.
Lynch
Maffei
Maloney
Manzullo
Marchant
Markey (CO)
Markey (MA)
Marshall
Massa
Matheson
Matsui
McCarthy (CA)
McCarthy (NY)
McCaul
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 (VA)
Murphy (CT)
Murphy (NY)
Murphy, Patrick
Murphy, Tim
Myrick
Nadler (NY)
Napolitano
Neal (MA)
Neugebauer
Nunes
Nye
Oberstar
Obey
Olson

Olver
Ortiz
Pallone
Pascrell
Pastor (AZ)
Paulsen
Pence
Perlmutter
Perriello
Peters
Peterson
Petri
Pingree (ME)
Pitts
Platts
Poe (TX)
Polis (CO)
Pomeroy
Posey
Price (NC)
Putnam
Quigley
Rahall
Rangel
Rehberg
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 (WI)
Salazar
Sánchez, Linda T.
Sanchez, Loretta
Sarbanes
Scalise
Schakowsky
Schauer
Schiff
Schmidt
Schock
Schrader
Schwartz
Scott (GA)
Scott (VA)
Sensenbrenner
Serrano
Sessions
Sestak
Shadegg
Shea-Porter
Sherman
Shimkus
Shuler
Shuster
Simpson
Skelton
Slaughter
Smith (NE)
Smith (NJ)
Smith (TX)
Smith (WA)
Snyder
Souder
Space
Speier
Spratt
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
Visclosky
Walden
Walz
Wasserman Schultz
Waters
Watson
Watt
Waxman
Weiner
Welch
Westmoreland
Whitfield
Wilson (SC)
Wittman
Wolf
Woolsey
Wu
Yarmuth
Young (AK)
Young (FL)

NOT VOTING—26

Andrews
Barrett (SC)
Blunt
Bono Mack
Capps
Carnahan
Costello
Culberson
Davis (CA)
Garamendi
Hinojosa
Hodes
Hoekstra
Mack
Moran (KS)
Owens
Paul
Payne
Price (GA)
Radanovich
Reichert
Ryan (OH)
Sires
Stark
Wamp
Wilson (OH)

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

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

□ 1706

Mr. BACHUS changed his vote from ''nay'' to ''yea.''

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.

HONORING THE HEROISM OF THE SEVEN URBAN SEARCH AND RESCUE TEAMS DEPLOYED TO HAITI

The SPEAKER pro tempore. The unfinished business is the vote on the motion to suspend the rules and agree to the resolution, H. Res. 1059, as amended, 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 gentleman from New York (Mr. MCMAHON) that the House suspend the rules and agree to the resolution, H. Res. 1059, as amended.

This will be a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 406, nays 0, not voting 26, as follows:

[Roll No. 53]

YEAS—406

Abercrombie
Ackerman
Aderholt
Adler (NJ)
Akin
Alexander
Altmire
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
Boccieri
Boehner
Bonner
Boozman
Boren
Boswell
Boucher
Boustany
Boyd
Brady (PA)
Brady (TX)
Braley (IA)
Bright
Broun (GA)
Brown (SC)
Brown, Corrine
Brown-Waite, Ginny
Buchanan
Burgess
Burton (IN)
Butterfield
Buyer
Calvert
Camp
Campbell
Cantor
Cao
Capito
Capuano
Cardoza
Carney
Carson (IN)
Carter
Cassidy
Castle
Castor (FL)
Chandler
Childers
Chu
Clarke
Clay
Cleaver
Clyburn
Coble
Coffman (CO)
Cohen
Cole
Conaway
Connolly (VA)
Conyers
Cooper
Costa
Courtney
Crenshaw
Crowley
Cuellar
Cummings
Dahlkemper
Davis (AL)
Davis (CA)
Davis (IL)
Davis (KY)
Davis (TN)
Deal (GA)
DeFazio
DeGette
Delahunt
DeLauro
Dent
Diaz-Balart, L.
Diaz-Balart, M.
Dicks
Dingell
Doggett
Donnelly (IN)
Doyle
Dreier
Driehaus
Duncan
Edwards (MD)
Edwards (TX)
Ehlers
Ellison
Ellsworth
Emerson
Engel
Eshoo
Etheridge
Fallin
Farr
Fattah
Filner
Flake
Fleming
Forbes
Fortenberry
Foster
Foxx
Frank (MA)
Franks (AZ)
Frelinghuysen
Fudge
Gallegly
Garrett (NJ)
Gerlach
Giffords
Gingrey (GA)
Gohmert
Gonzalez
Goodlatte
Gordon (TN)
Granger
Graves
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
Hinchey
Hirono
Holden
Holt
Honda
Hoyer
Hunter
Inglis
Inslee
Israel
Issa
Jackson (IL)
Jackson Lee (TX)
Jenkins
Johnson (GA)
Johnson (IL)
Johnson, E. B.
Johnson, Sam
Jones
Jordan (OH)
Kagen
Kanjorski
Kaptur
Kennedy
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
Loebsack
Lofgren, Zoe
Lowey
Lucas
Luetkemeyer
Luján
Lummis
Lungren, Daniel E.
Lynch
Maffei
Maloney
Manzullo
Marchant
Markey (CO)
Markey (MA)
Marshall
Massa
Matheson
Matsui
McCarthy (CA)
McCarthy (NY)
McCaul
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 (WI)
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)
Paulsen
Pence
Perlmutter
Perriello
Peters
Peterson
Petri
Pingree (ME)
Pitts
Platts
Poe (TX)
Polis (CO)
Pomeroy
Posey
Price (NC)
Putnam
Quigley
Rahall
Rangel
Rehberg
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 (WI)
Salazar
Sánchez, Linda T.
Sanchez, Loretta
Sarbanes
Scalise
Schakowsky
Schauer
Schiff
Schmidt
Schock
Schrader
Schwartz
Scott (GA)
Scott (VA)
Sensenbrenner
Serrano
Sessions
Sestak
Shadegg
Shea-Porter
Sherman
Shimkus
Shuler
Shuster
Simpson
Skelton
Slaughter
Smith (NE)
Smith (NJ)
Smith (TX)
Smith (WA)
Snyder
Souder
Space
Speier
Spratt
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
Visclosky
Walden
Walz
Wasserman Schultz
Waters
Watson
Watt
Waxman
Weiner
Welch
Westmoreland
Whitfield
Wilson (SC)
Wittman
Wolf
Woolsey
Wu
Yarmuth
Young (AK)
Young (FL)

NOT VOTING—26

Andrews
Barrett (SC)
Blunt
Bono Mack
Capps
Carnahan
Chaffetz
Costello
Culberson
Garamendi
Hinojosa
Hodes
Hoekstra
Mack
Moore (KS)
Moran (KS)
Paul
Payne
Price (GA)
Radanovich
Reichert
Ryan (OH)
Sires
Stark
Wamp
Wilson (OH)

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

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

□ 1714

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

The result of the vote was announced as above recorded.

The title of the resolution was amended so as to read: ''Honoring the heroism of the seven United States Agency for International Development, Office of U.S. Foreign Disaster Assistance, and Federal Emergency Management Agency supported urban search and rescue teams deployed to Haiti from New York City, New York, Fairfax County, Virginia, Los Angeles County, California, the City of Miami, Florida, Miami-Dade County, Florida, and Virginia Beach, Virginia, and commending their dedication and assistance in the aftermath of the January 12, 2010, Haitian earthquake.''.

A motion to reconsider was laid on the table.

Stated for:

Mr. CHAFFETZ. Mr. Speaker, on rollcall No. 53 I was unavoidably detained. Had I been present, I would have voted "yea."

AMERICAN HEART MONTH AND NATIONAL WEAR RED DAY

The SPEAKER pro tempore. The unfinished business is the question on suspending the rules and agreeing to the resolution, H. Res. 1039.

The Clerk read the title of the resolution.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Massachusetts (Mr. LYNCH) that the House suspend the rules and agree to the resolution, H. Res. 1039.

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. CONNOLLY of Virginia. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. This will be a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 408, nays 0, not voting 24, as follows:

[Roll No. 54]

YEAS—408

Abercrombie
Ackerman
Aderholt
Adler (NJ)
Akin
Alexander
Altmire
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
Boccieri
Boehner
Bonner
Boozman
Boren
Boswell
Boucher
Boustany
Boyd
Brady (PA)
Brady (TX)
Braley (IA)
Bright
Broun (GA)
Brown (SC)
Brown, Corrine
Brown-Waite, Ginny
Buchanan
Burgess
Burton (IN)
Butterfield
Buyer
Calvert
Camp
Campbell
Cantor
Cao
Capito
Capuano
Cardoza
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
Courtney
Crenshaw
Crowley
Cuellar
Cummings
Dahlkemper
Davis (AL)
Davis (CA)
Davis (IL)
Davis (KY)
Davis (TN)
Deal (GA)
DeFazio
DeGette
Delahunt
DeLauro
Dent
Diaz-Balart, L.
Diaz-Balart, M.
Dicks
Dingell
Doggett
Donnelly (IN)
Doyle
Dreier
Driehaus
Duncan
Edwards (MD)
Edwards (TX)
Ehlers
Ellison
Ellsworth
Emerson
Engel
Eshoo
Etheridge
Fallin
Farr
Fattah
Filner
Flake
Fleming
Forbes
Fortenberry
Foster
Foxx
Frank (MA)
Franks (AZ)
Frelinghuysen
Fudge
Gallegly
Garrett (NJ)
Gerlach
Giffords
Gingrey (GA)
Gohmert
Gonzalez
Goodlatte
Gordon (TN)
Granger
Graves
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
Hinchey
Hirono
Holden
Holt
Honda
Hoyer
Hunter
Inglis
Inslee
Israel
Issa
Jackson (IL)
Jackson Lee (TX)
Jenkins
Johnson (GA)
Johnson (IL)
Johnson, E. B.
Johnson, Sam
Jones
Jordan (OH)
Kagen
Kanjorski
Kaptur
Kennedy
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
Loebsack
Lofgren, Zoe
Lowey
Lucas
Luetkemeyer
Luján
Lummis
Lungren, Daniel E.
Lynch
Maffei
Maloney
Manzullo
Marchant
Markey (CO)
Markey (MA)
Marshall
Massa
Matheson
Matsui
McCarthy (CA)
McCarthy (NY)
McCaul
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 (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)
Paulsen
Pence
Perlmutter
Perriello
Peters
Peterson
Petri
Pingree (ME)
Pitts
Platts
Poe (TX)
Polis (CO)
Pomeroy
Posey
Price (NC)
Putnam
Quigley
Rahall
Rangel
Rehberg
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 (WI)
Salazar
Sánchez, Linda T.
Sanchez, Loretta
Sarbanes
Scalise
Schakowsky
Schauer
Schiff
Schmidt
Schock
Schrader
Schwartz
Scott (GA)
Scott (VA)
Sensenbrenner
Serrano
Sessions
Sestak
Shadegg
Shea-Porter
Sherman
Shimkus
Shuler
Shuster
Simpson
Skelton
Slaughter
Smith (NE)
Smith (NJ)
Smith (TX)
Smith (WA)
Snyder
Souder
Space
Speier
Spratt
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
Visclosky
Walden
Walz
Wasserman Schultz
Waters
Watson
Watt
Waxman
Weiner
Welch
Westmoreland
Whitfield
Wilson (SC)
Wittman
Wolf
Woolsey
Wu
Yarmuth
Young (AK)
Young (FL)

NOT VOTING—24

Andrews
Barrett (SC)
Blunt
Bono Mack
Capps
Carnahan
Costello
Culberson
Garamendi
Hinojosa
Hodes
Hoekstra
Mack
Moran (KS)
Paul
Payne
Price (GA)
Radanovich
Reichert
Ryan (OH)
Sires
Stark
Wamp
Wilson (OH)

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

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

□ 1723

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.

KILDEE CASTS HISTORIC VOTE

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

Mr. HOYER. Ladies and gentlemen of the House, there are times when we have the opportunity to witness a particular historical event. We are about to do that now. The gentleman from Michigan, my dear friend, DALE KILDEE, is the epitome of gentleman. I don't think there is a person in this House that doesn't think that DALE KILDEE is a thoughtful, considerate, compassionate gentleman, a person who cares deeply about his country, cares deeply about the Page program to which he has devoted so much of his talents, and cares about each one of us.

None of us are objective in talking about DALE KILDEE because he is such a decent, wonderful, good human being. He is also an extraordinarily faithful Member of this House.

I am going to yield to Mr. DINGELL, the Dean of the House, at this point as we are about to witness Mr. KILDEE casting his 20,000th vote in the House of Representatives.

Mr. DINGELL. Mr. Speaker, I thank my good friend and colleague, the distinguished majority leader, for yielding, and I am delighted to join him and my other colleagues in this tribute to a great citizen of the State of Michigan.

He is our friend, our distinguished colleague from Michigan's Fifth District, DALE KILDEE, who has just cast his 19,999th vote, and his next vote will be 20,000. He is in his 34th year in this institution. And after he replaced our friend Don Riegle—who made the curious career choice of running for the Senate—he has been a matter of good fortune to all of us in Michigan and to this body because he's been a rock-solid member of this institution. In his whole 34 years, he's only missed 27 votes. That's a 99.9 percent voting record. He once made 8,141 consecutive votes. I have to say, a fellow should avoid that; the pressure of that situation is very bad.

But we all agree, his accomplishments are not just about numbers. He's been an important figure on legislation that has bettered the life of our families, particularly our youngest citizens. No one here can find anyone who has done more to protect American children than has our friend, DALE KILDEE. From his place on the House Education and Labor Committee, he's been a leader on Head Start, school modernization, school safety, college access and affordability. He's been a great champion of our Great Lakes which he loves and which he has protected.

He's also a hero to our citizens of Michigan who consider the lakes a treasure. He has protected jobs and

workers' rights, and to do so, he started the Auto Caucus together with our other good friend from Michigan.

□ 1730

As founder of the House Native American caucus, he has helped give a voice on the Hill to the concerns of our Native American constituents across the country.

Flint, from where he comes, loves this man, and all of us are proud to call him our friend. He is the iron man of the House. And I know, if my good friend would yield to the distinguished gentlewoman from Michigan, she would like to have a word to say, too.

Mr. HOYER. I certainly yield to the gentlelady from Michigan.

Mrs. MILLER of Michigan. Mr. Speaker, when I first came to the Congress in 2003, one of my new colleagues DALE KILDEE shared with me what he called the three C's of service, and I am sure he has shared it with many of our other colleagues as well. But those three C's are conscience, constituents, and caucus.

First of all, of course, conscience. That comes first because, as we all know, DALE KILDEE, our good friend, has a very deep and abiding faith in God, and he has never and will never take any action that he believes violates the tenets of his beliefs.

Constituents, second, because those are the people that we are all here to represent. And DALE KILDEE's constituents, as our colleague from Michigan has said, from Flint, Michigan, are probably some of the most hard-working and patriotic Americans in our entire great Nation.

And caucus comes last in the three C's, because while we all certainly want to be loyal to our team, it is far more important that we are, first of all, loyal to our beliefs and to the people who send us here.

Today DALE KILDEE reaches an incredible milestone, 20,000 votes and a 99.9 percent voting record, because he understands that it is our primary responsibility to make sure that our constituents who we come here to represent are heard on the issues that we consider here in the people's House.

Mr. Speaker, everyone in this Chamber is addressed as ''The Honorable,'' but I think it is most fitting that this title be given to our good friend DALE KILDEE because he is first and foremost a very honorable man.

I have never, ever heard a bad or negative comment about DALE KILDEE in the time that I have been in this Chamber, and even before that when I was the Secretary of State in Michigan. All throughout our great State, people have always thought of him in those terms, as honorable.

And I just want to be here today, DALE, to congratulate you sincerely. I am very proud to call you friend.

Mr. HOYER. I thank the gentlelady for her comments.

I am pleased to yield to my good friend, the minority leader, Mr. BOEHNER.

Mr. BOEHNER. Let me thank the majority leader for yielding and rise to congratulate my friend DALE KILDEE.

The gentleman from Michigan and I served for many years on the Education and Labor Committee. We had many debates, but there were dozens and dozens of issues that Mr. KILDEE and I had the chance to work on together, and I do refer to him as Mr. KILDEE. But, as has been mentioned, there is no kinder, more decent person in this House than DALE KILDEE.

So, DALE, on the occasion of your 20,000th vote cast here, I rise today to say congratulations.

GENERAL LEAVE

Mr. DINGELL. Mr. Speaker, I ask unanimous consent that all Members have the right to revise and extend their remarks to make such comments as they might deem appropriate on our colleague, Mr. KILDEE.

The SPEAKER pro tempore (Mr. PETERS). Is there objection to the request of the gentleman from Michigan?

There was no objection.

Mr. HOYER. I thank the dean.

And now, DALE, we will cease and desist as you cast your 20,000th vote. God bless you. You have served our country, your district, and all the Members as well as our pages, so well over those 34 years. Thank you. Godspeed.

Mr. CAMP. Mr. Speaker, today I would like to congratulate my colleague, the distinguished gentleman from Michigan, Congressman DALE KILDEE, on casting 20,000 votes in the United States House of Representatives—the people's House.

Twenty thousand votes is quite an achievement, and to some, it may seem like a miraculous number. But the true measure of DALE's accomplishment is a much smaller number—he has only missed 27 votes in his entire career. That's right, DALE cast 20,000 votes out of 20,027—a batting average of .999 over a 33-year career. That certainly qualifies the man from Flint for the Congressional Hall of Fame.

But it isn't the statistic that counts, it is what that statistic represents: DALE's work ethic and his dedication to the state of Michigan, his district, which neighbors mine, and the people he serves.

DALE has been a leader on the Congressional Auto Caucus he helped to form. This caucus has been a valuable asset for the American auto industry and has helped serve as a platform to protect Michigan auto jobs. We have worked together on many local economic development projects, most recently, the development of the new MBS International Airport, which is a valuable asset for our region's economy.

Today, I join my colleagues in congratulating and commending Congressman DALE KILDEE for not only reaching 20,000 votes, but for his career of service to the families of mid-Michigan.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. Without objection, 5-minute voting will continue.

There was no objection.

RECOGNIZING BLACK HISTORY MONTH

The SPEAKER pro tempore. The unfinished business is the question on suspending the rules and agreeing to the resolution, H. Res. 1046.

The Clerk read the title of the resolution.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Massachusetts (Mr. LYNCH) that the House suspend the rules and agree to the resolution, H. Res. 1046.

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. TONKO. Mr. Speaker, I demand a recorded vote.

A recorded vote was ordered.

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

The vote was taken by electronic device, and there were—ayes 402, noes 0, not voting 30, as follows:

[Roll No. 55]

AYES—402

Abercrombie
Ackerman
Aderholt
Adler (NJ)
Akin
Alexander
Altmire
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
Boccieri
Boehner
Bonner
Boozman
Boren
Boswell
Boucher
Boustany
Boyd
Brady (PA)
Brady (TX)
Braley (IA)
Bright
Broun (GA)
Brown (SC)
Brown, Corrine
Brown-Waite, Ginny
Buchanan
Burgess
Burton (IN)
Butterfield
Buyer
Calvert
Camp
Campbell
Cantor
Cao
Capito
Capuano
Cardoza
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
Courtney
Crenshaw
Crowley
Cuellar
Cummings
Dahlkemper
Davis (AL)
Davis (CA)
Davis (IL)
Davis (KY)
Davis (TN)
Deal (GA)
DeFazio
DeGette
Delahunt
DeLauro
Dent
Diaz-Balart, L.
Diaz-Balart, M.
Dicks
Dingell
Doggett
Donnelly (IN)
Doyle
Dreier
Driehaus
Duncan
Edwards (MD)
Edwards (TX)
Ehlers
Ellison
Ellsworth
Emerson
Engel
Eshoo
Etheridge
Fallin
Farr
Fattah
Filner
Flake
Fleming
Forbes
Fortenberry
Foster
Foxx
Frank (MA)
Franks (AZ)
Frelinghuysen
Fudge
Gallegly
Garamendi
Garrett (NJ)
Gerlach
Giffords
Gingrey (GA)
Gohmert
Gonzalez
Goodlatte
Gordon (TN)
Granger
Graves
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
Hinchey
Hirono
Holden
Holt
Honda
Hoyer
Hunter
Inglis
Inslee
Israel
Issa
Jackson (IL)
Jackson Lee (TX)

Jenkins
Johnson (GA)
Johnson (IL)
Johnson, E. B.
Johnson, Sam
Jones
Jordan (OH)
Kagen
Kanjorski
Kaptur
Kennedy
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)
Lipinski
LoBiondo
Loebsack
Lofgren, Zoe
Lowey
Lucas
Luetkemeyer
Luján
Lummis
Lungren, Daniel E.
Lynch
Maffei
Maloney
Manzullo
Marchant
Markey (CO)
Markey (MA)
Marshall
Massa
Matheson
Matsui
McCarthy (CA)
McCarthy (NY)
McCaul
McClintock
McCollum
McCotter
McDermott
McGovern
McHenry
McIntyre
McKeon
McMahon
McMorris Rodgers
McNerney
Meeks (NY)
Melancon
Mica
Michaud
Miller (FL)
Miller (MI)
Miller (NC)
Miller, Gary
Mitchell
Mollohan
Moore (KS)
Moore (WI)
Moran (VA)
Murphy (CT)
Murphy (NY)
Murphy, Patrick
Murphy, Tim
Myrick
Napolitano
Neal (MA)
Neugebauer
Nunes
Nye
Oberstar
Obey
Olson
Olver
Ortiz
Owens
Pallone
Pascrell
Pastor (AZ)
Paul
Paulsen
Pence
Perlmutter
Perriello
Peters
Peterson
Petri
Pingree (ME)
Pitts
Platts
Poe (TX)
Polis (CO)
Pomeroy
Posey
Price (NC)
Putnam
Quigley
Rahall
Rangel
Rehberg
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 (WI)
Salazar
Sánchez, Linda T.
Sanchez, Loretta
Sarbanes
Scalise
Schakowsky
Schauer
Schiff
Schmidt
Schock
Schrader
Schwartz
Scott (GA)
Scott (VA)
Sensenbrenner
Serrano
Sessions
Sestak
Shadegg
Shea-Porter
Sherman
Shimkus
Shuler
Shuster
Simpson
Skelton
Slaughter
Smith (NE)
Smith (NJ)
Smith (TX)
Smith (WA)
Snyder
Souder
Speier
Spratt
Stearns
Stupak
Sullivan
Sutton
Tanner
Taylor
Teague
Terry
Thompson (CA)
Thompson (MS)
Thompson (PA)
Thornberry
Tiberi
Tierney
Titus
Tonko
Towns
Tsongas
Turner
Upton
Van Hollen
Velázquez
Visclosky
Walden
Walz
Wasserman Schultz
Waters
Watson
Watt
Weiner
Welch
Westmoreland
Whitfield
Wilson (SC)
Wittman
Wolf
Woolsey
Wu
Yarmuth
Young (AK)
Young (FL)

NOT VOTING—30

Andrews
Barrett (SC)
Blunt
Bono Mack
Capps
Carnahan
Costello
Culberson
Hinojosa
Hodes
Hoekstra
Linder
Mack
Meek (FL)
Miller, George
Minnick
Moran (KS)
Nadler (NY)
Payne
Price (GA)
Radanovich
Reichert
Ryan (OH)
Sires
Space
Stark
Tiahrt
Wamp
Waxman
Wilson (OH)

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (during the vote). Members are reminded they have 2 minutes remaining on this vote.

□ 1740

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.

REMOVAL OF NAME OF MEMBER AS COSPONSOR OF H. RES. 648

Mr. ROGERS of Kentucky. Mr. Speaker, I ask unanimous consent to be removed as a cosponsor of H. Res. 648.

The SPEAKER pro tempore (Mr. DRIEHAUS). Is there objection to the request of the gentleman from Kentucky?

There was no objection.

NATIVE HAWAIIAN GOVERNMENT REORGANIZATION ACT OF 2009

Mr. RAHALL. Mr. Speaker, pursuant to House Resolution 1083, I call up the bill (H.R. 2314) to express the policy of the United States regarding the United States relationship with Native Hawaiians and to provide a process for the recognition by the United States of the Native Hawaiian governing entity, and ask for its immediate consideration in the House.

The Clerk read the title of the bill.

The SPEAKER pro tempore. Pursuant to House Resolution 1083, the bill is considered read.

The text of the bill is as follows:

H.R. 2314

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 ''Native Hawaiian Government Reorganization Act of 2009''.

SEC. 2. FINDINGS.

Congress finds that—

(1) the Constitution vests Congress with the authority to address the conditions of the indigenous, native people of the United States;

(2) Native Hawaiians, the native people of the Hawaiian archipelago that is now part of the United States, are indigenous, native people of the United States;

(3) the United States has a special political and legal relationship to promote the welfare of the native people of the United States, including Native Hawaiians;

(4) under the treaty making power of the United States, Congress exercised its constitutional authority to confirm treaties between the United States and the Kingdom of Hawaii, and from 1826 until 1893, the United States—

(A) recognized the sovereignty of the Kingdom of Hawaii;

(B) accorded full diplomatic recognition to the Kingdom of Hawaii; and

(C) entered into treaties and conventions with the Kingdom of Hawaii to govern commerce and navigation in 1826, 1842, 1849, 1875, and 1887;

(5) pursuant to the Hawaiian Homes Commission Act, 1920 (42 Stat. 108, chapter 42), the United States set aside approximately 203,500 acres of land to address the conditions of Native Hawaiians in the Federal territory that later became the State of Hawaii;

(6) by setting aside 203,500 acres of land for Native Hawaiian homesteads and farms, the Hawaiian Homes Commission Act assists the members of the Native Hawaiian community in maintaining distinct native settlements throughout the State of Hawaii;

(7) approximately 6,800 Native Hawaiian families reside on the Hawaiian Home Lands and approximately 18,000 Native Hawaiians who are eligible to reside on the Hawaiian Home Lands are on a waiting list to receive assignments of Hawaiian Home Lands;

(8)(A) in 1959, as part of the compact with the United States admitting Hawaii into the Union, Congress established a public trust (commonly known as the ''ceded lands trust''), for 5 purposes, 1 of which is the betterment of the conditions of Native Hawaiians;

(B) the public trust consists of lands, including submerged lands, natural resources, and the revenues derived from the lands; and

(C) the assets of this public trust have never been completely inventoried or segregated;

(9) Native Hawaiians have continuously sought access to the ceded lands in order to establish and maintain native settlements and distinct native communities throughout the State;

(10) the Hawaiian Home Lands and other ceded lands provide an important foundation for the ability of the Native Hawaiian community to maintain the practice of Native Hawaiian culture, language, and traditions, and for the survival and economic self-sufficiency of the Native Hawaiian people;

(11) Native Hawaiians continue to maintain other distinctly native areas in Hawaii;

(12) on November 23, 1993, Public Law 103–150 (107 Stat. 1510) (commonly known as the ''Apology Resolution'') was enacted into law, extending an apology on behalf of the United States to the native people of Hawaii for the United States role in the overthrow of the Kingdom of Hawaii;

(13) the Apology Resolution acknowledges that the overthrow of the Kingdom of Hawaii occurred with the active participation of agents and citizens of the United States and further acknowledges that the Native Hawaiian people never directly relinquished to the United States their claims to their inherent sovereignty as a people over their national lands, either through the Kingdom of Hawaii or through a plebiscite or referendum;

(14) the Apology Resolution expresses the commitment of Congress and the President—

(A) to acknowledge the ramifications of the overthrow of the Kingdom of Hawaii;

(B) to support reconciliation efforts between the United States and Native Hawaiians; and

(C) to consult with Native Hawaiians on the reconciliation process as called for in the Apology Resolution;

(15) despite the overthrow of the Government of the Kingdom of Hawaii, Native Hawaiians have continued to maintain their separate identity as a single distinct native community through cultural, social, and political institutions, and to give expression to their rights as native people to self-determination, self-governance, and economic self-sufficiency;

(16) Native Hawaiians have also given expression to their rights as native people to self-determination, self-governance, and economic self-sufficiency—

(A) through the provision of governmental services to Native Hawaiians, including the provision of—

(i) health care services;

(ii) educational programs;

(iii) employment and training programs;

(iv) economic development assistance programs;

(v) children's services;

(vi) conservation programs;

(vii) fish and wildlife protection;

(viii) agricultural programs;

(ix) native language immersion programs;

(x) native language immersion schools from kindergarten through high school;

(xi) college and master's degree programs in native language immersion instruction; and

(xii) traditional justice programs; and

(B) by continuing their efforts to enhance Native Hawaiian self-determination and local control;

(17) Native Hawaiians are actively engaged in Native Hawaiian cultural practices, traditional agricultural methods, fishing and subsistence practices, maintenance of cultural use areas and sacred sites, protection of burial sites, and the exercise of their traditional rights to gather medicinal plants and herbs, and food sources;

(18) the Native Hawaiian people wish to preserve, develop, and transmit to future generations of Native Hawaiians their lands and Native Hawaiian political and cultural identity in accordance with their traditions, beliefs, customs and practices, language, and social and political institutions, to control and manage their own lands, including ceded lands, and to achieve greater self-determination over their own affairs;

(19) this Act provides a process within the framework of Federal law for the Native Hawaiian people to exercise their inherent rights as a distinct, indigenous, native community to reorganize a single Native Hawaiian governing entity for the purpose of giving expression to their rights as native people to self-determination and self-governance;

(20) Congress—

(A) has declared that the United States has a special political and legal relationship for the welfare of the native peoples of the United States, including Native Hawaiians;

(B) has identified Native Hawaiians as a distinct group of indigenous, native people of the United States within the scope of its authority under the Constitution, and has enacted scores of statutes on their behalf; and

(C) has delegated broad authority to the State of Hawaii to administer some of the United States responsibilities as they relate to the Native Hawaiian people and their lands;

(21) the United States has recognized and reaffirmed the special political and legal relationship with the Native Hawaiian people through the enactment of the Act entitled, ''An Act to provide for the admission of the State of Hawaii into the Union'', approved March 18, 1959 (Public Law 86–3; 73 Stat. 4), by—

(A) ceding to the State of Hawaii title to the public lands formerly held by the United States, and mandating that those lands be held as a public trust for 5 purposes, 1 of which is for the betterment of the conditions of Native Hawaiians; and

(B) transferring the United States responsibility for the administration of the Hawaiian Home Lands to the State of Hawaii, but retaining the exclusive right of the United States to consent to any actions affecting the lands included in the trust and any amendments to the Hawaiian Homes Commission Act, 1920 (42 Stat. 108, chapter 42) that are enacted by the legislature of the State of Hawaii affecting the beneficiaries under the Act;

(22) the United States has continually recognized and reaffirmed that—

(A) Native Hawaiians have a cultural, historic, and land-based link to the aboriginal, indigenous, native people who exercised sovereignty over the Hawaiian Islands;

(B) Native Hawaiians have never relinquished their claims to sovereignty or their sovereign lands;

(C) the United States extends services to Native Hawaiians because of their unique status as the indigenous, native people of a once-sovereign nation with whom the United States has a special political and legal relationship; and

(D) the special relationship of American Indians, Alaska Natives, and Native Hawaiians to the United States arises out of their status as aboriginal, indigenous, native people of the United States; and

(23) the State of Hawaii supports the reaffirmation of the special political and legal relationship between the Native Hawaiian governing entity and the United States as evidenced by 2 unanimous resolutions enacted by the Hawaii State Legislature in the 2000 and 2001 sessions of the Legislature and by the testimony of the Governor of the State of Hawaii before the Committee on Indian Affairs of the Senate on February 25, 2003, and March 1, 2005.

SEC. 3. DEFINITIONS.

In this Act:

(1) ABORIGINAL, INDIGENOUS, NATIVE PEOPLE.—The term ''aboriginal, indigenous, native people'' means people whom Congress has recognized as the original inhabitants of the lands that later became part of the United States and who exercised sovereignty in the areas that later became part of the United States.

(2) ADULT MEMBER.—The term ''adult member'' means a Native Hawaiian who has attained the age of 18 and who elects to participate in the reorganization of the Native Hawaiian governing entity.

(3) APOLOGY RESOLUTION.—The term ''Apology Resolution'' means Public Law 103–150 (107 Stat. 1510), a Joint Resolution extending an apology to Native Hawaiians on behalf of the United States for the participation of agents of the United States in the January 17, 1893, overthrow of the Kingdom of Hawaii.

(4) COMMISSION.—The term ''commission'' means the Commission established under section 7(b) to provide for the certification that those adult members of the Native Hawaiian community listed on the roll meet the definition of Native Hawaiian set forth in paragraph (10).

(5) COUNCIL.—The term ''council'' means the Native Hawaiian Interim Governing Council established under section 7(c)(2).

(6) INDIAN PROGRAM OR SERVICE.—

(A) IN GENERAL.—The term ''Indian program or service'' means any federally funded or authorized program or service provided to an Indian tribe (or member of an Indian tribe) because of the status of the members of the Indian tribe as Indians.

(B) INCLUSIONS.—The term ''Indian program or service'' includes a program or service provided by the Bureau of Indian Affairs, the Indian Health Service, or any other Federal agency.

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

(8) INDIGENOUS, NATIVE PEOPLE.—The term ''indigenous, native people'' means the lineal descendants of the aboriginal, indigenous, native people of the United States.

(9) INTERAGENCY COORDINATING GROUP.—The term ''Interagency Coordinating Group'' means the Native Hawaiian Interagency Coordinating Group established under section 6.

(10) NATIVE HAWAIIAN.—

(A) IN GENERAL.—Subject to subparagraph (B), for the purpose of establishing the roll authorized under section 7(c)(1) and before the reaffirmation of the special political and legal relationship between the United States and the Native Hawaiian governing entity, the term ''Native Hawaiian'' means—

(i) an individual who is 1 of the indigenous, native people of Hawaii and who is a direct lineal descendant of the aboriginal, indigenous, native people who—

(I) resided in the islands that now comprise the State of Hawaii on or before January 1, 1893; and

(II) occupied and exercised sovereignty in the Hawaiian archipelago, including the area that now constitutes the State of Hawaii; or

(ii) an individual who is 1 of the indigenous, native people of Hawaii and who was eligible in 1921 for the programs authorized by the Hawaiian Homes Commission Act (42 Stat. 108, chapter 42) or a direct lineal descendant of that individual.

(B) NO EFFECT ON OTHER DEFINITIONS.—Nothing in this paragraph affects the definition of the term ''Native Hawaiian'' under any other Federal or State law (including a regulation).

(11) NATIVE HAWAIIAN GOVERNING ENTITY.—The term ''Native Hawaiian Governing Entity'' means the governing entity organized by the Native Hawaiian people pursuant to this Act.

(12) NATIVE HAWAIIAN PROGRAM OR SERVICE.—The term ''Native Hawaiian program or service'' means any program or service provided to Native Hawaiians because of their status as Native Hawaiians.

(13) OFFICE.—The term ''Office'' means the United States Office for Native Hawaiian Relations established by section 5(a).

(14) SECRETARY.—The term ''Secretary'' means the Secretary of the Interior.

(15) SPECIAL POLITICAL AND LEGAL RELATIONSHIP.—The term ''special political and legal relationship'' shall refer, except where differences are specifically indicated elsewhere in the Act, to the type of and nature of relationship the United States has with the several federally recognized Indian tribes.

SEC. 4. UNITED STATES POLICY AND PURPOSE.

(a) POLICY.—The United States reaffirms that—

(1) Native Hawaiians are a unique and distinct, indigenous, native people with whom the United States has a special political and legal relationship;

(2) the United States has a special political and legal relationship with the Native Hawaiian people which includes promoting the welfare of Native Hawaiians;

(3) Congress possesses the authority under the Constitution, including but not limited to Article I, section 8, clause 3, to enact legislation to address the conditions of Native Hawaiians and has exercised this authority through the enactment of—

(A) the Hawaiian Homes Commission Act, 1920 (42 Stat. 108, chapter 42);

(B) the Act entitled ''An Act to provide for the admission of the State of Hawaii into the Union'', approved March 18, 1959 (Public Law 86–3, 73 Stat. 4); and

(C) more than 150 other Federal laws addressing the conditions of Native Hawaiians;

(4) Native Hawaiians have—

(A) an inherent right to autonomy in their internal affairs;

(B) an inherent right of self-determination and self-governance;

(C) the right to reorganize a Native Hawaiian governing entity; and

(D) the right to become economically self-sufficient; and

(5) the United States shall continue to engage in a process of reconciliation and political relations with the Native Hawaiian people.

(b) PURPOSE.—The purpose of this Act is to provide a process for the reorganization of the single Native Hawaiian governing entity and the reaffirmation of the special political and legal relationship between the United States and that Native Hawaiian governing entity for purposes of continuing a government-to-government relationship.

SEC. 5. UNITED STATES OFFICE FOR NATIVE HAWAIIAN RELATIONS.

(a) ESTABLISHMENT.—There is established within the Office of the Secretary, the United States Office for Native Hawaiian Relations.

(b) DUTIES.—The Office shall—

(1) continue the process of reconciliation with the Native Hawaiian people in furtherance of the Apology Resolution;

(2) upon the reaffirmation of the special political and legal relationship between the single Native Hawaiian governing entity and the United States, effectuate and coordinate the special political and legal relationship between the Native Hawaiian governing entity and the United States through the Secretary, and with all other Federal agencies;

(3) fully integrate the principle and practice of meaningful, regular, and appropriate consultation with the Native Hawaiian governing entity by providing timely notice to, and consulting with, the Native Hawaiian people and the Native Hawaiian governing entity before taking any actions that may have the potential to significantly affect Native Hawaiian resources, rights, or lands;

(4) consult with the Interagency Coordinating Group, other Federal agencies, and the State of Hawaii on policies, practices, and proposed actions affecting Native Hawaiian resources, rights, or lands; and

(5) prepare and submit to the Committee on Indian Affairs and the Committee on Energy and Natural Resources of the Senate and the Committee on Resources of the House of Representatives an annual report detailing the activities of the Interagency Coordinating Group that are undertaken with respect to the continuing process of reconciliation and to effect meaningful consultation with the Native Hawaiian governing entity and providing recommendations for any necessary changes to Federal law or regulations promulgated under the authority of Federal law.

(c) APPLICABILITY TO DEPARTMENT OF DEFENSE.—This section shall have no applicability to the Department of Defense or to any agency or component of the Department of Defense, but the Secretary of Defense may designate 1 or more officials as liaison to the Office.

SEC. 6. NATIVE HAWAIIAN INTERAGENCY COORDINATING GROUP.

(a) ESTABLISHMENT.—In recognition that Federal programs authorized to address the conditions of Native Hawaiians are largely administered by Federal agencies other than the Department of the Interior, there is established an interagency coordinating group to be known as the ''Native Hawaiian Interagency Coordinating Group''.

(b) COMPOSITION.—The Interagency Coordinating Group shall be composed of officials, to be designated by the President, from—

(1) each Federal agency that administers Native Hawaiian programs, establishes or implements policies that affect Native Hawaiians, or whose actions may significantly or uniquely impact Native Hawaiian resources, rights, or lands; and

(2) the Office.

(c) LEAD AGENCY.—

(1) IN GENERAL.—The Department of the Interior shall serve as the lead agency of the Interagency Coordinating Group.

(2) MEETINGS.—The Secretary shall convene meetings of the Interagency Coordinating Group.

(d) DUTIES.—The Interagency Coordinating Group shall—

(1) coordinate Federal programs and policies that affect Native Hawaiians or actions by any agency or agencies of the Federal Government that may significantly or uniquely affect Native Hawaiian resources, rights, or lands;

(2) consult with the Native Hawaiian governing entity, through the coordination referred to in section 6(d)(1), but the consultation obligation established in this provision shall apply only after the satisfaction of all of the conditions referred to in section 7(c)(6); and

(3) ensure the participation of each Federal agency in the development of the report to Congress authorized in section 5(b)(5).

(e) APPLICABILITY TO DEPARTMENT OF DEFENSE.—This section shall have no applicability to the Department of Defense or to any agency or component of the Department of Defense, but the Secretary of Defense may designate 1 or more officials as liaison to the Interagency Coordinating Group.

SEC. 7. PROCESS FOR THE REORGANIZATION OF THE NATIVE HAWAIIAN GOVERNING ENTITY AND THE REAFFIRMATION OF THE SPECIAL POLITICAL AND LEGAL RELATIONSHIP BETWEEN THE UNITED STATES AND THE NATIVE HAWAIIAN GOVERNING ENTITY.

(a) RECOGNITION OF THE NATIVE HAWAIIAN GOVERNING ENTITY.—The right of the Native Hawaiian people to reorganize the single Native Hawaiian governing entity to provide for their common welfare and to adopt appropriate organic governing documents is recognized by the United States.

(b) COMMISSION.—

(1) IN GENERAL.—There is authorized to be established a Commission to be composed of 9 members for the purposes of—

(A) preparing and maintaining a roll of the adult members of the Native Hawaiian community who elect to participate in the reorganization of the single Native Hawaiian governing entity; and

(B) certifying that the adult members of the Native Hawaiian community proposed for inclusion on the roll meet the definition of Native Hawaiian in section 3(10).

(2) MEMBERSHIP.—

(A) APPOINTMENT.—

(i) IN GENERAL.—Not later than 180 days after the date of enactment of this Act, the Secretary shall appoint the members of the Commission in accordance with subparagraph (B).

(ii) CONSIDERATION.—In making an appointment under clause (i), the Secretary may take into consideration a recommendation made by any Native Hawaiian organization.

(B) REQUIREMENTS.—Each member of the Commission shall demonstrate, as determined by the Secretary—

(i) not less than 10 years of experience in the study and determination of Native Hawaiian genealogy; and

(ii) an ability to read and translate into English documents written in the Hawaiian language.

(C) VACANCIES.—A vacancy on the Commission—

(i) shall not affect the powers of the Commission; and

(ii) shall be filled in the same manner as the original appointment.

(3) EXPENSES.—Each member of the Commission shall be allowed travel expenses, including per diem in lieu of subsistence, at rates authorized for employees of agencies under subchapter I of chapter 57 of title 5, United States Code, while away from their homes or regular places of business in the performance of services for the Commission.

(4) DUTIES.—The Commission shall—

(A) prepare and maintain a roll of the adult members of the Native Hawaiian community who elect to participate in the reorganization of the Native Hawaiian governing entity; and

(B) certify that each of the adult members of the Native Hawaiian community proposed for inclusion on the roll meets the definition of Native Hawaiian in section 3(10).

(5) STAFF.—

(A) IN GENERAL.—The Commission may, without regard to the civil service laws (including regulations), appoint and terminate an executive director and such other additional personnel as are necessary to enable the Commission to perform the duties of the Commission.

(B) COMPENSATION.—

(i) IN GENERAL.—Except as provided in clause (ii), the Commission may fix the compensation of the executive director and other personnel without regard to the provisions of chapter 51 and subchapter III of chapter 53 of title 5, United States Code, relating to classification of positions and General Schedule pay rates.

(ii) MAXIMUM RATE OF PAY.—The rate of pay for the executive director and other personnel shall not exceed the rate payable for level V of the Executive Schedule under section 5316 of title 5, United States Code.

(6) DETAIL OF FEDERAL GOVERNMENT EMPLOYEES.—

(A) IN GENERAL.—An employee of the Federal Government may be detailed to the Commission without reimbursement.

(B) CIVIL SERVICE STATUS.—The detail of the employee shall be without interruption or loss of civil service status or privilege.

(7) PROCUREMENT OF TEMPORARY AND INTERMITTENT SERVICES.—The Commission may procure temporary and intermittent services in accordance with section 3109(b) of title 5, United States Code, at rates for individuals that do not exceed the daily equivalent of the annual rate of basic pay prescribed for level V of the Executive Schedule under section 5316 of that title.

(8) EXPIRATION.—The Secretary shall dissolve the Commission upon the reaffirmation of the special political and legal relationship between the Native Hawaiian governing entity and the United States.

(c) PROCESS FOR THE REORGANIZATION OF THE NATIVE HAWAIIAN GOVERNING ENTITY.—

(1) ROLL.—

(A) CONTENTS.—The roll shall include the names of the adult members of the Native Hawaiian community who elect to participate in the reorganization of the Native Hawaiian governing entity and are certified to be Native Hawaiian as defined in section 3(10) by the Commission.

(B) FORMATION OF ROLL.—Each adult member of the Native Hawaiian community who elects to participate in the reorganization of the Native Hawaiian governing entity shall submit to the Commission documentation in the form established by the Commission that is sufficient to enable the Commission to determine whether the individual meets the definition of Native Hawaiian in section 3(10).

(C) DOCUMENTATION.—The Commission shall—

(i) identify the types of documentation that may be submitted to the Commission that would enable the Commission to determine whether an individual meets the definition of Native Hawaiian in section 3(10);

(ii) establish a standard format for the submission of documentation; and

(iii) publish information related to clauses (i) and (ii) in the Federal Register.

(D) CONSULTATION.—In making determinations that each of the adult members of the Native Hawaiian community proposed for inclusion on the roll meets the definition of Native Hawaiian in section 3(10), the Commission may consult with Native Hawaiian organizations, agencies of the State of Hawaii including but not limited to the Department of Hawaiian Home Lands, the Office of Hawaiian Affairs, and the State Department of Health, and other entities with expertise

and experience in the determination of Native Hawaiian ancestry and lineal descendancy.

(E) CERTIFICATION AND SUBMITTAL OF ROLL TO SECRETARY.—The Commission shall—

(i) submit the roll containing the names of the adult members of the Native Hawaiian community who meet the definition of Native Hawaiian in section 3(10) to the Secretary within 2 years from the date on which the Commission is fully composed; and

(ii) certify to the Secretary that each of the adult members of the Native Hawaiian community proposed for inclusion on the roll meets the definition of Native Hawaiian in section 3(10).

(F) PUBLICATION.—Upon certification by the Commission to the Secretary that those listed on the roll meet the definition of Native Hawaiian in section 3(10), the Secretary shall publish the roll in the Federal Register.

(G) APPEAL.—The Secretary may establish a mechanism for an appeal for any person whose name is excluded from the roll who claims to meet the definition of Native Hawaiian in section 3(10) and to be 18 years of age or older.

(H) PUBLICATION; UPDATE.—The Secretary shall—

(i) publish the roll regardless of whether appeals are pending;

(ii) update the roll and the publication of the roll on the final disposition of any appeal; and

(iii) update the roll to include any Native Hawaiian who has attained the age of 18 and who has been certified by the Commission as meeting the definition of Native Hawaiian in section 3(10) after the initial publication of the roll or after any subsequent publications of the roll.

(I) FAILURE TO ACT.—If the Secretary fails to publish the roll, not later than 90 days after the date on which the roll is submitted to the Secretary, the Commission shall publish the roll notwithstanding any order or directive issued by the Secretary or any other official of the Department of the Interior to the contrary.

(J) EFFECT OF PUBLICATION.—The publication of the initial and updated roll shall serve as the basis for the eligibility of adult members of the Native Hawaiian community whose names are listed on those rolls to participate in the reorganization of the Native Hawaiian governing entity.

(2) ORGANIZATION OF THE NATIVE HAWAIIAN INTERIM GOVERNING COUNCIL.—

(A) ORGANIZATION.—The adult members of the Native Hawaiian community listed on the roll published under this section may—

(i) develop criteria for candidates to be elected to serve on the Native Hawaiian Interim Governing Council;

(ii) determine the structure of the Council; and

(iii) elect members from individuals listed on the roll published under this subsection to the Council.

(B) POWERS.—

(i) IN GENERAL.—The Council—

(I) may represent those listed on the roll published under this section in the implementation of this Act; and

(II) shall have no powers other than powers given to the Council under this Act.

(ii) FUNDING.—The Council may enter into a contract with, or obtain a grant from, any Federal or State agency to carry out clause (iii).

(iii) ACTIVITIES.—

(I) IN GENERAL.—The Council may conduct a referendum among the adult members of the Native Hawaiian community listed on the roll published under this subsection for the purpose of determining the proposed elements of the organic governing documents of the Native Hawaiian governing entity, including but not limited to—

(aa) the proposed criteria for citizenship of the Native Hawaiian governing entity;

(bb) the proposed powers and authorities to be exercised by the Native Hawaiian governing entity, as well as the proposed privileges and immunities of the Native Hawaiian governing entity;

(cc) the proposed civil rights and protection of the rights of the citizens of the Native Hawaiian governing entity and all persons affected by the exercise of governmental powers and authorities of the Native Hawaiian governing entity; and

(dd) other issues determined appropriate by the Council.

(II) DEVELOPMENT OF ORGANIC GOVERNING DOCUMENTS.—Based on the referendum, the Council may develop proposed organic governing documents for the Native Hawaiian governing entity.

(III) DISTRIBUTION.—The Council may distribute to all adult members of the Native Hawaiian community listed on the roll published under this subsection—

(aa) a copy of the proposed organic governing documents, as drafted by the Council; and

(bb) a brief impartial description of the proposed organic governing documents;

(IV) ELECTIONS.—The Council may hold elections for the purpose of ratifying the proposed organic governing documents, and on certification of the organic governing documents by the Secretary in accordance with paragraph (4), hold elections of the officers of the Native Hawaiian governing entity pursuant to paragraph (5).

(3) SUBMITTAL OF ORGANIC GOVERNING DOCUMENTS.—Following the reorganization of the Native Hawaiian governing entity and the adoption of organic governing documents, the Council shall submit the organic governing documents of the Native Hawaiian governing entity to the Secretary.

(4) CERTIFICATIONS.—

(A) IN GENERAL.—Within the context of the future negotiations to be conducted under the authority of section 8(b)(1), and the subsequent actions by the Congress and the State of Hawaii to enact legislation to implement the agreements of the 3 governments, not later than 90 days after the date on which the Council submits the organic governing documents to the Secretary, the Secretary shall certify that the organic governing documents—

(i) establish the criteria for citizenship in the Native Hawaiian governing entity;

(ii) were adopted by a majority vote of the adult members of the Native Hawaiian community whose names are listed on the roll published by the Secretary;

(iii) provide authority for the Native Hawaiian governing entity to negotiate with Federal, State, and local governments, and other entities;

(iv) provide for the exercise of governmental authorities by the Native Hawaiian governing entity, including any authorities that may be delegated to the Native Hawaiian governing entity by the United States and the State of Hawaii following negotiations authorized in section 8(b)(1) and the enactment of legislation to implement the agreements of the 3 governments;

(v) prevent the sale, disposition, lease, or encumbrance of lands, interests in lands, or other assets of the Native Hawaiian governing entity without the consent of the Native Hawaiian governing entity;

(vi) provide for the protection of the civil rights of the citizens of the Native Hawaiian governing entity and all persons affected by the exercise of governmental powers and authorities by the Native Hawaiian governing entity; and

(vii) are consistent with applicable Federal law and the special political and legal relationship between the United States and the indigenous, native people of the United States; provided that the provisions of Public Law 103–454, 25 U.S.C. 479a, shall not apply.

(B) RESUBMISSION IN CASE OF NONCOMPLIANCE WITH THE REQUIREMENTS OF SUBPARAGRAPH (a).—

(i) RESUBMISSION BY THE SECRETARY.—If the Secretary determines that the organic governing documents, or any part of the documents, do not meet all of the requirements set forth in subparagraph (A), the Secretary shall resubmit the organic governing documents to the Council, along with a justification for each of the Secretary's findings as to why the provisions are not in full compliance.

(ii) AMENDMENT AND RESUBMISSION OF ORGANIC GOVERNING DOCUMENTS.—If the organic governing documents are resubmitted to the Council by the Secretary under clause (i), the Council shall—

(I) amend the organic governing documents to ensure that the documents meet all the requirements set forth in subparagraph (A); and

(II) resubmit the amended organic governing documents to the Secretary for certification in accordance with this paragraph.

(C) CERTIFICATIONS DEEMED MADE.—The certifications under paragraph (4) shall be deemed to have been made if the Secretary has not acted within 90 days after the date on which the Council has submitted the organic governing documents of the Native Hawaiian governing entity to the Secretary.

(5) ELECTIONS.—On completion of the certifications by the Secretary under paragraph (4), the Council may hold elections of the officers of the Native Hawaiian governing entity.

(6) REAFFIRMATION.—Notwithstanding any other provision of law, upon the certifications required under paragraph (4) and the election of the officers of the Native Hawaiian governing entity, the special political and legal relationship between the United States and the Native Hawaiian governing entity is hereby reaffirmed and the United States extends Federal recognition to the Native Hawaiian governing entity as the representative governing body of the Native Hawaiian people.

SEC. 8. REAFFIRMATION OF DELEGATION OF FEDERAL AUTHORITY; NEGOTIATIONS; CLAIMS.

(a) REAFFIRMATION.—The delegation by the United States of authority to the State of Hawaii to address the conditions of the indigenous, native people of Hawaii contained in the Act entitled ''An Act to provide for the admission of the State of Hawaii into the Union'' approved March 18, 1959 (Public Law 86–3, 73 Stat. 4), is reaffirmed.

(b) NEGOTIATIONS.—

(1) IN GENERAL.—Upon the reaffirmation of the special political and legal relationship between the United States and the Native Hawaiian governing entity, the United States and the State of Hawaii may enter into negotiations with the Native Hawaiian governing entity designed to lead to an agreement addressing such matters as—

(A) the transfer of lands, natural resources, and other assets, and the protection of existing rights related to such lands or resources;

(B) the exercise of governmental authority over any transferred lands, natural resources, and other assets, including land use;

(C) the exercise of civil and criminal jurisdiction;

(D) the delegation of governmental powers and authorities to the Native Hawaiian governing entity by the United States and the State of Hawaii;

(E) any residual responsibilities of the United States and the State of Hawaii; and

(F) grievances regarding assertions of historical wrongs committed against Native Hawaiians by the United States or by the State of Hawaii.

(2) AMENDMENTS TO EXISTING LAWS.—Upon agreement on any matter or matters negotiated with the United States, the State of Hawaii, and the Native Hawaiian governing entity, the parties are authorized to submit—

(A) to the Committee on Indian Affairs of the Senate, the Committee on Energy and Natural Resources of the Senate, and the Committee on Resources of the House of Representatives, recommendations for proposed amendments to Federal law that will enable the implementation of agreements reached between the 3 governments; and

(B) to the Governor and the legislature of the State of Hawaii, recommendations for proposed amendments to State law that will enable the implementation of agreements reached between the 3 governments.

(3) GOVERNMENTAL AUTHORITY AND POWER.—Any governmental authority or power to be exercised by the Native Hawaiian governing entity which is currently exercised by the State or Federal Governments shall be exercised by the Native Hawaiian governing entity only as agreed to in negotiations pursuant to section 8(b)(1) of this Act and beginning on the date on which legislation to implement such agreement has been enacted by the United States Congress, when applicable, and by the State of Hawaii, when applicable. This includes any required modifications to the Hawaii State Constitution in accordance with the Hawaii Revised Statutes.

(c) CLAIMS.—

(1) DISCLAIMERS.—Nothing in this Act—

(A) creates a cause of action against the United States or any other entity or person;

(B) alters existing law, including existing case law, regarding obligations on the part of the United States or the State of Hawaii with regard to Native Hawaiians or any Native Hawaiian entity;

(C) creates obligations that did not exist in any source of Federal law prior to the date of enactment of this Act; or

(D) establishes authority for the recognition of Native Hawaiian groups other than the single Native Hawaiian Governing Entity.

(2) FEDERAL SOVEREIGN IMMUNITY.—

(A) SPECIFIC PURPOSE.—Nothing in this Act is intended to create or allow to be maintained in any court any potential breach-of-trust actions, land claims, resource-protection or resource-management claims, or similar types of claims brought by or on behalf of Native Hawaiians or the Native Hawaiian governing entity for equitable, monetary, or Administrative Procedure Act-based relief against the United States or the State of Hawaii, whether or not such claims specifically assert an alleged breach of trust, call for an accounting, seek declaratory relief, or seek the recovery of or compensation for lands once held by Native Hawaiians.

(B) ESTABLISHMENT AND RETENTION OF SOVEREIGN IMMUNITY.—To effectuate the ends expressed in section 8(c)(1) and 8(c)(2)(A), and notwithstanding any other provision of Federal law, the United States retains its sovereign immunity to any claim that existed prior to the enactment of this Act (including, but not limited to, any claim based in whole or in part on past events), and which could be brought by Native Hawaiians or any Native Hawaiian governing entity. Nor shall any preexisting waiver of sovereign immunity (including, but not limited to, waivers set forth in chapter 7 of part I of title 5, United States Code, and sections 1505 and 2409a of title 28, United States Code) be applicable to any such claims. This complete retention or reclaiming of sovereign immunity also applies to every claim that might attempt to rely on this Act for support, without regard to the source of law under which any such claim might be asserted.

(C) EFFECT.—It is the general effect of section 8(c)(2)(B) that any claims that may already have accrued and might be brought against the United States, including any claims of the types specifically referred to in section 8(c)(2)(A), along with both claims of a similar nature and claims arising out of the same nucleus of operative facts as could give rise to claims of the specific types referred to in section 8(c)(2)(A), be rendered nonjusticiable in suits brought by plaintiffs other than the Federal Government.

(3) STATE SOVEREIGNTY IMMUNITY.—

(A) Notwithstanding any other provision of Federal law, the State retains its sovereign immunity, unless waived in accord with State law, to any claim, established under any source of law, regarding Native Hawaiians, that existed prior to the enactment of this Act.

(B) Nothing in this Act shall be construed to constitute an override pursuant to section 5 of the Fourteenth Amendment of State sovereign immunity held under the Eleventh Amendment.

SEC. 9. APPLICABILITY OF CERTAIN FEDERAL LAWS.

(a) INDIAN GAMING REGULATORY ACT.—

(1) The Native Hawaiian governing entity and Native Hawaiians may not conduct gaming activities as a matter of claimed inherent authority or under the authority of any Federal law, including the Indian Gaming Regulatory Act (25 U.S.C. 2701 et seq.) or under any regulations thereunder promulgated by the Secretary or the National Indian Gaming Commission.

(2) The foregoing prohibition in section 9(a)(1) on the use of Indian Gaming Regulatory Act and inherent authority to game apply regardless of whether gaming by Native Hawaiians or the Native Hawaiian governing entity would be located on land within the State of Hawaii or within any other State or Territory of the United States.

(b) TAKING LAND INTO TRUST.—Notwithstanding any other provision of law, including but not limited to part 151 of title 25, Code of Federal Regulations, the Secretary shall not take land into trust on behalf of individuals or groups claiming to be Native Hawaiian or on behalf of the native Hawaiian governing entity.

(c) REAL PROPERTY TRANSFERS.—The Indian Trade and Intercourse Act (25 U.S.C. 177), does not, has never, and will not apply after enactment to lands or lands transfers present, past, or future, in the State of Hawaii. If despite the expression of this intent herein, a court were to construe the Trade and Intercourse Act to apply to lands or land transfers in Hawaii before the date of enactment of this Act, then any transfer of land or natural resources located within the State of Hawaii prior to the date of enactment of this Act, by or on behalf of the Native Hawaiian people, or individual Native Hawaiians, shall be deemed to have been made in accordance with the Indian Trade and Intercourse Act and any other provision of Federal law that specifically applies to transfers of land or natural resources from, by, or on behalf of an Indian tribe, Native Hawaiians, or Native Hawaiian entities.

(d) SINGLE GOVERNING ENTITY.—This Act will result in the recognition of the single Native Hawaiian governing entity. Additional Native Hawaiian groups shall not be eligible for acknowledgment pursuant to the Federal Acknowledgment Process set forth in part 83 of title 25 of the Code of Federal Regulations or any other administrative acknowledgment or recognition process.

(e) JURISDICTION.—Nothing in this Act alters the civil or criminal jurisdiction of the United States or the State of Hawaii over lands and persons within the State of Hawaii. The status quo of Federal and State jurisdiction can change only as a result of further legislation, if any, enacted after the conclusion, in relevant part, of the negotiation process established in section 8(b).

(f) INDIAN PROGRAMS AND SERVICES.—Notwithstanding section 7(c)(6), because of the eligibility of the Native Hawaiian governing entity and its citizens for Native Hawaiian programs and services in accordance with subsection (g), nothing in this Act provides an authorization for eligibility to participate in any Indian program or service to any individual or entity not otherwise eligible for the program or service under applicable Federal law.

(g) NATIVE HAWAIIAN PROGRAMS AND SERVICES.—The Native Hawaiian governing entity and its citizens shall be eligible for Native Hawaiian programs and services to the extent and in the manner provided by other applicable laws.

SEC. 10. SEVERABILITY.

If any section or provision of this Act is held invalid, it is the intent of Congress that the remaining sections or provisions shall continue in full force and effect.

SEC. 11. AUTHORIZATION OF APPROPRIATIONS.

There are authorized to be appropriated such sums as are necessary to carry out this Act.

The SPEAKER pro tempore. After 1 hour of debate on the bill, it shall be in order to consider the amendment in the nature of a substitute printed in part A of House Report 111–413, if offered by the gentleman from Hawaii (Mr. ABERCROMBIE) or his designee, which shall be considered as read, and shall be separately debatable for 30 minutes equally divided and controlled by the proponent and an opponent.

The amendments to the amendment in the nature of a substitute printed in part B of House Report 111–413, each of which may be offered only by a Member designated in the report, shall be considered as read and shall be separately debatable for 10 minutes equally divided and controlled by the proponent and an opponent.

The gentleman from West Virginia (Mr. RAHALL) and the gentleman from Washington (Mr. HASTINGS) each will control 30 minutes.

The Chair recognizes the gentleman from West Virginia.

□ 1745

GENERAL LEAVE

Mr. RAHALL. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks and insert extraneous material on H.R. 2134.

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

There was no objection.

Mr. RAHALL. Mr. Speaker, the history of these United States is replete with glory. From the moment we broke the bonds of tyranny and declared independence to the severe tests we endured to maintain our union of States during the Civil War, to developments in science, medicine, and technology,

we as a Nation advanced for the benefit of the entire world. But throughout much of this history, our treatment of indigenous populations has been found wanting. The very policy that the United States advanced toward Native Americans from destruction to assimilation to reservation were conflicting and did not usually produce favorable results, at least from the perspective of the Native American.

Today, we are considering a measure which seeks to rectify a wrong that occurred 117 years ago. On January 17, 1893, the legitimate Kingdom of Hawaii was overthrown by American speculators with the active participation of the U.S. military. Five years after this overthrow, Hawaii was annexed to the United States and the lands of the indigenous population were lost to sugar plantations. Their health, education, and economic standing diminished greatly, a saga that has been repeated again and again with respect to Native Americans throughout our country.

The measure we are considering today is not a restitution measure, nor is it an outright recognition measure. What it would do is create a process by which the Native Hawaiian governing body would be reorganized, and the political and legal relationship with the United States would be reaffirmed.

I think it is important to note what this bill does not do: It does not allow for gaming; it does not provide for the transfer of any lands; it does not change civil or criminal jurisdiction by the State or Federal Governments; and it does not provide for any new eligibility into Indian programs.

Following reorganization of a governing body, the bill authorizes negotiation among the Federal, State, and Native Hawaiian governing entities to address certain powers and authorities. Any changes in these areas would require enactment of additional Federal and possibly State legislation.

Beginning in 1920, Congress began passing legislation specifically for the benefit of Native Hawaiians. To date, over 160 laws have been enacted to provide the Native Hawaiian community with everything from housing to repatriation of Hawaiian human remains from the Nation's museums. In each case, Congress understood its right and responsibility to enact laws affecting the native peoples of Hawaii similar to natives of the other 49 States. This is not a matter of race; it is a matter of Congress properly dealing with the indigenous populations as expressly sanctioned by the Constitution of the United States.

To allege that the Congress cannot engage in legislation of the pending nature regarding Native Hawaiians is to ignore the fact that there are 564 Federally recognized Indian tribes in this country. The bill before us today is similar legislation that has passed the House in previous Congresses. During the 106th Congress, we passed a similar bill under suspension of the rules when the Republicans held the majority. That was under Tom DeLay's watch, but what a different tune we will hear today from the other side. Similar legislation also passed during last Congress by a large majority.

So I urge my colleagues to vote to fulfill our constitutional responsibility toward indigenous people residing in the United States and vote for this bill.

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

Mr. HASTINGS of Washington. Mr. Speaker, I yield myself such time as I may consume.

(Mr. HASTINGS of Washington asked and was given permission to revise and extend his remarks.)

Mr. HASTINGS of Washington. Mr. Speaker, I rise in opposition to H.R. 2314 and the substitute text that will be offered by my good friend from Hawaii (Mr. ABERCROMBIE).

Mr. Speaker, at the outset of this debate, it is important for all Members to understand that the substitute text that they will ultimately be voting on today is fundamentally changed from the original underlying bill that the House voted on in 2007. This rewritten text, the Abercrombie substitute, was drafted behind closed doors away from public view. It was unveiled less than 48 hours before we in the House were to be debating and voting on that substitute. Regrettably, Mr. Speaker, this lack of transparency has become the standard operating procedure for this Democratic-controlled House.

Mr. Speaker, I am certain we will hear appeals from the bill's advocates that the vote on this bill should not be a partisan matter. I would agree. This is not a partisan matter; rather, it is a question of what is right and constitutional. But appeals to nonpartisanship ring hollow when the bill was rewritten in secret by just one party and then rushed to the floor with little time for scrutiny by the minority, but more importantly, Mr. Speaker, little time for scrutiny by the American people or the citizens of Hawaii.

There is nothing more troubling about the House voting on a fundamentally rewritten bill than the position made public by the Governor of Hawaii. Something is very wrong when that Governor, a longtime vocal advocate of Native Hawaiian recognition, feels compelled to issue a statement last night that she can't support this rewritten bill.

Now, the Governor and I disagree on the fundamental question of recognition, I want to make that clear, just as I fundamentally disagree with my good friend from Hawaii (Mr. ABERCROMBIE) but I also strongly disagree with the House acting to impose a changed bill on one of the 50 States over their Governor's objections, especially when this Governor has long supported, as I mentioned, the concept of Native Hawaiian recognition and the original text of the bill.

Let me explain the difference between the underlying bill, which is basically what the House passed in the 110th Congress, and the Abercrombie amendment in the nature of a substitute. This is very important, Mr. Speaker. The original bill extended recognition to the Native Hawaiian entity but withheld any tribal powers and privileges, such as immunity from lawsuit and State jurisdiction, until after negotiations with—and the consent of—the State of Hawaii and this Congress. Though this does not resolve my fundamental objection to the bill, it was an arrangement that drew the strong support of Governor Lingle of Hawaii.

In contrast, the substitute alters this fundamental nature of the bill. Let me quote the words that the Governor of Hawaii, Governor Linda Lingle, used to describe this rewrite: ''The current bill establishes that the Native Hawaiian governing entity would start with broad governmental powers and authorities, with negotiations to follow.'' Again, the original bill starts with negotiations, followed by a grant of powers and authorities that are subject to the consent of the State. But the substitute starts with the grant of powers and authorities without the consent of the State, followed by negotiations for yet more benefits and powers.

Let me be specific, Mr. Speaker, in two instances. First, section 9 of the substitute clearly spells out the powers granted to the Native American governing entity before negotiations without the consent of the State; it is immunity from any lawsuit in any Federal or State court, with only minor exceptions. Second, it is that ''governmental'' activities pursued by the entity or its officers and employees shall not be subject to State regulatory or taxation authority. The wording of this section suggests that the State criminal authority will not even apply to officers and employees of the Native Hawaiian governing entity as long as they are acting within the scope of their duties.

To once again quote from the Governor of Hawaii's statement from last night, ''I do not believe such a structure, of two completely different sets of rules—one for 'governmental' activities of the Native Hawaiian governing entity and its officers and employees, and one for everyone else—makes sense for Hawaii.''

Quoting further, ''In addition, under the current bill, the Native Hawaiian governing entity has almost complete sovereign immunity from lawsuits, including from ordinary tort and contract lawsuits, and I do not believe this makes sense for the people of Hawaii.'' And I am quoting from Governor Lingle.

Without question, this rewritten bill strikes at the heart of the State of Hawaii's authority to enforce health and environmental regulations, taxes, and criminal law enforcement equally among its citizens. Congress should not be party to imposing this upon this State, or for that matter any State. Yet, despite the State of Hawaii's concerns with the rewritten bill, here we

are tonight debating it on the floor of the House of Representatives. This legislation violates also, in my view, the United States Constitution because it establishes a separate, race-based government of Native Hawaiians.

The authors and advocates of this bill have argued that Native Hawaiian recognition is no different than Congress recognizing an Indian tribe, and yet, Mr. Speaker, there are very important and real differences. Native Hawaiians are not and never have been members of an Indian tribe. Native Hawaiians do not share the same political and legal history as Federally recognized Indian tribes. The historical record on this point is very, very clear. For example, in the Hawaii Organic Act of 1900, section 4 states that all persons who were citizens of the Republic of Hawaii in 1898 were declared citizens of the United States and citizens of the Territory of Hawaii.

Mr. Speaker, if Congress then believed it was recognizing the existence of a separate Native Hawaiian community, the Organic Act would have expressly reflected this; instead, all Hawaiians were recognized as full citizens. Mr. Speaker, this is in stark contrast to our Nation's history of less than equal treatment of individual Indians and Indian tribes.

But try as we might, Congress cannot revise historical and political facts. H.R. 2314 attempts to do just this, to rewrite legal history. Mr. Speaker, this observation is shared by constitutional and civil rights experts. For example, in its 7–2 decision, the Supreme Court in Rice v. Cayetano commented on the proposition of Native Hawaiian recognition, saying that it, and I quote from that case, ''would raise questions of considerable moment and difficulty. It is a matter of some dispute whether Congress may treat the Native Hawaiians as it does the Indian tribes.''

Just yesterday, the U.S. Commission on Civil Rights reiterated its standing opposition to any legislation, and I quote from the commission, ''that would discriminate on the basis of race or national origin and further subdivide the American people into discrete subgroups according to varying degrees of privilege.''

Mr. Speaker, in 1959 a vote was taken in Hawaii on the question of becoming a State. Over 94 percent voted in favor of statehood. In other words, citizens of Hawaii voted overwhelmingly to join our Union as one unified State.

□ 1800

Today, under this bill, Congress will vote on dividing the State of Hawaii through the creation of a separate governing entity based solely on race. If Congress is going to impose this division on Hawaii over the objections of its Governor, then I believe the citizens of Hawaii themselves deserve to have a vote on this matter.

In a Zogby poll from December 2009, a couple of months ago, only 34 percent of Hawaiians supported the concept of the Federal Government's imposing a new racially based subpopulation of citizens on the islands. Like their fellow Hawaiians who voted overwhelmingly for Statehood in 1959, Hawaiians today want a say in the future of their archipelago. The same poll found that 58 percent want a Statewide vote on this issue.

So, Mr. Speaker, I have an amendment that will be offered which would require just such a Statewide vote, and I hope all Members will join me in adopting that amendment.

As I noted at the outset of my remarks, the House last voted on Native Hawaiian recognition in 2007. I want to reiterate today, Mr. Speaker, that we will be voting on a different bill today. The 2007 legislation was rewritten. I believe the changes today are so fundamentally different that those Members who voted ''yes'' in 2007 should take the time to reconsider their votes.

There is another compelling reason for reconsideration when the Governor of Hawaii, the State that is impacted, has gone from an enthusiastic supporter of the 2007 bill to not supporting the rewritten bill. I hope many of my colleagues will recognize this dramatic change from just 3 years ago. The Governor remains a committed supporter of Native Hawaiian recognition. Her position has not changed. It is the bill that has been fundamentally changed and rewritten. Like the Governor, who supported the 2007 bill, they, too, have good reason to oppose this rewritten version today.

Now, Mr. Speaker, before concluding my opening statement, I want to take a moment to publicly state that I have a great deal of respect and affection for my colleague from Hawaii, NEIL ABERCROMBIE. He is departing the House at the end of this week, and I do regret that I am leading the opposition to his bill in his final days here in the House. To be very honest, Mr. Speaker, I would much rather be on the floor supporting his bipartisan legislation to write into law a 5-year plan to develop America's offshore oil and gas reserves. Regrettably, such reasonable legislation stands no chance of making it to the floor in this Congress, and I do regret that.

So I hope that my good friend knows that my opposition to this recognition bill is based on my view of the matter and is not a reflection of the high regard for which I hold him as my friend. I want to wish him well in his future endeavors—well, maybe not real, real well.

Mr. ABERCROMBIE. Will the gentleman yield?

Mr. HASTINGS of Washington. I yield to the gentleman from Hawaii.

Mr. ABERCROMBIE. I am deeply touched by your remarks. Your friendship is something I treasure and value. I am so taken by it, as a matter of fact, that I wonder if you would allow me to present you with a token of my esteem and my regard for you. These chocolate-covered macadamia nuts from Hawaii, I think, are just what you need right now. If you would allow me to come over and present them to you, that will give you an opportunity to contemplate as to whether or not, out of regard for our friendship and affection for each other, you will actually support the bill.

Mr. HASTINGS of Washington. Reclaiming my time, I hope the gentleman has checked with the Ethics Committee; but having been a longtime member, I gladly accept that from my good friend.

Mr. ABERCROMBIE. Mr. Speaker, I can assure you that the Ethics Committee, the Parliamentarian and the Speaker of the House of Representatives have assured me that, if you can consume it on the premises, it's okay.

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

Mr. RAHALL. Mr. Speaker, before I yield to the author of the pending legislation, I would like to make a couple of comments and praise him for his hard work and for his determination, persistence and patience on the pending matter.

For 20 years, NEIL ABERCROMBIE and I have served together on our Natural Resources Committee. We have fought many battles together, and I have always been proud to call him my friend—a unique friend, I might add at that—and I'm not even getting any chocolate-covered macadamia nuts this evening.

He has always been able to work together with Members of differing views and backgrounds. He has always remained decent, fair-minded, able to reach across the aisle both politically and philosophically, and I find that a truly commendable feature of this gentleman.

As we have already heard from the minority side, he will be leaving the Congress at the end of this week, but I can tell him that his mark on this institution will live on much longer after he has returned to his beloved Hawaii and to his other pursuits. He has been a champion of all Native Americans during his time in this Congress. It is a testament to NEIL that he will spend his last days in this body fighting for the rights of Native Hawaiians.

It is now, indeed, my honor to yield 5 minutes to the gentleman from Hawaii (Mr. ABERCROMBIE).

Mr. ABERCROMBIE. Thank you, Mr. Chairman. Thank you, DOC. My regard for you and for all of the Members is, of course, something that, I trust, is understood by all. I see my good friend DON YOUNG there as well.

Mr. Speaker, this bill is an enabling bill. It establishes a process. The core of this bill assures that a Native Hawaiian Government has the same powers and sovereign immunity as other native governments, and this is consistent with the history of the legal discussions and court cases that have taken place over such a long period of time.

Since the passage of the bill in the Resources Committee, we have had 2 months of discussions with the Hawaii State Attorney General. As a result, we have made numerous changes in the substitute amendment, and have added several pages of new text to make the State more comfortable with how a native government interacts with the State government.

This is, in fact, my amendment, and I wanted to assure the minority on the floor—I don't think there is a minority here. DOC is quite right. It's not a question of Republican versus Democrat or majority versus minority. It is a question of perspective as to what is appropriate with regard to Native Hawaiians and other native people and how they establish relationships both with local governments and State governments in the United States of America.

So this has not been something behind closed doors. Quite the opposite. It has been a full and complete discussion with the Governor and with the Attorney General, and I think that is reflected in the Governor's statement.

In conversation with Governor Lingle today, we concluded that we would agree to disagree. As Representative HASTINGS has indicated, she continues to support the legislative object of the bill, and I want to assure the House that her administration will not be disadvantaged in any way in any negotiations undertaken upon the passage and signing of this bill.

As a candidate for Governor myself, I am completely comfortable with the language of the substitute, and believe that no Governor, regardless of who it may be, will be disadvantaged. The substitute amendment treats a Native Hawaiian entity as any other native government, and it follows literally centuries of existing Native American law.

Native Hawaiians are not a race. They are a native indigenous people of the United States. The United States Supreme Court has repeatedly held that legislation enacted to address the special concerns and conditions of native people of the United States does not constitute discrimination on the basis of race or ethnicity. The sovereign status of Indian tribes, recognized by the Constitution, was later extended to Alaska natives as indigenous people, and Representative YOUNG can attest to that in his remarks. On this same basis then, Congress has enacted legislation on multiple occasions for the aboriginal, indigenous people of Hawaii.

Absent the substitute, H.R. 2314 would unduly limit the power of the Native Hawaiian governing entity, upon recognition, to accomplish the ordinary and customary activities of any other native organization, such as providing for the welfare of their children or for the health care of its members. The substitute amendment then will ensure that the Native Hawaiian governing entity will have the same powers and authorities that other tribal governments exercise today.

The Native Hawaiian Government will have sovereign immunity, as I indicated, the same as other native governments—no more, no less. This is not a new provision. Under the bill passed by the House in the last Congress, the Native Hawaiian governing entity would also have had sovereign immunity once it had been federally recognized.

In support of this bill are the Congressional Delegation of Hawaii, the National Congress of American Indians, the Alaska Federation of Natives, et cetera, et cetera. The Native American Caucus, under Representatives KILDEE and COLE, as caucus Chairs, are supportive as are the Native Hawaiian organizations, such as the Sovereign Council of Hawaiian Homestead Organizations, the Council for Native Hawaiian Advancement and the Office of Hawaiian Affairs. Local political leaders in both houses of the legislature and numerous resolutions from both of those bodies are in support.

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

Mr. RAHALL. I yield the gentleman 2 additional minutes.

Mr. ABERCROMBIE. I could not take leave of the floor, Mr. Speaker, without mentioning the following:

It is one thing for Representative HASTINGS or YOUNG or RAHALL or myself and others to take to the floor, but without staff support, it simply couldn't be done.

Our friend, an institutional giant of the Resources Committee, Marie Howard, is retiring from the Natural Resources Committee. I want to commend her, not just for the work on this bill, but for all of the devotion that she has had to the House.

Janet Erickson is taking her place as staff director for Indian Affairs.

In addition to Marie and Janet, Rick Healy and Jim Zoia have been heavily involved in bringing this bill to the floor. Their efforts are deeply appreciated by everyone.

Countless hours of staff time in the administration—both departmental and within the White House—have been put forward.

As has been indicated, Mr. Speaker, this bill has passed out of the House Natural Resources Committee four times already. It has passed from the House floor twice under the leadership of as diverse a group of Chairs as Jim Hansen, DON YOUNG, GEORGE MILLER, and NICK RAHALL. I note as well that the bill has passed under the leadership of Speaker Dennis Hastert and under the leadership of my good friend Tom DeLay. It is not ideological. It is nonpartisan. It is the culmination of a legislative lifetime for me, and it is the last occasion I will have to address the House as I take my leave.

Mr. Speaker, I love this House. I admire and respect every Member. It has been a privilege for me to be first sworn in as the last person to be sworn in by Speaker Tip O'Neill. I take my leave today with profound respect, admiration and affection for every Member of this House of Representatives. This is the people's House. You can only enter it upon the fact of having been elected by your constituents. They have placed their faith and trust in us, and I extend my faith and trust that this House will continue the great tradition of democracy.

I want to say to one and all that I love you, and I love this House.

Mr. Speaker, I rise today in support of H.R. 2314, the Native Hawaiian Government Reorganization Act of 2009 and a substitute amendment that I will offer on the House floor. This is legislation that the Hawaii Congressional delegation has been working on for more than 10 years and it is a privilege to see this progress through the legislative process as my time in Congress comes to an end.

The purpose of the bill is to provide a process for the reorganization of the Native Hawaiian governing entity for the purposes of a federally recognized government-to-government relationship. The Native Hawaiian Government Reorganization Act would provide Native Hawaiians the same right of self-governance and self-determination that are afforded to other indigenous peoples.

Since Hawaii was annexed as a territory, the United States has treated Native Hawaiians in a manner similar to that of American Indians and Alaska Natives. This bill would formalize that relationship and establish parity in federal policies towards all of our indigenous peoples.

I would also like to provide supporting documentation on the sections of H.R. 2314 primarily affected by the amendment in the nature of a substitute that I am offering on the House floor today. The following is additional language on Sections 3, 9 and 10.

SEC 3. DEFINITIONS

The definition of ''Native Hawaiian Membership Organization'' identifies organizations through which Native Hawaiians have sought to preserve their culture, native traditions, and self-governance. These organizations are an important (though not the exclusive) means through which Native Hawaiians have succeeded in maintaining their native traditions and culture, and given expression to their rights to self-determination and self-governance. Indeed, Congress has relied on such organizations to function as official representatives of the Native Hawaiian community in other statutory contexts. In the Native American Graves Protection and Repatriation Act, for example, Native Hawaiian organizations function as representatives of the Native Hawaiian community with respect to Native Hawaiian remains and funerary objects, just as federally-recognized Indian tribes represent their communities with respect to Indian remains and objects. See 25 U.S.C. §3001 et seq.

The definition of ''qualified Native Hawaiian constituent'' identifies adult U.S. citizens who, subject to the procedures and provisions of Section 8 of the Act, will be eligible to participate in the initial reorganization of the Native Hawaiian governing entity. The definition of ''qualified Native Hawaiian constituent'' differs from similar definitions in prior versions of this legislation in that it requires not only descent from the aboriginal, indigenous, native inhabitants of Hawaii, but also maintenance of ''a significant cultural, social, or civic connection to the Native Hawaiian community.''

An individual must demonstrate this connection by satisfying at least two of the ten listed criteria, which include residence in Hawaii, residence on Hawaiian Homes Commission Act (HHCA) lands (or status as the child or grandchild of such a resident), eligibility to be a beneficiary of Hawaiian Homes Commission Act programs, status as the child or grandchild of a person with such eligibility, residence or ownership interest in ''kuleana land'' that is owned in whole or in part by a verified lineal descendant of the person who received original title to such land (or status as a child or grandchild of a person with such a residence or ownership interest), attendance for at least one school year at a school or program taught through the medium of the Hawaiian language or at a school founded and operated primarily or exclusively for the benefit of Native Hawaiians (or status as the child or grandchild of a person who attended such a program), membership in a Native Hawaiian organization, or recognition as Native Hawaiian and as the son or daughter of a person recognized as Native Hawaiian by other members of the Native Hawaiian community.

The inclusion of these criteria will ensure that the persons who participate in the reorganization of the Native Hawaiian governing entity are persons with Native Hawaiian ancestry who have established ties to the Native Hawaiian community, as evidenced through, for example, connection to Native Hawaiian traditional lands, whether HHCA lands or kuleana lands, or a combination of residence in Hawaii and connections with Hawaiian-language schools or Native Hawaiian associations and organizations—both of which are means through which the Native Hawaiian community has sought to preserve and give expression to its culture and traditions. There is precedent for using associative factors such as kinship, land, and participation in native organizations in determining tribal membership. See, e.g., 25 CFR §83.7(b)(1)(vii) & (2)(iv) (including ''language'' and ''kinship organization[s]'' among the criteria the Department of the Interior considers in determining whether petitioning tribes can establish that they are a distinct native community). The last criterion, recognition as Native Hawaiian by the Native Hawaiian community, is also akin to criteria used to define membership in a native community in other contexts. See, e.g., 43 U.S.C. §1602(b) (Alaska Native Claims Settlement Act (''ANCSA'')). The definition of ''qualified Native Hawaiian constituent'' will ensure that the persons who participate in that reorganization are appropriately connected to the Native Hawaiian community.

Once the Native Hawaiian governing entity is reorganized, the United States will recognize and affirm the entity's inherent power and authority (akin to the inherent power and authority of any Indian tribe) to determine its own membership criteria, to determine its own membership, and to grant, deny, revoke, or qualify membership without regard to whether any person was or was not deemed to be a ''qualified Native Hawaiian constituent'' under this Act. Membership criteria set forth in the Native Hawaiian governing entity's organic governing documents should provide that membership is voluntary and can be relinquished, as is typically the case with Indian tribes.

SEC. 9. REAFFIRMATION OF DELEGATION OF FEDERAL AUTHORITY TO STATE OF HAWAII; GOVERNMENTAL AUTHORITY AND POWER; NEGOTIATIONS; CLAIMS

Section 9 affirms the inherent powers and privileges that will vest with the Native Hawaiian governing entity upon federal recognition, and clarifies the respective powers and immunities that this entity, the State of Hawaii, and United States will have during the interim period immediately following recognition but before the three sovereigns have negotiated a long-term agreement or agreements and enacted any implementing legislation.

The demarcations of authority between the State, the new Native Hawaiian sovereign, and the United States are most appropriately determined by agreement between those three sovereigns, as provided for by section 9(c). Recognition of the Native Hawaiian sovereign is a necessary precondition to the development of such an agreement. Thus, it is necessary for Congress to provide, not only for the inherent authorities of the Native Hawaiian sovereign, but also for an interim set of rules to demarcate its authority from that of the State. Those interim rules will cease to have any effect once the three sovereigns have negotiated, and their legislatures have adopted, an agreed set of superseding rules.

SEC. 9(B) & (C) GOVERNMENTAL AUTHORITY AND POWER; NEGOTIATIONS

This section affirms the inherent authority of the Native Hawaiian government, consistent with existing federal law. Historically, when Congress has enacted legislation allowing for the reorganization of native governments, it has recognized that those governments are vested with inherent tribal authority under existing federal law. See Indian Reorganization Act of 1934, 25 U.S.C. §476(e)–(h); Amendment to Indian Reorganization Act for Alaska (1936), 25 U.S.C. §473a. Congress retains the ability to modify the contours of inherent tribal sovereignty. United States v. Lara, 541 U.S. 193 (2004); United States v. John, 437 U.S. 634 (1978). The inherent power of the Native Hawaiian governing entity may be modified by agreement between the Native Hawaiian governing entity, the United States, and the State of Hawaii pursuant to the negotiations authorized in paragraph (1) of section 9(c), and subject to the enactment of implementing legislation.

The inherent powers and privileges of self-government that vest in the Native Hawaiian governing entity include Native Hawaiians' inherent right to autonomy in their internal affairs, and the inherent right to self-determination and self-governance. The powers with which the Native Hawaiian governing entity would be vested at the time of its federal recognition would be inherent, internal powers of self-government, such as the power to operate under a form of government of the Native Hawaiians' choosing; the power to define conditions of membership, see Santa Clara Pueblo v. Martinez, 436 U.S. 49, 55 (1978); the authority to regulate domestic relations of members, see Fisher v. District Court of Sixteenth Judicial Dist. of Mont., 424 U.S. 382, 38—89 (1976) (per curiam); and the power to provide governmental programs and services to members.

In addition, upon federal recognition, the Native Hawaiian governing entity would be entitled to sovereign immunity from suit. See Kiowa Tribe of Oklahoma v. Manufacturing Technologies, Inc., 523 U.S. 751 (1997); Santa Clara Pueblo v. Martinez, 436 U.S. 49, 58 (1978). In upholding tribal sovereign immunity, courts have recognized Congress's desire, expressed through legislation, to promote the ''goal of Indian self-government, including its 'overriding goal' of encouraging tribal self-sufficiency and economic development.'' Oklahoma Tax Comm'n v. Citizen Band Potawatomi Indian Tribe of Okla., 498 U.S. 505, 510 (1991) (quoting California v. Cabazon Band of Mission Indians, 480 U.S. 202, 216 (1987)).

The common-law sovereign immunity possessed by tribes is a corollary to Indian sovereignty and self-governance. Three Affiliated Tribes of Fort Berthold Reservation v. Wold Engineering, 476 U.S. 877, 890 (1986) (citing Santa Clara Pueblo v. Martinez, 436 U.S. 49 (1978)). Immunities have a range of functions, including preventing ''distraction of officials from their governmental duties, inhibition of discretionary action, and deterrence of able people from public service.'' Harlow v. Fitzgerald, 457 U.S. 800, 816 (1982). Accordingly, the Native Hawaiian sovereign should enjoy the same immunity from lawsuits in federal and state courts as sovereign Indian tribes in the continental United States enjoy. (Under the Indian Civil Rights Act, 25 U.S.C. §1303, this immunity does not extend to federal habeas petitions brought by persons alleging that they have been detained in violation of their federal civil rights. See Santa Clara Pueblo, 436 U.S. at 58–59.)

Likewise, the officers and employees of the Native Hawaiian governing entity should enjoy the same common-law immunities as the officers and employees of any Indian tribe. As with Indian tribal officers, officers of the Native Hawaiian governing entity might be sued for declaratory or injunctive relief under principles akin to the doctrine of Ex parte Young, 209 U.S. 123 (1908). As is also the case with Indian tribal officers, an official of the Native Hawaiian sovereign that acts outside the scope of his or her authority may be liable to a suit for money damages. Notably, there will not be Indian country in Hawaii in the initial period after the Native Hawaiian governing entity is organized, which will limit the scope of authority and associated immunity that such officials may assert. There will certainly be immunity in some instances: for example, a Native Hawaiian legislator could not be sued for libel based on statements made in the course of the deliberations of the sovereign's legislative body, as the immunity of the Native Hawaiian sovereign would encompass such conduct. But if an official of the Native Hawaiian governing entity were to defraud a state agency for personal profit in violation of state law, he or she would not have individual immunity for such conduct.

Membership in the Native Hawaiian governing entity will be voluntary, paralleling the applicable rule for tribes. Accordingly, no person could be involuntarily subject to the governing entity's inherent powers and privileges.

Moreover, because there is currently no ''Indian country'' in Hawaii and because this legislation neither creates ''Indian country'' or authorizes the United States to take land into trust for the benefit of the Native Hawaiian governing entity or its members, the Native Hawaiian governing entity, at the time of its recognition by the United States, would be able to exercise jurisdiction based on membership, but not based on territory. The ''inherent powers and privileges'' exercised by the Native Hawaiian government thus would not generally extend to non-natives.

In the absence of Indian country, a court established by the Native Hawaiian governing entity would have no civil jurisdiction over non-natives unless they expressly submitted to the court's jurisdiction. Absent such consent, the governing entity's civil adjudicative jurisdiction could not exceed its civil legislative jurisdiction, which would not extend to regulating the behavior of non-natives.

Nothing in this Act would alter or preempt the State of Hawaii's existing legislative, regulatory, or taxation authority over individuals who are members of the Native Hawaiian governing entity or their property. And state and federal courts, again in the absence of Indian country in Hawaii, would

continue to exercise criminal and civil jurisdiction as they currently do. If the Native Hawaiian governing entity established a court, its criminal and civil jurisdiction over members of the Native Hawaiian governing entity would therefore be concurrent, not exclusive.

At some point after the United States' initial recognition of the newly reorganized Native Hawaiian governing entity, negotiations among the three sovereigns—the United States, the State of Hawaii, and the Native Hawaiian governing entity—could alter many of these ground rules. For example, if the three sovereigns eventually agreed to the creation of Indian country within the State of Hawaii (and legislation was then enacted to implement that agreement), then it is possible that the Native Hawaiian governing entity could then exercise certain types of authority or jurisdiction over nonmembers (even without their express consent).

SEC. 9(D) CLAIMS

The language in this provision is intended to ensure that this legislation does not extinguish, revive, or alter any claim. Similarly, this legislation does not affect existing defenses to claims, nor does it provide a new basis to bring otherwise time-barred claims.

This legislation does not provide the basis for the Native Hawaiian governing entity or other Native Hawaiian groups to re-litigate claims that have already been resolved by the courts or to retroactively impose new obligations on the federal government or the State of Hawaii. These provisions are necessary because Native Hawaiians are differently situated than other entities that have been federally recognized. Native Hawaiian claims—in contrast to those of most newly recognized tribes—have been extensively litigated over the past 100 years. There has been extensive litigation relating to land claims, claims for money damages, and other types of claims, dating back at least to 1910. Issues concerning asserted historic or moral claims may be the subject of negotiations among the new Native Hawaiian governing entity, the State of Hawaii, and the United States, together with the other issues encompassed within the process set forth in section 9(c) of this Act, and that such negotiations will provide an appropriate forum in which to address these claims questions.

The language will not limit claims by the Native Hawaiian governing entity that first arise after recognition of the Native Hawaiian governing entity.

SEC. 10(C)(3) INDIAN CIVIL RIGHTS ACT

This provision expressly makes the Indian Civil Rights Act of 1968, 25 U.S.C. §§1301–1303, applicable to the Council and the Native Hawaiian governing entity. The Indian Civil Rights Act (ICRA) provides certain civil-rights protections similar to those under the Bill of Rights and the Fourteenth Amendment, including the rights to a speedy trial, to a jury trial (in certain criminal cases), to confront witnesses, and to avoid double jeopardy. See 25 U.S.C. §1302. Importantly, because this provision makes ICRA expressly applicable to the Native Hawaiian governing entity, a person would be able to file a habeas corpus petition in federal court to challenge the legality of his detention by an order of the Native Hawaiian governing entity. Id. 1303. Without express application of ICRA's habeas corpus provision to the Native Hawaiian governing entity, it would be unclear whether a person could challenge in federal court a detention ordered by a Native Hawaiian court. While ICRA allows a person to bring a habeas action, and thus serves as a limited waiver of the Native Hawaiian governing entity's sovereign immunity, it is not a general waiver of the entity's sovereign immunity as to ICRA claims. See Santa Clara Pueblo v. Martinez, 436 U.S. 49, 58–59 (1978).

One provision of ICRA operates to reaffirm the authority of tribal courts ''to exercise jurisdiction over all Indians.'' It is anticipated, upon recognition, the Native Hawaiian sovereign will have jurisdiction only over its own members, for reasons explained in the discussion of sections 9(b) and (c). It is not intended, in providing for the applicability of ICRA, that the courts of the Native Hawaiian sovereign thereby acquire jurisdiction over nonmembers.

SEC. 10(C)(1) & (2) STATUTES AND REGULATIONS REFERENCING ''INDIANS'' AND ''TRIBES''

This language is intended to avoid uncertainty, and potential litigation, as to whether Native Hawaiians are properly considered ''Indians,'' or the Native Hawaiian sovereign is properly considered an ''Indian tribe'' under every existing statute involving Indians and Indian tribes. These terms occur throughout the United States Code and associated implementing regulations. Such references to ''Indians'' and ''tribes'' do not generally encompass Native Hawaiians. When Congress wishes to reference Native Hawaiians, it has done so expressly. There is an extensive body of federal Indian statutes and regulations specifically addressing Native Hawaiians, often in conjunction with other Native Americans. E.g., American Indian Religious Freedom Act, 42 U.S.C. §1996; Native American Graves Protection and Repatriation Act, 25 U.S.C. §§3001–3013; Native American Programs Act of 1974, 42 U.S.C. §2991–2992.

By incorporating only those statutes that expressly reference Native Hawaiians, section 10(c)(2) provides clear direction to federal agencies regarding which programs and statutes are available to Native Hawaiians and avoids statute-by-statute litigation over the scope of these statutes. It is anticipated that a body of law addressing Native Hawaiians will develop over time, based on currently existing statutory and regulatory provisions and new legislation and court decisions.

SEC. 10(D) REAL PROPERTY TRANSFERS

The Trade and Intercourse Act, first enacted in 1790, requires congressional assent to transfers of Indian land title to third parties. The Trade and Intercourse Act has never been thought to apply to the alienation of Native Hawaiian lands. As a result, parties have not sought congressional ratification pursuant to 25 U.S.C. §177 prior to the transfer of these lands. To apply the Trade and Intercourse Act retroactively could impose significant liabilities on land owners in Hawaii, as well as on the State of Hawaii. The language in section 10(d) clarifies that Congress approves all prior land transactions in Hawaii, which eliminates the possibility of a cloud on title issuing from the Trade and Intercourse Act.

Section 10(d) is primarily directed to the State and private parties, but the language is written to include all transactions, including those involving the federal government, to avoid future uncertainty and litigation.

After recognition of the Native Hawaiian governing entity pursuant to this legislation, it is not Congress's intent that the Trade and Intercourse Act would apply to future land transactions by individual Native Hawaiians. See United States v. Dann, 873 F.2d 1189 (9th Cir.), cert. denied 493 U.S. 890 (1989).

I would like to thank Chairman RAHALL and the House Leadership for their assistance and support on this legislation. I ask my colleagues to advance the reconciliation process for the State of Hawaii by supporting my substitute amendment and final passage of H.R. 2314.

Mr. HASTINGS of Washington. Mr. Speaker, as I said in my remarks, the gentleman from Hawaii certainly will be missed.

With that, Mr. Speaker, I yield 3 minutes to the gentleman from Alaska (Mr. YOUNG).

(Mr. YOUNG of Alaska asked and was given permission to revise and extend his remarks.)

Mr. YOUNG of Alaska. Mr. Speaker, I can only say I am losing a good friend who will go to better and greater places.

You have been an ally to myself and to the feeling of working bipartisan work with the chairman on both sides of the aisle. We have always talked to one another, and we have recognized the importance of being ''the'' Congressman and of listening to the Congressman from that district. I have sponsored this bill every time it has come out of the committee—while I was chairman, before I was chairman, after I was chairman—and I will continue to do that.

I understand minority Member DOC HASTINGS and his position and why he opposes it; but as we talk about this politically, we have to think about the people whom we are affecting by our words. They have been patient, patient, patient, and it is time for us to take the step forward.

Is this bill perfect? No. I think it's better after the amendment is adopted. I think it does solve the problems. There is no Indian Country in Hawaii. Land cannot be taken into trusts. A Native Hawaiian governing entity may not exercise jurisdiction over non-Native Hawaiians. The State of Hawaii shall retain regulatory and taxation authority over Native Hawaiians.

Yet these are Native Hawaiians, and I can speak with a great deal of pride as to what happened in Alaska. In 1971, we passed the Alaska Native Lands Act where we recognized the natives of Alaska, Alaska natives—distinct and different from those natives in the lower 48—but Alaska natives.

□ 1815

And the progress they have made and the contribution they have made to the State is amazing. They are the number one, I would say, economic driving force in the State today. From a large group of people, 13 basic different tribes, regions, they are from a group that wasn't recognized other than the fact that they were natives, that they really did not fit well. But they were part of this State before we long came there, my State, and their contribution, because they were recognized, is just awesome. And I'm hoping this happens in the State of Hawaii.

For those in Hawaii that may oppose this, open your hearts. Open your minds. Maybe do a little something a little different in Hawaii, as we did in Alaska, and see the benefit to the individual, not only the natives but everybody else. This legislation is a step forward. Is it perfect? The Governor says

no. I think it's open for debate. But if we don't do something, if we don't move forward, those people will be neglected again.

So I ask my colleagues on my side and on the other side to consider moving on something that is humanely the right thing to do for a group of people that are Americans. They are aboriginals to the State of Hawaii. They are brothers to Alaska. We've worked together. We will continue to do that.

So I compliment, again, my good friend NEIL for his work and his dedication to this House, representing his people. That's what we're here for. And thank God we do have people like that left.

I will miss you, NEIL.

Mr. RAHALL. Mr. Speaker, I am very proud at this moment to yield 6 minutes to the gentlewoman from Hawaii (Ms. HIRONO), who has been instrumental as well in passing this legislation and bringing it, that is, to the point that we are now experiencing.

Ms. HIRONO. Mr. Speaker, I rise today in strong support of H.R. 2314, the Native Hawaiian Government Reorganization Act, and I thank my good friend Congressman YOUNG from Alaska for his remarks.

Long denied the recognition and rights accorded to America's other indigenous people, this bill will finally enable Native Hawaiians to embark on their long-awaited process of achieving self-determination. I would like to thank Chairman RAHALL for his leadership and general support of this important bill. And, of course, I want to recognize and thank my friend Congressman ABERCROMBIE, the bill's chief sponsor, for his years of advocacy for this bill and for his dedicated service to our State and to our country. It is fitting that one of his last legislative actions before his departure from this body will be on the Native Hawaiian Government Reorganization Act, a bill that we both care deeply about.

How we treat our native indigenous people reflects our values and who we are as a country. Clearly there is much in the history of our interactions with the native people of what is now the United States that makes us less than proud. The American Indians, Alaska Natives, and Native Hawaiians, all indigenous people, have suffered at the hands of our government. But one of the great attributes of America has always been the ability to look objectively at our history, learn from it, and, when possible, to make amends.

H.R. 2314 has been more than 10 years in the making. It has been a deliberative and open legislative process. There have been 12 congressional hearings on this bill, five of which were held in Hawaii. It has been marked up by committees in both Chambers. The House has passed this bill twice, in 2000 and again in 2007. We have a bill now that is constitutional and one that the House should again pass.

The goals and purposes of this bill are consistent with the history of the Native Hawaiian people and the record of the United States' involvement in Hawaii. The bill is also consistent with the over 160 existing Federal laws that promote the welfare of the Native Hawaiian people by, among other things, helping them to preserve their culture and return to their lands. Building on that history, H.R. 2314 will formalize the special political and legal relationship between the United States and the Native Hawaiians by providing a process through which the Native Hawaiian community can reorganize its governing entity within this relationship.

The Kingdom of Hawaii was overthrown in 1893. Hawaii's last monarch, Queen Liliuokalani, was deposed by an armed group of businessmen and sugar planters, who were American by birth or heritage, with the critical support of the U.S. troops. The queen agreed to relinquish her thrown under protest to avoid bloodshed. She believed the United States, with which Hawaii had diplomatic relations, would do the right thing and restore her to the thrown.

It's important to note that the sovereign nation of Hawaii had treaties with other nations besides the United States, including Great Britain, France, Germany, Italy, Japan, and Russia. As we now know, despite the objections of U.S. President Grover Cleveland, the injustice of the overthrow of an independent sovereign nation was allowed to stand and the Republic of Hawaii was established.

In 1898, the United States annexed Hawaii. Prior to annexation, a petition drive organized by Native Hawaiians secured signatures of almost two-thirds of the Native Hawaiian population who opposed annexation. The total was 29,000 signatures out of an estimated Native Hawaiian population of 40,000. As a further historical note, the Native Hawaiian population prior to Western contact numbered between a conservative estimate of 300,000 to as many as 1 million Native Hawaiians.

The siege of Native Hawaiian culture continued after annexation. The Republic of Hawaii prohibited the use of the Hawaiian language in schools. Everyday use of the Hawaiian language diminished greatly and was in danger of dying out. Hula dancing, which had been suppressed by the missionaries and then restored by King Kalakaua, who preceded Queen Liliuokalani, survived but did not flourish. Hawaiians were pressured to assimilate and much of their vibrant culture was lost or went underground.

In 1903, Prince Jonah Kuhio Kalanianaole was elected to serve as Hawaii's delegate to Congress. And one of his most notable achievements was the passage of the Hawaiian Homes Commission Act of 1920, which set aside some 200,000 acres of land for Native Hawaiians. The reason for the legislation was the landless status of so many Native Hawaiians who were displaced by newcomers to the islands and who became the most disadvantaged population in their native land. Congress passed the Hawaiian Homes Commission Act, which is still in force, in recognition of its responsibility toward Native Hawaiians.

As with other indigenous people, Native Hawaiian views on land tenure were different from that of the newcomers, resulting in loss of much of the land that had been traditionally occupied and cultivated by Native Hawaiians. They lost these lands to these newcomers.

Hawaii became a State in 1959. Beginning in the late 1960s and early 1970s, a Native Hawaiian cultural rediscovery began in music, hula, language, and other aspects of the culture. This cultural renaissance was inspired by hula masters or kumu hula who helped bring back ancient and traditional hula, musicians and vocalists who brought back traditional music and sang in the Hawaiian language, and political leaders who sought to protect Hawaii's sacred places and natural beauty.

This flourishing of Hawaiian culture was not met with fear in Hawaii but with joy and celebration and an increased connection with each other. People of all ethnicities in Hawaii respect and honor the Native Hawaiian culture. The idea of self-determination by Native Hawaiians is regarded by most of our residents as just because we understand Hawaii's history and the importance of our host culture.

The SPEAKER pro tempore (Mr. YARMUTH). The time of the gentlewoman has expired.

Mr. RAHALL. I yield the gentlewoman an additional 1 minute.

Ms. HIRONO. In closing, it is well established that the United States Constitution grants Congress broad general powers to legislate and respect the native people, and these are powers that the U.S. Supreme Court has consistently described as ''plenary and exclusive.'' Congress's plenary authority over Indian affairs includes the power to authorize and prescribe the process by which Indian tribes and aboriginal people organize or reorganize for purposes of carrying out a government-to-government relationship with the United States.

The State of Hawaii motto, which was also the motto of the Kingdom of Hawaii, is ''Ua mau ke ea o ka aina i ka pono,'' which translates to ''the life of the land is perpetuated in righteousness.'' Native Hawaiians, like American Indians and Alaska Natives, have an inherent sovereignty based on their status as indigenous, aboriginal people. I urge your support of H.R. 2314.

Mahalo nui loa. Thank you.

Mr. HASTINGS of Washington. Mr. Speaker, I am pleased to yield 5 minutes to the gentleman from California (Mr. MCCLINTOCK).

Mr. MCCLINTOCK. I thank the gentleman for yielding.

Mr. Speaker, it pains me to rise in opposition to the valedictory measure of the gentleman from Hawaii, but

there's no blinking at the fact that this bill strikes at the very foundation of a Nation that's dedicated to the concept of equality under law.

It establishes a different set of laws, a different set of rights, and a different government for one group of Americans based solely upon their race. Two American families living next door to each other would be afforded two different sets of rights enforced by two separate sovereignties all based entirely upon accident of birth.

Ever since Brown v. Board of Education buried the ''separate but equal'' doctrine of Plessy v. Ferguson, the Supreme Court has consistently ruled that such an arrangement is fundamentally incompatible with the American Constitution.

Ten years ago in the case of Rice v. Cayetano, the Supreme Court, in a 7–2 decision, struck down identical race-based voting qualifications for the Office of Hawaiian Affairs. The State argued that it could impose race-based voting qualifications based upon the precedent of Indian tribes that we've just heard today. Here's how the Court responded. They said:

''Even were we to take the substantial step of finding authority in Congress, delegated to the State, to treat Hawaiians or Native Hawaiians as tribes, Congress may not authorize a State to create a voting scheme of this sort.''

That's exactly what this bill does. This bill establishes a precedent that will allow any distinct group within our Nation to demand its own separate organic rights and government. Were we to pass this bill, there would be no grounds to deny any other racial group with historic grievances their own separatist government and exclusive rights.

Having enacted this law, on what basis do we deny every other demand to tear our country apart? This is a precedent that is enormously damaging to a multiracial Nation founded upon the principles of e pluribus unum and equal justice under the law.

How exactly do we establish two separate governing systems and two separate populations with two separate sets of civil and legal rights all within the same territory? Under whose law are competing claims to be settled?

This bill explicitly provides that the new Native Hawaiian Government and its official acts cannot be challenged in an American court. And how exactly can Congress cede by statute the very essence of its constitutional authority, requiring civil and criminal jurisdictions and property rights to be negotiated away to this new governing entity that's defined solely by the race of its members?

The analogy with American Indian tribes is absurd both historically and legally. Historically, American Indian tribes never voted to join the Union. They were conquered by force and extended by treaty certain lands in which they could exercise sovereignty, and they maintained continuous self-government.

Whatever the circumstances involved in the revolution of 1893 and the annexation of 1898, those circumstances became irrelevant in 1959 when the people of Hawaii voted by a 17–1 margin, nearly 95 percent, to join the Union and to become an integral and indivisible part of the American Nation.

The Admissions Act never contemplated the establishment of a separatist government. The provision the proponents cite merely provided an option of land for homes and small farms for a very small number of Hawaiians with 50 percent native ancestry. The Admissions Act did not contemplate establishment of a separatist government. It did contemplate assuming the full provisions of the American Constitution and the Constitution's prohibition against race-based separatism and race-based rights.

□ 1830

Legally, a tribe exists only when it has a government that has exercised substantial authority over its members from before western contact continuously until the present, and when its members mostly live separate and apart from surrounding populations. The sovereignty of that government is limited to the trust lands of the tribe. These long-established criteria are entirely inapplicable to American citizens of Hawaiian descent, 40 percent of whom don't even live in Hawaii according to the 2000 census.

Mr. Speaker, there is no more effective way to destroy a nation than to divide its people by race and accord them different rates and different government based upon their race. That is exactly what this bill does.

Mr. RAHALL. Mr. Speaker, I am very pleased at this time to yield 5 minutes to another valued member of our Natural Resources Committee, the gentleman from American Samoa, Mr. Eni Faleomavaega.

(Mr. FALEOMAVAEGA asked and was given permission to revise and extend his remarks.)

Mr. FALEOMAVAEGA. I thank the chairman for yielding.

Mr. Speaker, I rise in strong support of the Native Hawaiian Government Reorganization Act of 2009. This important piece of legislation is to reaffirm the special political and legal relationship between the United States and the indigenous Native Hawaiians for purposes of continuing a government-to-government relationship.

I certainly want to thank Chairman NICK RAHALL and the members of our Natural Resources Committee for their support. I especially want to thank and recognize my good friend and colleague, the gentleman from the State of Hawaii (Mr. ABERCROMBIE) for his leadership and tireless efforts in bringing this legislation to the floor for consideration.

For some 20 years I have had the privilege and honor of working closely with Mr. ABERCROMBIE on legislation that have benefited not only my constituents, but certainly the great State of Hawaii. I also want to thank my colleague and my dear friend, Ms. HIRONO, and other Members for cosponsoring this important legislation.

Mr. Speaker, the legislation before us is very important for many reasons, but none more critically important than for Congress to extend proper and appropriate recognition for some 400,000 indigenous Native Hawaiians in the State of Hawaii and those living outside of Hawaii. Constitutionally, Congress has the authority to address the conditions of the native people of the United States. And the indigenous people of the Hawaiian Islands are a distinctively native community that for many years existed as a sovereign entity.

History shows us from 1826 until 1893, the United States Government recognized the Kingdom of Hawaii as a sovereign and independent nation. It was accorded full diplomatic recognition. The kingdom entered into treaties and conventions of peace, friendship, and commerce with the Kingdom of Hawaii, governing trade, commerce, and even navigation in the years 1826, 1842, 1849, 1875, 1887. Mr. Speaker, yes, even our government, the United States of America, was party to these treaties and conventions with the sovereign Kingdom of Hawaii.

Mr. Speaker, more than 100 years ago ambitious descendants of U.S. missionaries and sugar planters, aided by an unauthorized and illegal use of U.S. military forces, overthrew the sovereign Kingdom of Hawaii, which at that time was ruled by Queen Lili'uokalani. In 1993, Congress reaffirmed such a travesty on the Kingdom of Hawaii when they passed a joint resolution to acknowledge and apologize on behalf of the United States for the illegal and unlawful overthrow of the Hawaiian kingdom in 1893, and for the deprivation of the rights and privileges of the indigenous Native Hawaiians to self-determination.

To this day, Mr. Speaker, the status of indigenous Native Hawaiians was never properly addressed by the United States Congress. And it is within Congress's constitutional authority to do so. Congress and the U.S. Supreme Court decisions properly determined that American Indians of the lower 48 States are an indigenous people. In fact, recognition of the Native Alaskans as indigenous people of the U.S. demonstrates this constitutional authority. And even the U.S. Supreme Court has recognized this constitutional authority and has accepted a broader conceptualization of indigenous peoples, allowing Congress to recognize indigenous groups, even those who are culturally and genealogically distinct from the narrow concept of being an Indian or as a tribe.

In the Hawaiian Homes Commission Act of 1921, Congress expressed and reaffirmed the special and trust relationship between the United States and the

Native Hawaiians. In addition, the act also recognized the Native Hawaiians as a distinct and unique indigenous people. Native Hawaiians are in fact indigenous, aboriginal people living within what is now the borders of the United States and those living in the State of Hawaii, and it is unfortunate that even today the status of some 400,000 indigenous Native Hawaiians have yet to be afforded the same recognition as our first Americans.

Mr. Speaker, over the years the treatment of indigenous Native Hawaiians by the U.S. Government has been piecemeal at best. There is estimated over 150 laws that have been passed by the Congress related to the social, educational, economic, and cultural needs of the indigenous Native Hawaiians. This proposed bill sets the institutional framework for the establishment of a relationship between the United States and the indigenous Native Hawaiians, just as Congress has done for the indigenous American Indians and indigenous Native Alaskans.

I submit, Mr. Speaker, there are only three distinct indigenous groups under the U.S. sovereignty: American Indians within the continental United States, Native Alaskans, and Native Hawaiians.

Mr. Speaker, the bill we have before us today will continue the long but necessary road towards full recognition by the Congress of the rights of the indigenous Native Hawaiians.

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

Mr. RAHALL. I yield the gentleman 30 additional seconds.

Mr. FALEOMAVAEGA. The underlying issue in this piece of legislation is not about the existence of Native Hawaiians. That much has been already determined. This bill is to establish a process giving the indigenous Native Hawaiians the same status that we have done for the indigenous American Indians and the indigenous Native Alaskans. Nothing to do with race. It is about giving proper recognition, and also as a moral imperative on the part of our government, give proper recognition to the Native Hawaiians. They deserve this. They are not begging for anything. Just give them proper recognition. I ask my colleagues to support this bill.

Mr. Speaker, I rise in strong support of the ''Native Hawaiian Government Reorganization Act of 2009.'' This important piece of legislation is to reaffirm the special political and legal relationship between the United States and the indigenous Native Hawaiians for purposes of continuing a government-to-government relationship. I want to thank Chairman NICK RAHALL and members of the Committee on Natural Resources for their support. I especially want to commend and recognize my good friend and colleague, the gentleman from Hawaii, Mr. ABERCROMBIE, for his leadership and tireless efforts in bringing this legislation to the floor for consideration. For some 20 years, I've had the privilege of working closely with Mr. ABERCROMBIE on legislation that has benefited both constituents and the great State of Hawaii. I also want to commend my good friend, Ms. HIRONO, and other Members for their cosponsoring this legislation.

The legislation before us is very important for many reasons, but none more critical than for Congress to extend full recognition to some 400,000 indigenous Native Hawaiians in the State of Hawaii. Constitutionally, Congress has the authority to address the conditions of the native people of the United States and the indigenous people of the Hawaiian Islands are a distinctly native community that for many years existed as a sovereign entity. History shows that from 1826 until 1893, the United States government recognized the Kingdom of Hawaii as a sovereign and independent nation; accorded full diplomatic recognition to the Kingdom of Hawaii; and entered into treaties and conventions of peace, friendship and commerce with the Kingdom of Hawaii to govern trade, commerce, and navigation in 1826, 1842, 1849, 1875 and 1887. Yes, even our government, the United States of America was a party to these treaties and conventions with the Sovereign Kingdom of Hawaii.

Mr. Speaker, more than 100 years ago, ambitious descendants of U.S. missionaries and sugar planters, aided by the unauthorized and illegal use of U.S. military forces, overthrew the sovereign Kingdom of Hawaii which at that time was ruled by Queen Lili'uokalani. In 1993, Congress reaffirmed such a travesty on the Kingdom of Hawaii when they passed a joint resolution to acknowledge and apologize on behalf of the United States for the illegal and unlawful overthrow of the Hawaiian Kingdom in 1893, and for the deprivation of the rights of the indigenous Native Hawaiians to self-determination.

To this day, the status of the indigenous Native Hawaiians was never properly addressed by the United States Congress. And it is within Congress' constitutional authority to do so. Congress and U.S. Supreme Court decisions have properly determined that American Indians of the lower 48 States are an indigenous people. In fact, recognition of the Native Alaskans as indigenous people of the U.S. demonstrates this constitutional power. And even the U.S. Supreme Court has recognized this constitutional authority and has accepted a broader conceptualization of indigenous people, allowing Congress to recognize indigenous groups, even those who are culturally and genealogically distinct from the narrow concept of being an ''Indian'' and ''tribe.''

In 1971, Congress enacted the Alaska Native Claims Settlement Act (ANCSA), adopting special legislation to deal with Native Alaskans' land claims and creating a governing structure (corporations) through which to manage the federal relationship with the indigenous group even though the Alaska Natives differed culturally, historically, and genealogically from American Indians. In the ANCSA, ''Native'' in defined to mean ''a citizen of the U.S. who is a person of one-fourth degree or more Alaska Indian, Eskimo, Aleut blood, or combination thereof'' and ''Native Group'' to mean ''any tribe, band, clan, village, community, or village of Natives in Alaska.'' The indigenous Native Hawaiians also meet these definitions.

In the Hawaiian Homes Commission Act of 1921, Congress expressed and reaffirmed the ''special'' and ''trust'' relationship between the United States and the Native Hawaiians. In addition, the Act also recognized Native Hawaiians as ''a distinct and unique indigenous people.'' Native Hawaiians are, in fact, indigenous, aboriginal people living within what are now the borders of the U.S. and it is unfortunate that even today the status of some 400,000 indigenous Native Hawaiians have yet to be afforded this same recognition as our First Americans.

Although *Rice* vs. *Cayetano* has no bearing on this legislation, I should note that the Supreme Court's decision states, ''Congress . . . has determined that native Hawaiians have a status like that of organized Indian tribes.'' Even the author of the State's brief, now Chief Justice John Roberts of the U.S. Supreme Court, clearly explained that the Congress has plenary authority that is not limited to only American Indians by stating the following:

> Congress is constitutionally empowered to deal with Hawaiians, has recognized such a ''special relationship,'' and—''in recognition of that special relationship''—''has extended to Native Hawaiians the same rights and privileges accorded to American Indian, Alaska Native, Eskimo, and Aleut communities.'' Congress has established with Hawaiians the same type of ''unique legal relationship'' that exists with respect to the Indian tribes who enjoy the ''same rights and privileges'' accorded Hawaiians under these laws.

Over the years, the treatment of indigenous Native Hawaiians by the U.S. government has been piecemeal at best. There is estimated over 160 laws that have been passed by the Congress related to the social, educational, economic, and cultural needs of the indigenous Native Hawaiians. This proposed bill sets the institutional framework for the establishment of a relationship between the U.S. and the indigenous Native Hawaiians just as Congress has done for the indigenous American Indians and indigenous Native Alaskans. I submit, there are only three, district indigenous peoples, under U.S. sovereignty—American Indians within the continental United States, Native Alaskans and Native Hawaiians.

Mr. Speaker, the proposed bill that we have before us today will continue the long but necessary road towards full recognition by Congress of the indigenous Native Hawaiians. The underlying issue in this piece of legislation is not about the existence of the Native Hawaiians. That much has already been determined. This bill however is to establish a process by giving the indigenous Native Hawaiians the same status as we have done for the indigenous American Indians and the indigenous Native Alaskans.

I respectfully urge my fellow colleagues to support this bill.

Mr. HASTINGS of Washington. Mr. Speaker, I am pleased to yield 3 minutes to the gentleman from Oklahoma (Mr. COLE).

Mr. COLE. I thank the gentleman for yielding.

Mr. Speaker, I want to begin by thanking my good friend Mr. ABERCROMBIE for his distinguished career

and our good friendship. And the fact that I am rising in support of this bill and my good friend Mr. YOUNG has risen in support of this bill is certainly an indication it is not a partisan measure. Frankly, our side did not decide to whip this. So this really is a nonpartisan question before the Congress. It is not an issue of race, as some would argue. It is not an issue of States' rights, as some would argue.

It is actually, in the end, a question of Federal authority and how the Federal Government chooses to treat indigenous peoples. And frankly, if we want to look at that, we ought to be guided by our own Constitution, our own legal traditions, and our own actions as a Congress. Over 200 years of American history has taught us from the very beginning, from the foundation of the Constitution, that we had decided we will treat native peoples as individual subordinate sovereign units, and we will negotiate our relationships with them.

Now, we haven't always lived up to that idea, no question about it. Over the course of our history there has been efforts to destroy native nations. There has been efforts to remove them from their homeland. There has been efforts at forced assimilation. But when we have adhered to our constitutional traditions, and negotiated and dealt with native peoples on a government to government basis, the relationship has been a good and productive one.

The facts of this case are very clear. From the very beginning, we recognized Native Hawaiians as a distinct and separate group. We have passed over 160 statutes in the Congress of the United States. And frankly, this measure before us is not going to reshape Hawaii. It will regularize the relationship between Native Hawaiians and their State and Federal Government and allow a negotiation to take place.

Now, I make no bones about the fact that I favored the original 2007 bill. I did that not because it was necessarily a superior bill, but because it allowed a negotiated process that I thought would actually ease this transition. But at the end of the day, the question is one of constitutional propriety and sovereign rights and appropriate procedure. And this bill meets all of those tests.

So I look forward to its passage, and I look forward to the fact that it will have broad bipartisanship support, and I look forward, Mr. Speaker, to once again reflecting on our own remarkable traditions as a country and as a people. We don't always do the right thing, but eventually we do the just thing. And in this situation, recognizing Native Hawaiians is the just thing to do. I urge support for this legislation.

Mr. RAHALL. Mr. Speaker, I yield 3 minutes to the gentleman from California (Mr. HONDA).

Mr. HONDA. I want to thank the chairman for this opportunity.

For those who are in this debate, I think this is what Congress is all about, where we talk about very substantive issues. And this is one of those most important issues because it affects our relationship with other countries, other States, and other indigenous people. And in this case, indigenous people who are considered sovereign entities. And this is what we are trying to accomplish for the Native Hawaiians in Hawaii.

This is not about race. I think when we use race and other things it sort of muddies up the issues. And I think that our colleague, Congressman COLE, explains it very clearly. And as a teacher, and I am not a lawyer, but as a teacher and as a very simple person not understanding all the laws and all the terminologies in law, how he explains it is very clear.

I think the people of this country understand clear talk. When they hear clear talk they understand that when we are talking about justice and equality and recognizing indigenous people, it becomes very, very evident which way we should go.

This is, like Congressman COLE said, this is about Federal authority under the Constitution. And the 48 States had already done this with indigenous people. Some people call them Indian tribes, but nonetheless, they were indigenous people. Mr. YOUNG, from the 49th State, indicates the same sentiment. And that when they became the 49th State, their considerations to indigenous people, or Indian tribes, they accorded them the same kind of consideration of self-determination. Hawaii is trying to do the same thing, the 50th State.

And so it seems like if the previous 49 States are able to do this, this is one of replication, and there is a lot of things being established. And Chairman RAHALL had indicated what this bill is not about. And that should just clearly set aside any kinds of arguments against this kind of an effort.

I appreciate the work of both Mr. ABERCROMBIE and Ms. HIRONO. And I think that under the Constitution and under the eyes of justice, and for those who are clear thinkers in the Congress, this should be a no brainer. We should approve this bill and make it into law and finally recognize the people of Hawaii, the indigenous people of Hawaii as who they are, a self-determining indigenous group.

The Federal courts did not talk about when it was brought up about the moneys being used for the native tribes.

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

Mr. HONDA. If I could have 30 seconds.

Mr. RAHALL. I yield the gentleman 5 seconds.

Mr. HONDA. In 5 seconds, Federal moneys cannot be used for State elections. State elections cannot be used for private kinds of elections. That is what they were saying. It is not about race.

Mr. HASTINGS of Washington. Mr. Speaker, I would like to yield 3 minutes to the gentleman from Iowa (Mr. KING).

Mr. KING of Iowa. I thank the gentleman from Washington for yielding some time on this subject matter.

Mr. Speaker, I rise in opposition to this bill, the Native Hawaiian Government Reorganization Act, whether it is amended or whether it is not amended. And I do so, Mr. Speaker, because first of all, the United States of America was founded upon the principle of equality, the principle of equality before the law. And we have further built upon the principle of equality of opportunity.

As I have listened to each of the speakers address this tonight, there seems to be a continuing theme that there are specific groups of people that deserve a certain kind of specific consideration before the law and before the appropriations of the United States Congress, and specific access to assets that might be utilized for their specific use, as opposed to other Hawaiians that aren't defined as Native Hawaiians.

I recall the debate back in 1959 when Hawaii and Alaska were both brought into the union, and I recall the discussions that were there then about the success that Hawaii had had by assimilating peoples into the broader society of Hawaii, and about how we didn't have to worry about the expression—then it wasn't Balkanization—but we didn't have to worry about the Hawaiians dividing themselves into separate and competing ethnic groups, that they were assimilated.

□ 1845

Assimilation was the watchword of the day, the code of the day, and that was the message and the promise and the commitment that Hawaiians made to the United States Congress when they were brought into the Union as a State.

Well, today we see a piece of legislation that comes before us that defies the very concept that was a principle that was clearly understood here on this floor of this Congress when Hawaii was brought into the Union.

And when I look at what this does, the broad definition of Native Hawaiians that might mean Native Hawaiians anywhere where they are in the United States that could be brought under this umbrella of beneficiaries of assets that could be as great as 40 percent of the land mass of the State of the Hawaii to be governed and regulated by self-described, self-defined Native Hawaiians at the expense of everyone else, and I wonder how good these promises might be, the promises that we wouldn't set up gaming institutions, we wouldn't set up toll roads or roadblocks; this would just be a very compatible, logical pro-tourism industry. It might be. In fact, it probably will be, Mr. Speaker.

But I am so concerned about the broader fundamental principle that applies here. And I would argue that the

gentleman that has spoken on behalf of those Native Americans that actually are real tribes by definition that exists within statute and within the tradition of law, have no solution for the reservation system that we have. They envision it the same 100 years from now as it is today. And so we see the replication of pathologies from reservation to reservation and not the opportunities.

I would have supported the Dawes Act however many years ago.

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

Mr. HASTINGS of Washington. I yield the gentleman 1 additional minute.

Mr. KING of Iowa. I thank the gentleman, and I'd just make this point. When I read the material on this coming back up again, and I so appreciate Mr. ABERCROMBIE's work, and I know his heart and his head are in this. This is in a verbatim email that I wrote up to my staff, and it goes this way.

This bill makes a resounding statement that even Native Hawaiians can't be assimilated into a Western society. I disagree. It is a fundamental statement that goes to the heart of what it means to be an American. If, after all these years, Native Hawaiians have to be tribalized in order to function in a modern society, all Americans then must, by the identical logic, be Balkanized.

Mr. Speaker, the philosophy is wrong underneath this. However good the thoughts are, Americans should be assimilated, not subdivided. We should not be pitted against each other, and Americans should not have certain assets designated to them because of the ancestry that they claim. We should be all Americans under one flag.

Mr. RAHALL. Mr. Speaker, we're ready to close when the other side is. Is the gentleman from Washington ready to close?

Mr. HASTINGS of Washington. If the gentleman's the last speaker, then I am the last speaker on my side. I yield myself the balance of the time, Mr. Speaker.

The SPEAKER pro tempore. The gentleman from Washington is recognized for 1 minute.

Mr. HASTINGS of Washington. Mr. Speaker, just let me kind of summarize some of the overreaching debate that we've had here today.

This issue has been around this Congress for over 10 years, and this issue has had broad support within the State of Hawaii, Mr. Speaker, for over 10 years. And the underlying bill, before we will vote on the substitute, the underlying bill has broad support in the State of Hawaii.

But now we are going to have an amendment that was not written in public, and, in fact, as I mentioned in my earlier remarks, Governor Lingle is opposed to this approach on this bill, even though she agrees wholeheartedly with the issue of recognition for Native Hawaiians.

So, Mr. Speaker, I take everybody's word that's involved in this that it will be worked out to everybody's satisfaction. But, Mr. Speaker, why should we, on the floor of the House——

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

Mr. HASTINGS of Washington. With that, Mr. Speaker, I just urge my colleagues to vote against the substitute. I'll talk about that later.

Mr. RAHALL. Mr. Speaker, I'm very happy to yield the balance of our time to the gentleman from Hawaii (Mr. ABERCROMBIE).

Mr. ABERCROMBIE. Mr. Speaker, I want to thank all my colleagues here today, and I want to thank those especially who have risen in opposition. This is what our democracy is all about. My only regret in extending my aloha to those who may not feel able to vote for the bill today is that you have not had an opportunity, perhaps, to visit with, to understand, and to comprehend what it means to be a Native Hawaiian.

It is, of course, very easy for someone to say well, how can you do that; you came from somewhere else.

I was born and raised just outside Buffalo, New York. I came to Hawaii some 50 years ago, with statehood, given the opportunity to go to the University of Hawaii as a graduate teaching assistant. And the first thing that happened to me as I came that great distance, across the continent and across the ocean, then in a Pan American Clipper, it took 10 hours just to get from the coast to Hawaii. And when I took that first breath of Hawaiian air and saw the gorgeous curves of the island of Oahu, Diamondhead, Waikiki, and the first evening, taken to Manoa Valley, where I now reside, it was as if destiny had called.

And the first contact that I had was with my Chinese Hawaiian friend, Solomon Lu, God rest his soul, whose family took me in and treated me as one of their own. And that's what Hawaii is all about.

Mr. Speaker, this is not about race. This is about the aloha spirit. This is about the rainbow State of Hawaii. This is about Native Hawaiians who give us the host culture and the fundamental sense of who we are as human beings. And the diversity that defines us in Hawaii that does not divide us is the kind of diversity and definition we need in this House of Representatives, that we need in the United States of America.

This is Hawaii's gift to the United States. It is its gift to the world, the spirit of aloha. And in that same spirit of aloha, I ask for a vote favorably on behalf of the Native Hawaiian recognition bill.

The SPEAKER pro tempore. All time for debate on the bill has expired.

REPORT ON RESOLUTION PROVIDING FOR CONSIDERATION OF H.R. 4626, HEALTH INSURANCE INDUSTRY FAIR COMPETITION ACT

Mr. HASTINGS of Florida, from the Committee on Rules, submitted a privileged report (Rept. No. 111–418) on the resolution (H. Res. 1098) providing for consideration of the bill (H.R. 4626) to restore the application of the Federal antitrust laws to the business of health insurance to protect competition and consumers, which was referred to the House Calendar and ordered to be printed.

NATIVE HAWAIIAN GOVERNMENT REORGANIZATION ACT OF 2009—CONTINUED

PART A AMENDMENT IN THE NATURE OF A SUBSTITUTE OFFERED BY MR. ABERCROMBIE

Mr. ABERCROMBIE. Mr. Speaker, I have an amendment in the nature of a substitute made in order under the rule.

The SPEAKER pro tempore. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment in the nature of a substitute printed in part A of House Report 111–413 offered by Mr. ABERCROMBIE:

Strike all after the enacting clause and insert the following:

SECTION 1. SHORT TITLE.

This Act may be cited as the ''Native Hawaiian Government Reorganization Act of 2010''.

SEC. 2. FINDINGS.

Congress finds that—

(1) the Constitution vests Congress with the authority to address the conditions of the indigenous, native people of the United States and the Supreme Court has held that under the Indian Commerce, Treaty, Supremacy, and Property Clauses, and the War Powers, Congress may exercise that power to rationally promote the welfare of the native peoples of the United States so long as the native people are a ''distinctly native community'';

(2) Native Hawaiians, the native people of the Hawaiian archipelago that is now part of the United States, are 1 of the indigenous, native peoples of the United States, and the Native Hawaiian people are a distinctly native community;

(3) the United States has a special political and legal relationship with, and has long enacted legislation to promote the welfare of, the native peoples of the United States, including the Native Hawaiian people;

(4) under the authority of the Constitution, the United States concluded a number of treaties with the Kingdom of Hawaii, and from 1826 until 1893, the United States—

(A) recognized the sovereignty of the Kingdom of Hawaii as a nation;

(B) accorded full diplomatic recognition to the Kingdom of Hawaii; and

(C) entered into treaties and conventions of peace, friendship and commerce with the Kingdom of Hawaii to govern trade, commerce, and navigation in 1826, 1842, 1849, 1875, and 1887;

(5) pursuant to the Hawaiian Homes Commission Act, 1920 (42 Stat. 108, chapter 42), the United States set aside approximately 203,500 acres of land in trust to better address the conditions of Native Hawaiians in the

Federal territory that later became the State of Hawaii and in enacting the Hawaiian Homes Commission Act, 1920, Congress acknowledged the Native Hawaiian people as a native people of the United States, as evidenced by the Committee Report, which notes that Congress relied on the Indian affairs power and the War Powers, including the power to make peace;

(6) by setting aside 203,500 acres of land in trust for Native Hawaiian homesteads and farms, the Hawaiian Homes Commission Act, 1920, assists the members of the Native Hawaiian community in maintaining distinctly native communities throughout the State of Hawaii;

(7) approximately 9,800 Native Hawaiian families reside on the Hawaiian Home Lands, and approximately 25,000 Native Hawaiians who are eligible to reside on the Hawaiian Home Lands are on a waiting list to receive assignments of Hawaiian Home Lands;

(8)(A) in 1959, as part of the compact with the United States admitting Hawaii into the Union, Congress delegated the authority and responsibility to administer the Hawaiian Homes Commission Act, 1920, lands in trust for Native Hawaiians and established a new public trust (commonly known as the ''ceded lands trust''), for 5 purposes, 1 of which is the betterment of the conditions of Native Hawaiians, and Congress thereby reaffirmed its recognition of the Native Hawaiians as a distinctly native community with a direct lineal and historical succession to the aboriginal, indigenous people of Hawaii;

(B) the public trust consists of lands, including submerged lands, natural resources, and the revenues derived from the lands; and

(C) the assets of this public trust have never been completely inventoried or segregated;

(9) Native Hawaiians have continuously sought access to the ceded lands in order to establish and maintain native settlements and distinct native communities throughout the State;

(10) the Hawaiian Home Lands and other ceded lands provide important native land reserves and resources for the Native Hawaiian community to maintain the practice of Native Hawaiian culture, language, and traditions, and for the continuity, survival, and economic self-sufficiency of the Native Hawaiian people as a distinctly native political community;

(11) Native Hawaiians continue to maintain other distinctly native areas in Hawaii, including native lands that date back to the ali'i and kuleana lands reserved under the Kingdom of Hawaii;

(12) through the Sovereign Council of Hawaiian Homelands Assembly and Native Hawaiian homestead associations, Native Hawaiian civic associations, charitable trusts established by the Native Hawaiian ali'i, nonprofit native service providers and other community associations, the Native Hawaiian people have actively maintained native traditions and customary usages throughout the Native Hawaiian community and the Federal and State courts have continuously recognized the right of the Native Hawaiian people to engage in certain customary practices and usages on public lands;

(13) on November 23, 1993, public law 103–150 (107 Stat. 1510) (commonly known as the ''Apology Resolution'') was enacted into law, extending an apology to Native Hawaiians on behalf of the people of the United States for the United States' role in the overthrow of the Kingdom of Hawaii;

(14) the Apology Resolution acknowledges that the overthrow of the Kingdom of Hawaii occurred with the active participation of agents and citizens of the United States, and further acknowledges that the Native Hawaiian people never directly relinquished to the United States their claims to their inherent sovereignty as a people over their national lands, either through the Kingdom of Hawaii or through a plebiscite or referendum;

(15)(A) the Apology Resolution expresses the commitment of Congress and the President—

(i) to acknowledge the ramifications of the overthrow of the Kingdom of Hawaii; and

(ii) to support reconciliation efforts between the United States and Native Hawaiians;

(B) Congress established the Office of Hawaiian Relations within the Department of the Interior with 1 of its purposes being to consult with Native Hawaiians on the reconciliation process; and

(C) the United States has the duty to reconcile and reaffirm its friendship with the Native Hawaiian people because, among other things, the United States Minister and United States naval forces participated in the overthrow of the Kingdom of Hawaii;

(16)(A) despite the overthrow of the Government of the Kingdom of Hawaii, Native Hawaiians have continued to maintain their separate identity as a single distinctly native political community through cultural, social, and political institutions, and to give expression to their rights as native people to self-determination, self-governance, and economic self-sufficiency; and

(B) there is clear continuity between the aboriginal, indigenous, native people of the Kingdom of Hawaii and their successors, the Native Hawaiian people today;

(17) Native Hawaiians have also given expression to their rights as native people to self-determination, self-governance, and economic self-sufficiency—

(A) through the provision of governmental services to Native Hawaiians, including the provision of—

(i) health care services;

(ii) educational programs;

(iii) employment and training programs;

(iv) economic development assistance programs;

(v) children's services;

(vi) conservation programs;

(vii) fish and wildlife protection;

(viii) agricultural programs;

(ix) native language immersion programs;

(x) native language immersion schools from kindergarten through high school;

(xi) college and master's degree programs in native language immersion instruction; and

(xii) traditional justice programs; and

(B) by continuing their efforts to enhance Native Hawaiian self-determination and local control;

(18) Native Hawaiian people are actively engaged in Native Hawaiian cultural practices, traditional agricultural methods, fishing and subsistence practices, maintenance of cultural use areas and sacred sites, protection of burial sites, and the exercise of their traditional rights to gather medicinal plants and herbs, and food sources;

(19) the Native Hawaiian people wish to preserve, develop, and transmit to future generations of Native Hawaiians their lands and Native Hawaiian political and cultural identity in accordance with their traditions, beliefs, customs and practices, language, and social and political institutions, to control and manage their own lands, including ceded lands, and to achieve greater self-determination over their own affairs;

(20) this Act provides a process within the framework of Federal law for the Native Hawaiian people to exercise their inherent rights as a distinct, indigenous, native community to reorganize a single unified Native Hawaiian governing entity for the purpose of giving expression to their rights as a native people to self-determination and self-governance;

(21) Congress—

(A) has declared that the United States has a special political and legal relationship for the welfare of the native peoples of the United States, including Native Hawaiians;

(B) has identified Native Hawaiians as an indigenous, distinctly native people of the United States within the scope of its authority under the Constitution, and has enacted scores of statutes on their behalf; and

(C) has delegated broad authority to the State of Hawaii to administer some of the United States' responsibilities as they relate to the Native Hawaiian people and their lands;

(22) the United States has recognized and reaffirmed the special political and legal relationship with the Native Hawaiian people through the enactment of the Act entitled, ''An Act to provide for the admission of the State of Hawaii into the Union'', approved March 18, 1959 (Public Law 86–3; 73 Stat. 4), by—

(A) ceding to the State of Hawaii title to the public lands formerly held by the United States, and mandating that those lands be held as a public trust for 5 purposes, 1 of which is for the betterment of the conditions of Native Hawaiians; and

(B) transferring the United States responsibility for the administration of the Hawaiian Home Lands to the State of Hawaii, but retaining the exclusive right of the United States to consent to any actions affecting the lands included in the trust and any amendments to the Hawaiian Homes Commission Act, 1920 (42 Stat. 108, chapter 42), that are enacted by the legislature of the State of Hawaii affecting the beneficiaries under the Act;

(23) the United States has continually recognized and reaffirmed that—

(A) Native Hawaiians have a direct genealogical, cultural, historic, and land-based connection to their forebears, the aboriginal, indigenous, native people who exercised original sovereignty over the Hawaiian Islands;

(B) Native Hawaiians have never relinquished their claims to sovereignty or their sovereign lands;

(C) the United States extends services to Native Hawaiians because of their unique status as the native people of a prior-sovereign nation with whom the United States has a special political and legal relationship; and

(D) the special relationship of American Indians, Alaska Natives, and Native Hawaiians to the United States arises out of their status as aboriginal, indigenous, native people of the United States; and

(24) the State of Hawaii supports the reaffirmation of the special political and legal relationship between the Native Hawaiian governing entity and the United States, as evidenced by 2 unanimous resolutions enacted by the Hawaii State Legislature in the 2000 and 2001 sessions of the Legislature and by the testimony of the Governor of the State of Hawaii before the Committee on Indian Affairs of the Senate on February 25, 2003, and March 1, 2005.

SEC. 3. DEFINITIONS.

In this Act:

(1) ABORIGINAL, INDIGENOUS, NATIVE PEOPLE.—The term ''aboriginal, indigenous, native people'' means a people whom Congress has recognized as the original inhabitants of the lands that later became part of the United States and who exercised sovereignty in the areas that later became part of the United States.

(2) APOLOGY RESOLUTION.—The term ''Apology Resolution'' means Public Law 103–150

(107 Stat. 1510), a Joint Resolution extending an apology to Native Hawaiians on behalf of the United States for the participation of agents of the United States in the January 17, 1893, overthrow of the Kingdom of Hawaii.

(3) COMMISSION.—The term ''Commission'' means the Commission established under section 8(b).

(4) COUNCIL.—The term ''Council'' means the Native Hawaiian Interim Governing Council established under section 8(c)(2).

(5) INDIAN PROGRAM OR SERVICE.—

(A) IN GENERAL.—The term ''Indian program or service'' means any federally funded or authorized program or service provided to an Indian tribe (or member of an Indian tribe) because of the status of the members of the Indian tribe as Indians.

(B) INCLUSIONS.—The term ''Indian program or service'' includes a program or service provided by the Bureau of Indian Affairs, the Indian Health Service, or any other Federal agency.

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

(7) INDIGENOUS, NATIVE PEOPLE.—The term ''indigenous, native people'' means the lineal descendants of the aboriginal, indigenous, native people of the United States.

(8) INTERAGENCY COORDINATING GROUP.—The term ''Interagency Coordinating Group'' means the Native Hawaiian Interagency Coordinating Group established under section 6.

(9) NATIVE HAWAIIAN GOVERNING ENTITY.—The term ''Native Hawaiian governing entity'' means the governing entity organized pursuant to this Act by the qualified Native Hawaiian constituents.

(10) NATIVE HAWAIIAN MEMBERSHIP ORGANIZATION.—The term ''Native Hawaiian membership organization'' means an organization that—

(A) serves and represents the interests of Native Hawaiians, has as a primary and stated purpose the provision of services to Native Hawaiians, and has expertise in Native Hawaiian affairs;

(B) has leaders who are elected democratically, or selected through traditional Native leadership practices, by members of the Native Hawaiian community;

(C) advances the cause of Native Hawaiians culturally, socially, economically, or politically;

(D) is a membership organization or association; and

(E) has an accurate and reliable list of Native Hawaiian members.

(11) OFFICE.—The term ''Office'' means the United States Office of Hawaiian Relations established by section 5(a).

(12) QUALIFIED NATIVE HAWAIIAN CONSTITUENT.—For the purposes of establishing the roll authorized under section 8, and prior to the recognition by the United States of the Native Hawaiian governing entity, the term ''qualified Native Hawaiian constituent'' means an individual who the Commission determines has satisfied the following criteria and who makes a written statement certifying that he or she

(A) is—

(i) an individual who is 1 of the indigenous, native people of Hawaii and who is a direct lineal descendant of the aboriginal, indigenous, native people who—

(I) resided in the islands that now comprise the State of Hawaii on or before January 1, 1893; and

(II) occupied and exercised sovereignty in the Hawaiian archipelago, including the area that now constitutes the State of Hawaii; or

(ii) an individual who is 1 of the indigenous, native people of Hawaii and who was eligible in 1921 for the programs authorized by the Hawaiian Homes Commission Act, 1920 (42 Stat. 108, chapter 42), or a direct lineal descendant of that individual;

(B) wishes to participate in the reorganization of the Native Hawaiian governing entity;

(C) is 18 years of age or older;

(D) is a citizen of the United States; and

(E) maintains a significant cultural, social, or civic connection to the Native Hawaiian community, as evidenced by satisfying 2 or more of the following 10 criteria:

(i) Resides in the State of Hawaii.

(ii) Resides outside the State of Hawaii and—

(I)(aa) currently serves or served as (or has a parent or spouse who currently serves or served as) a member of the Armed Forces or as an employee of the Federal Government; and

(bb) resided in the State of Hawaii prior to the time he or she (or such parent or spouse) left the State of Hawaii to serve as a member of the Armed Forces or as an employee of the Federal Government; or

(II)(aa) currently is or was enrolled (or has a parent or spouse who currently is or was enrolled) in an accredited institution of higher education outside the State of Hawaii; and

(bb) resided in the State of Hawaii prior to the time he or she (or such parent or spouse) left the State of Hawaii to attend such institution.

(iii)(I) Is or was eligible to be a beneficiary of the programs authorized by the Hawaiian Homes Commission Act, 1920 (42 Stat. 108, chapter 42), and resides or resided on land set aside as ''Hawaiian home lands'', as defined in such Act; or

(II) Is a child or grandchild of an individual who is or was eligible to be a beneficiary of the programs authorized by such Act and who resides or resided on land set aside as ''Hawaiian home lands'', as defined in such Act.

(iv) Is or was eligible to be a beneficiary of the programs authorized by the Hawaiian Homes Commission Act, 1920 (42 Stat. 108, chapter 42).

(v) Is a child or grandchild of an individual who is or was eligible to be a beneficiary of the programs authorized by the Hawaiian Homes Commission Act, 1920 (42 Stat. 108, chapter 42).

(vi) Resides on or has an ownership interest in, or has a parent or grandparent who resides on or has an ownership interest in, ''kuleana land'' that is owned in whole or in part by a person who, according to a genealogy verification by the Office of Hawaiian Affairs or by court order, is a lineal descendant of the person or persons who received the original title to such ''kuleana land'', defined as lands granted to native tenants pursuant to Haw. L. 1850, p. 202, entitled ''An Act Confirming Certain Resolutions of the King and Privy Council Passed on the 21st day of December, A.D. 1849, Granting to the Common People Allodial Titles for Their Own Lands and House Lots, and Certain Other Privileges'', as amended by Haw. L. 1851, p. 98, entitled ''An Act to Amend An Act Granting to the Common People Allodial Titles for Their Own Lands and House Lots, and Certain Other Privileges'' and as further amended by any subsequent legislation.

(vii) Is, or is the child or grandchild of, an individual who has been or was a student for at least 1 school year at a school or program taught through the medium of the hawaiian language under section 302H–6, Hawaii Revised Statutes, or at a school founded and operated primarily or exclusively for the benefit of Native Hawaiians.

(viii) Has been a member since September 30, 2009, of at least 1 Native Hawaiian membership organization.

(ix) Has been a member since September 30, 2009, of at least 2 Native Hawaiian membership organizations.

(x) Is regarded as Native Hawaiian and whose mother or father is (or if deceased, was) regarded as Native Hawaiian by the Native Hawaiian community, as evidenced by sworn affidavits from two or more qualified Native Hawaiian constituents certified by the Commission as possessing expertise in the social, cultural, and civic affairs of the Native Hawaiian community.

(13) SECRETARY.—The term ''Secretary'' means the Secretary of the Interior.

(14) SPECIAL POLITICAL AND LEGAL RELATIONSHIP.—The term ''special political and legal relationship'' shall refer, except where differences are specifically indicated elsewhere in the Act, to the type of and nature of relationship the United States has with the several federally recognized Indian tribes.

SEC. 4. UNITED STATES POLICY AND PURPOSE.

(a) POLICY.—The United States reaffirms that—

(1) Native Hawaiians are a unique and distinct, indigenous, native people with whom the United States has a special political and legal relationship;

(2) the United States has a special political and legal relationship with the Native Hawaiian people, which includes promoting the welfare of Native Hawaiians;

(3)(A) Congress possesses and hereby exercises the authority under the Constitution, including but not limited to Article I, Section 8, Clause 3, to enact legislation to better the conditions of Native Hawaiians and has exercised this authority through the enactment of—

(i) the Hawaiian Homes Commission Act, 1920 (42 Stat. 108, chapter 42);

(ii) the Act entitled ''an Act to provide for the admission of the State of Hawaii into the Union'', approved March 18, 1959 (Public Law 86–3; 73 Stat. 4); and

(iii) more than 150 other Federal laws addressing the conditions of Native Hawaiians;

(B) other sources of authority under the Constitution for legislation on behalf of the indigenous, native peoples of the United States, including Native Hawaiians, include but are not limited to the Property, Treaty, and Supremacy Clauses, War Powers, and the Fourteenth Amendment, and Congress hereby relies on those powers in enacting this legislation; and

(C) the Constitution's original Apportionment Clause and the 14th Amendment Citizenship and amended Apportionment Clauses also acknowledge the propriety of legislation on behalf of the native peoples of the United States, including Native Hawaiians;

(4) Native Hawaiians have—

(A) an inherent right to autonomy in their internal affairs;

(B) an inherent right of self-determination and self-governance;

(C) the right to reorganize a Native Hawaiian governing entity; and

(D) the right to become economically self-sufficient; and

(5) the United States shall continue to engage in a process of reconciliation and political relations with the Native Hawaiian people.

(b) PURPOSE.—The purpose of this Act is to provide a process for the reorganization of the single Native Hawaiian governing entity and the reaffirmation of the special political and legal relationship between the United States and that Native Hawaiian governing entity for purposes of continuing a government-to-government relationship.

SEC. 5. UNITED STATES OFFICE OF HAWAIIAN RELATIONS.

(a) ESTABLISHMENT.—There is established within the Office of the Secretary the United States Office of Hawaiian Relations.

(b) DUTIES.—The Office shall—

(1) continue the process of reconciliation with the Native Hawaiian people in furtherance of the Apology Resolution;

(2) upon the reaffirmation of the government-to-government relationship between the single Native Hawaiian governing entity and the United States, effectuate and coordinate the special political and legal relationship between the Native Hawaiian governing entity and the United States through the Secretary, and with all other Federal agencies;

(3) provide timely notice to, and consult with, the Native Hawaiian governing entity before taking any actions that may have the potential to significantly affect Native Hawaiian resources, rights, or lands;

(4) work with the Interagency Coordinating Group, other Federal agencies, and the State of Hawaii on policies, practices, and proposed actions affecting Native Hawaiian resources, rights, or lands; and

(5) prepare and submit to the Committee on Indian Affairs and the Committee on Energy and Natural Resources of the Senate and the Committee on Natural Resources of the House of Representatives an annual report detailing the activities of the Interagency Coordinating Group that are undertaken with respect to the continuing process of reconciliation and to effect meaningful consultation with the Native Hawaiian governing entity and may provide recommendations for any necessary changes to Federal law or regulations promulgated under the authority of Federal law.

(c) APPLICABILITY TO DEPARTMENT OF DEFENSE.—This section shall have no applicability to the Department of Defense or to any agency or component of the Department of Defense, but the Secretary of Defense may designate 1 or more officials as liaison to the Office.

SEC. 6. NATIVE HAWAIIAN INTERAGENCY COORDINATING GROUP.

(a) ESTABLISHMENT.—In recognition that Federal programs authorized to address the conditions of Native Hawaiians are largely administered by Federal agencies other than the Department of the Interior, there is established an interagency coordinating group, to be known as the ''Native Hawaiian Interagency Coordinating Group''.

(b) COMPOSITION.—The Interagency Coordinating Group shall be composed of officials, to be designated by the President, from—

(1) each Federal agency whose actions may significantly or uniquely impact Native Hawaiian programs, resources, rights, or lands; and

(2) the Office.

(c) LEAD AGENCY.—

(1) IN GENERAL.—The Department of the Interior and the White House Office of Intergovernmental Affairs shall serve as the leaders of the Interagency Coordinating Group.

(2) MEETINGS.—The Secretary shall convene meetings of the Interagency Coordinating Group.

(d) DUTIES.—The Interagency Coordinating Group shall—

(1) coordinate Federal programs and policies that affect Native Hawaiians or actions by any agency or agencies of the Federal Government that may significantly or uniquely affect Native Hawaiian resources, rights, or lands;

(2) consult with the Native Hawaiian governing entity, through the coordination referred to in paragraph (1), but the consultation obligation established in this provision shall apply only after the satisfaction of all of the conditions referred to in section 8(c)(8); and

(3) ensure the participation of each Federal agency in the development of the report to Congress authorized in section 5(b)(5).

(e) APPLICABILITY TO DEPARTMENT OF DEFENSE.—This section shall have no applicability to the Department of Defense or to any agency or component of the Department of Defense, but the Secretary of Defense may designate 1 or more officials as liaison to the Interagency Coordinating Group.

SEC. 7. DESIGNATION OF DEPARTMENT OF JUSTICE REPRESENTATIVE.

The Attorney General shall designate an appropriate official within the Department of Justice to assist the Office in the implementation and protection of the rights of Native Hawaiians and their political and legal relationship with the United States, and upon the recognition of the Native Hawaiian governing entity as provided for in section 8, in the implementation and protection of the rights of the Native Hawaiian governing entity and its political and legal relationship with the United States.

SEC. 8. PROCESS FOR REORGANIZATION OF NATIVE HAWAIIAN GOVERNING ENTITY AND REAFFIRMATION OF SPECIAL POLITICAL AND LEGAL RELATIONSHIP BETWEEN UNITED STATES AND NATIVE HAWAIIAN GOVERNING ENTITY.

(a) RECOGNITION OF NATIVE HAWAIIAN GOVERNING ENTITY.—The right of the qualified Native Hawaiian constituents to reorganize the single Native Hawaiian governing entity to provide for their common welfare and to adopt appropriate organic governing documents is recognized by the United States.

(b) COMMISSION.—

(1) IN GENERAL.—There is authorized to be established a Commission to be composed of 9 members for the purposes of—

(A) preparing and maintaining a roll of qualified Native Hawaiian constituents; and

(B) certifying that the individuals on the roll of qualified Native Hawaiian constituents meet the definition of qualified Native Hawaiian constituent set forth in section 3.

(2) MEMBERSHIP.—

(A) APPOINTMENT.—

(i) IN GENERAL.—Not later than 180 days after the date of enactment of this Act, the Secretary shall appoint the members of the Commission in accordance with subparagraph (B).

(ii) CONSIDERATION.—In making an appointment under clause (i), the Secretary may take into consideration a recommendation made by any Native Hawaiian membership organization or other entity with expertise and experience in the determination of Native Hawaiian ancestry and lineal descendancy.

(B) REQUIREMENTS.—Each member of the Commission shall demonstrate, as determined by the Secretary—

(i) not less than 10 years of experience in the study and determination of Native Hawaiian genealogy (traditional cultural experience shall be given due consideration); and

(ii) an ability to read and translate into English documents written in the Hawaiian language.

(C) VACANCIES.—A vacancy on the Commission—

(i) shall not affect the powers of the Commission; and

(ii) shall be filled in the same manner as the original appointment.

(3) EXPENSES.—Each member of the Commission shall be allowed travel expenses, including per diem in lieu of subsistence, at rates authorized for employees of agencies under subchapter I of chapter 57 of title 5, United States Code, while away from their homes or regular places of business in the performance of services for the Commission.

(4) DUTIES.—The Commission shall—

(A) prepare and maintain a roll of qualified Native Hawaiian constituents as set forth in subsection (c); and

(B) certify that the individuals on the roll of qualified Native Hawaiian constituents meet the definition of that term as set forth in section 3.

(5) STAFF.—

(A) IN GENERAL.—The Commission may, without regard to the civil service laws (including regulations), appoint and terminate an executive director and such other additional personnel as are necessary to enable the Commission to perform the duties of the Commission.

(B) COMPENSATION.—

(i) IN GENERAL.—Except as provided in clause (ii), the Commission may fix the compensation of the executive director and other personnel without regard to the provisions of chapter 51 and subchapter III of chapter 53 of title 5, United States Code, relating to classification of positions and General Schedule pay rates.

(ii) MAXIMUM RATE OF PAY.—The rate of pay for the executive director and other personnel shall not exceed the rate payable for level V of the Executive Schedule under section 5316 of title 5, United States Code.

(6) DETAIL OF FEDERAL GOVERNMENT EMPLOYEES.—

(A) IN GENERAL.—An employee of the Federal Government may be detailed to the Commission without reimbursement.

(B) CIVIL SERVICE STATUS.—The detail of the employee shall be without interruption or loss of civil service status or privilege.

(7) PROCUREMENT OF TEMPORARY AND INTERMITTENT SERVICES.—The Commission may procure temporary and intermittent services in accordance with section 3109(b) of title 5, United States Code, at rates for individuals that do not exceed the daily equivalent of the annual rate of basic pay prescribed for level V of the Executive Schedule under section 5316 of that title.

(8) EXPIRATION.—The Secretary shall dissolve the Commission upon the reaffirmation of the special political and legal relationship between the Native Hawaiian governing entity and the United States.

(c) PROCESS FOR REORGANIZATION OF NATIVE HAWAIIAN GOVERNING ENTITY.—

(1) ROLL.—

(A) CONTENTS.—The roll shall include the names of the qualified Native Hawaiian constituents who are certified by the Commission to be qualified Native Hawaiian constituents, as defined in section 3.

(B) FORMATION OF ROLL.—Each individual claiming to be a qualified Native Hawaiian constituent shall submit to the Commission documentation in the form established by the Commission that is sufficient to enable the Commission to determine whether the individual meets the definition set forth in section 3; provided that an individual presenting evidence that he or she satisfies the definition in Section 2 of Public Law 103–150 shall be presumed to meet the requirement of section 3(12)(A)(i).

(C) DOCUMENTATION.—The Commission shall—

(i)(I) identify the types of documentation that may be submitted to the Commission that would enable the Commission to determine whether an individual meets the definition of qualified Native Hawaiian constituent set forth in section 3.

(II) recognize an individual's identification of lineal ancestors on the 1890 Census by the Kingdom of Hawaii as a reliable indicia of lineal descent from the aboriginal, indigenous, native people who resided in the islands that now comprise the State of Hawaii on or before January 1, 1893; and

(III) permit elderly Native Hawaiians and other qualified Native Hawaiian constituents lacking birth certificates or other documentation due to birth on Hawaiian Home Lands or other similar circumstances to establish lineal descent by sworn affidavits from 2 or more qualified Native Hawaiian constituents;

(ii) establish a standard format for the submission of documentation and a process to ensure veracity; and

(iii) publish information related to clauses (i) and (ii) in the Federal Register.

(D) CONSULTATION.—In making determinations that each individual proposed for inclusion on the roll of qualified Native Hawaiian constituents meets the definition of qualified Native Hawaiian constituent in section 3, the Commission may consult with bona fide Native Hawaiian membership organizations, agencies of the State of Hawaii, including but not limited to, the Department of Hawaiian Home Lands, the Office of Hawaiian Affairs, and the State Department of Health, and other entities with expertise and experience in the determination of Native Hawaiian ancestry and lineal descendancy.

(E) NOTIFICATION.—The Commission shall—

(i) inform an individual whether they have been deemed by the Commission a qualified Native Hawaiian constituent; and

(ii) inform an individual of a right to appeal the decision if deemed not to be a qualified Native Hawaiian constituent.

(F) CERTIFICATION AND SUBMITTAL OF ROLL TO SECRETARY.—The Commission shall—

(i) submit the roll containing the names of those individuals who meet the definition of qualified Native Hawaiian constituent in section 3 to the Secretary within 2 years from the date on which the Commission is fully composed; and

(ii) certify to the Secretary that each of the qualified Native Hawaiian constituents proposed for inclusion on the roll meets the definition set forth in section 3.

(G) PUBLICATION.—Upon certification by the Commission to the Secretary that those listed on the roll meet the definition of qualified Native Hawaiian constituent set forth in section 3, the Commission shall publish the notice of the certification of the roll in the Federal Register, notwithstanding pending appeals pursuant to subparagraph (H).

(H) APPEAL.—The Secretary, in consultation with the Commission, shall establish a mechanism for an administrative appeal for any person whose name is excluded from the roll who claims to meet the definition of qualified Native Hawaiian constituent in section 3.

(I) PUBLICATION; UPDATE.—The Commission shall—

(i) publish the notice of the certification of the roll regardless of whether appeals are pending;

(ii) update the roll and provide notice of the updated roll on the final disposition of any appeal;

(iii) update the roll to include any person who has been certified by the Commission as meeting the definition of qualified Native Hawaiian constituent in section 3 after the initial publication of the roll or after any subsequent publications of the roll; and

(iv) provide a copy of the roll and any updated rolls to the Council.

(J) EFFECT OF PUBLICATION.—The publication of the initial and updated roll shall serve as the basis for the eligibility of qualified Native Hawaiian constituents whose names are listed on those rolls to participate in the reorganization of the Native Hawaiian governing entity.

(2) ORGANIZATION OF COUNCIL.—

(A) ORGANIZATION.—The Commission, in consultation with the Secretary, shall hold a minimum of 3 meetings, and each meeting shall be at least 2 working days, of the qualified Native Hawaiian constituents listed on the roll established under this section—

(i) to develop criteria for candidates to be elected to serve on the Council;

(ii) to determine the structure of the Council, including the number of Council members; and

(iii) to elect members from individuals listed on the roll established under this subsection to the Council.

(B) POWERS.—

(i) IN GENERAL.—The Council—

(I) shall represent those listed on the roll established under this section in the implementation of this Act; and

(II) shall have no powers other than powers given to the Council under this Act.

(ii) FUNDING.—The Council may enter into a contract with, or obtain a grant from, any Federal or State agency to carry out clause (iii).

(iii) ACTIVITIES.—

(I) IN GENERAL.—The Council shall conduct, among the qualified Native Hawaiian constituents listed on the roll established under this subsection, a referendum for the purpose of determining the proposed elements of the organic governing documents of the Native Hawaiian governing entity, including but not limited to

(aa) the proposed criteria for future membership in the Native Hawaiian governing entity, provided that membership is voluntary and can be relinquished;

(bb) the proposed powers and authorities to be exercised by the Native Hawaiian governing entity, as well as the proposed privileges and immunities of the Native Hawaiian governing entity;

(cc) the proposed civil rights and protection of the rights of the citizens of the Native Hawaiian governing entity and all persons affected by the exercise of governmental powers and authorities of the Native Hawaiian governing entity, including the rights protected under section 202 of the Indian Civil Rights Act of 1968 (25 U.S.C. 1302);

(dd) the protection and preservation of the rights vested on the date of enactment of this Act of those Native Hawaiians who are eligible to reside on the Hawaiian homelands under the authority of the Hawaiian Homes Commission Act, 1920 (42 Stat. 108, chapter 42); and

(ee) other issues determined appropriate by the Council.

(II) DEVELOPMENT OF ORGANIC GOVERNING DOCUMENTS.—Based on the referendum, the Council shall develop proposed organic governing documents for the Native Hawaiian governing entity and may seek technical assistance from the Secretary on the draft organic governing documents to ensure that the draft organic governing documents comply with this Act and other Federal law.

(III) DISTRIBUTION.—The Council shall publish to all qualified Native Hawaiian constituents of the Native Hawaiian governing entity listed on the roll published under this subsection notice of the availability of—

(aa) a copy of the proposed organic governing documents, as drafted by the Council; and

(bb) a brief impartial description of the proposed organic governing documents;

(IV) ELECTIONS.—

(aa) IN GENERAL.—Not sooner than 180 days after the proposed organic governing documents are drafted and distributed, the Council, with the assistance of the Secretary, shall hold elections for the purpose of ratifying the proposed organic governing documents.

(bb) PURPOSE.—The Council, with the assistance of the Secretary, shall hold the election for the purpose of ratifying the proposed organic governing documents 60 days after publishing notice of an election.

(cc) OFFICERS.—On certification of the organic governing documents by the Secretary in accordance with paragraph (4), the Council, with the assistance of the Secretary, shall hold elections of the officers of the Native Hawaiian governing entity pursuant to paragraph (5).

(3) SUBMITTAL OF ORGANIC GOVERNING DOCUMENTS.—Following the reorganization of the Native Hawaiian governing entity and the adoption of organic governing documents, the Council shall submit the organic governing documents of the Native Hawaiian governing entity to the Secretary.

(4) CERTIFICATIONS.—

(A) IN GENERAL.—Within the context of the future negotiations to be conducted under the authority of section 9(c)(1), and the subsequent actions by the Congress and the State of Hawaii to enact legislation to implement the agreements of the 3 governments, not later than 180 days, which may be extended an additional 90 days if the Secretary deems necessary, after the date on which the Council submits the organic governing documents to the Secretary, the Secretary shall certify or decline to certify that the organic governing documents—

(i) establish the criteria for membership in the Native Hawaiian governing entity and provide that membership is voluntary and can be relinquished;

(ii) were adopted by a majority vote of those qualified Native Hawaiian constituents whose names are listed on the roll published by the Secretary and who voted in the election;

(iii) provide authority for the Native Hawaiian governing entity to negotiate with Federal, State, and local governments, and other entities;

(iv) provide for the exercise of inherent and other appropriate governmental authorities by the Native Hawaiian governing entity;

(v) prevent the sale, disposition, lease, or encumbrance of lands, interests in lands, or other assets of the Native Hawaiian governing entity without the consent of the Native Hawaiian governing entity;

(vi) provide for the protection of the civil rights of the citizens of the Native Hawaiian governing entity and all persons affected by the exercise of governmental powers and authorities by the Native Hawaiian governing entity, including the rights protected under section 202 of the Indian Civil Rights Act of 1968 (25 U.S.C. 1302);

(vii) provide for the protection and preservation of the rights vested on the date of enactment of this Act of those Native Hawaiians who are eligible to reside on the Hawaiian homelands under the authority of the Hawaiian Homes Commission Act, 1920 (42 Stat. 108, chapter 42); and

(viii) are consistent with applicable Federal law.

(B) RESUBMISSION IN CASE OF NONCOMPLIANCE.—

(i) RESUBMISSION BY THE SECRETARY.—If the Secretary determines that the organic governing documents, or any part of the documents, do not meet all of the requirements set forth in subparagraph (A), the Secretary shall resubmit the organic governing documents to the Council, along with a justification for each of the Secretary's findings as to why the provisions are not in full compliance.

(ii) AMENDMENT AND RESUBMISSION OF ORGANIC GOVERNING DOCUMENTS.—If the organic governing documents are resubmitted to the Council by the Secretary under clause (i), the Council shall—

(I) amend the organic governing documents to ensure that the documents meet all the

requirements set forth in subparagraph (A); and

(II) resubmit the amended organic governing documents to the Secretary for certification in accordance with this paragraph.

(C) CERTIFICATIONS DEEMED MADE.—The certifications under this paragraph shall be deemed to have been made if the Secretary has not acted within 180 days after the date on which the Council has submitted the organic governing documents of the Native Hawaiian governing entity to the Secretary.

(5) ELECTIONS.—On completion of the certifications by the Secretary under paragraph (4), the Council, with the assistance of the Secretary, shall hold elections of the officers of the Native Hawaiian governing entity.

(6) PROVISION OF ROLL.—The Council shall provide a copy of the roll of qualified Native Hawaiian constituents to the governing body of the Native Hawaiian governing entity.

(7) TERMINATION.—The Council shall cease to exist and shall have no power or authority under this Act after the officers of the governing body who are elected as provided in paragraph (5) are installed.

(8) REAFFIRMATION.—Notwithstanding any other provision of law, the special political and legal relationship between the United States and the Native Hawaiian people is hereby reaffirmed and the United States extends Federal recognition to the Native Hawaiian governing entity as the representative sovereign governing body of the Native Hawaiian people after—

(A) the approval of the organic governing documents by the Secretary under subparagraph (A) or (C) of paragraph (4); and

(B) the officers of the Native Hawaiian governing entity elected under paragraph (5) have been installed.

SEC. 9. REAFFIRMATION OF DELEGATION OF FEDERAL AUTHORITY TO STATE OF HAWAII; GOVERNMENTAL AUTHORITY AND POWER; NEGOTIATIONS; CLAIMS.

(a) REAFFIRMATION.—The delegation by the United States of authority to the State of Hawaii to address the conditions of the indigenous, native people of Hawaii contained in the Act entitled ''An Act to provide for the admission of the State of Hawaii into the Union'', approved March 18, 1959 (Public Law 86–3; 73 Stat. 4), is reaffirmed.

(b) GOVERNMENTAL AUTHORITY AND POWER.—

(1) IN GENERAL.—Consistent with the policies of the United States set forth in section 4(a)(4), the Native Hawaiian governing entity shall be vested with the inherent powers and privileges of self-government of a native government under existing law, except as set forth in this Act. Said powers and privileges may be modified by agreement between the Native Hawaiian governing entity, the United States, and the State of Hawaii pursuant to the negotiations authorized in subsection (c)(1), and subject to the enactment of implementing legislation and to the limit described by section 10(a).

(2) MEMBERSHIP.—Once the United States extends Federal recognition to the Native Hawaiian governing entity, the United States will recognize and affirm the Native Hawaiian governing entity's inherent power and authority to determine its own membership criteria, to determine its own membership, and to grant, deny, revoke, or qualify membership without regard to whether any person was or was not deemed to be a qualified Native Hawaiian constituent under this Act. The Native Hawaiian governing entity must provide that membership in the Native Hawaiian governing entity is voluntary and can be relinquished.

(c) NEGOTIATIONS.—

(1) IN GENERAL.—Upon the reaffirmation of the special political and legal relationship between the United States and the Native Hawaiian governing entity, the United States and the State of Hawaii may enter into negotiations with the Native Hawaiian governing entity designed to lead to an agreement or agreements addressing such matters as—

(A) the transfer of State of Hawaii lands and surplus Federal lands, natural resources, and other assets, and the protection of existing rights related to such lands or resources;

(B) the exercise of governmental authority over any transferred lands, natural resources, and other assets, including land use;

(C) the exercise of civil and criminal jurisdiction;

(D) the exercise of the authority to tax and other powers and authorities that are recognized by the United States as powers and authorities typically exercised by governments representing indigenous, native people of the United States;

(E) any residual responsibilities of the United States and the State of Hawaii; and

(F) grievances regarding assertions of historical wrongs committed against Native Hawaiians by the United States or by the State of Hawaii.

(2) AMENDMENTS TO EXISTING LAWS.—Upon agreement on any matter or matters negotiated with the United States or the State of Hawaii, and the Native Hawaiian governing entity, the parties may submit—

(A) to the Committee on Indian Affairs of the Senate, the Committee on Energy and Natural Resources of the Senate, and the Committee on Natural Resources of the House of Representatives recommendations for proposed amendments to Federal law that will enable the implementation of agreements reached between the governments; and

(B) to the Governor and the legislature of the State of Hawaii, recommendations for proposed amendments to State law that will enable the implementation of agreements reached between the governments.

(3) During the period between the reaffirmation of the special political and legal relationship between the United States and the Native Hawaiian governing entity, and the subsequent enactment of legislation to implement the agreement or agreements negotiated under paragraph (1):

(A) There shall be no Indian country within the State of Hawaii.

(B) The United States shall not take land in trust for the benefit of the Native Hawaiian governing entity or for the benefit of members of the Native Hawaiian governing entity.

(C) The United States shall not restrict the alienability of land owned by the Native Hawaiian governing entity.

(D) Members of the Native Hawaiian governing entity shall continue to be subject to the civil and criminal jurisdiction of Federal and State courts.

(E) Nothing in this Act alters or preempts the existing legislative, regulatory, or taxation authority of the State of Hawaii over individuals who are members of the Native Hawaiian governing entity or over property owned by those individuals.

(F) The Native Hawaiian governing entity shall not exercise criminal, civil, adjudicative, legislative, regulatory, or taxation authority or jurisdiction over individuals who are not members of the Native Hawaiian governing entity without their express consent.

(G) The Native Hawaiian governing entity shall not exercise criminal, civil, adjudicative, legislative, regulatory, or taxation authority or jurisdiction over corporations or other associations or entities that are owned wholly or in majority part by persons who are not members of the Native Hawaiian governing entity without their express consent.

(H) The Native Hawaiian governing entity shall be immune from any lawsuit in any Federal or State court, with the exception described in section 10(c)(3) and the exceptions set forth in clauses (i) through (iii) of this subparagraph.

(i) The Native Hawaiian governing entity may waive its sovereign immunity, provided that it does so clearly and unequivocally.

(ii) The Native Hawaiian governing entity shall not be immune from any lawsuit brought by the United States in any Federal court.

(iii) Real property owned in fee simple by the Native Hawaiian governing entity shall not be immune from any in rem action filed by the State of Hawaii.

(I) Governmental, nonbusiness, noncommercial activities undertaken by the Native Hawaiian governing entity, or by a corporation or other association or entity wholly owned by the Native Hawaiian governing entity, shall not be subject to the regulatory or taxation authority of the State of Hawaii, provided that nothing in this subparagraph shall exempt any natural person (except an officer or employee of the Native Hawaiian governing entity, acting within the scope of his or her authority), from the regulatory, taxation, or other authority of the State of Hawaii. In determining whether an activity is covered by this subparagraph, due consideration shall be given to the constraints described in subparagraphs (A), (F), and (G).

(J) Commercial or business activities undertaken by the Native Hawaiian governing entity, or by a corporation or other association or entity owned, operated, or sponsored by the Native Hawaiian governing entity, shall be subject to the regulatory and taxation authority of the State of Hawaii to the same extent as commercial or business activities undertaken by others.

(K) Subject to subparagraph (I), activities conducted on real property owned by, leased by, or subject to the control of the Native Hawaiian governing entity shall be subject to the regulatory and taxation authority of the State of Hawaii to the same extent as activities conducted on real property owned by, leased by, or subject to the control of others.

(L) Subject to subparagraph (O), real property owned by, leased by, or subject to the control of the Native Hawaiian governing entity, and development of such property, shall be subject to the regulatory and taxation authority of the State of Hawaii to the same extent as real property owned by, leased by, or subject to the control of others.

(M) Any commercial or business corporation or other commercial or business association or entity owned, operated, or sponsored by the Native Hawaiian governing entity shall be subject to the regulatory and taxation authority of the State of Hawaii to the same extent as commercial and business corporations and other commercial and business associations and entities owned, operated, or sponsored by others.

(N) Any specific power, authority, or restriction set forth in this paragraph shall expire upon enactment of legislation that implements an agreement or agreements negotiated under paragraph (1) and that expressly replaces or alters such power, authority, or restriction.

(O) Nothing in this paragraph diminishes any right or immunity (including any immunity from State or local taxation) granted to Native Hawaiians or their property by the Hawaiian Homes Commission Act, 1920 (42 Stat. 108, chapter 42), the Act entitled ''An Act to provide for the admission of the State of Hawaii into the Union'', approved March 18, 1959 (Public Law 86–3; 73 Stat. 4), or sections 10001 through 10004 of the Department of Defense Appropriations Act, 1994 (sections

10001 through 1004 of Public Law 103–139; 107 Stat. 1418, 1480 (1993)).

(4) Nothing in paragraph (3) should be interpreted as establishing any presumption about the powers or authorities that could properly be exercised by the United States, the State of Hawaii, or the Native Hawaiian governing entity after further legislation, including legislation enacted to implement any agreement negotiated under this subsection.

(d) CLAIMS.—Nothing in this Act—

(1) alters existing law, including case law, regarding obligations of the United States or the State of Hawaii relating to events or actions that occurred prior to recognition of the Native Hawaiian governing entity;

(2) creates, enlarges, revives, modifies, diminishes, extinguishes, waives, or otherwise alters any Federal or State claim or cause of action against the United States or its officers or the State of Hawaii or its officers or any other person or entity, or any defense (including the defense of statute of limitations) to any such claim or cause of action, except in the case of claims or causes of action challenging the constitutionality or legality of programs benefitting Native Hawaiians to the extent that this Act creates or enlarges any defense to any such claim or cause of action;

(3) amends section 2409a of title 28, United States Code (commonly known as the ''Quiet Title Act''), chapter 171 of title 28, United States Code (commonly known as the ''Federal Tort Claims Act''), section 1491 of title 28, United States Code (commonly known as the ''Tucker Act''), section 1505 of title 28, United States Code (commonly known as the ''Indian Tucker Act''), the Hawaii Organic Act (31 Stat. 141), or any other Federal statute, except as expressly amended by this Act; or

(4) alters the sovereign immunity of the United States or of the State of Hawaii.

SEC. 10. APPLICABILITY OF CERTAIN FEDERAL LAWS.

(a) INDIAN GAMING REGULATORY ACT.—

(1) IN GENERAL.—The Native Hawaiian governing entity and Native Hawaiians may not conduct gaming activities as a matter of claimed inherent authority or under the authority of any Federal law, including the Indian Gaming Regulatory Act (25 U.S.C. 2701 et seq.) or under any regulations thereunder promulgated by the Secretary or the National Indian Gaming Commission.

(2) APPLICABILITY.—The prohibition contained in paragraph (1) regarding the use of Indian Gaming Regulatory Act (25 U.S.C. 2701 et seq.) and inherent authority to game applies regardless of whether gaming by Native Hawaiians or the Native Hawaiian governing entity would be located on land within the State of Hawaii or within any other State or territory of the United States.

(b) SINGLE GOVERNING ENTITY.—This Act will result in the recognition of the single Native Hawaiian governing entity. Additional Native Hawaiian groups shall not be eligible for acknowledgment pursuant to the Federal Acknowledgment Process set forth in part 83 of title 25, Code of Federal Regulations, or any other administrative acknowledgment or recognition process.

(c) INDIAN PROGRAMS, SERVICES, AND LAWS.—

(1) IN GENERAL.—Notwithstanding any other provision of this Act, nothing in this Act extends eligibility for any Indian program or service to the Native Hawaiian governing entity or its members unless a statute governing such a program or service expressly provides that Native Hawaiians or the Native Hawaiian governing entity is eligible for such program or service. Nothing in this Act affects the eligibility of any person for any program or service under any statute or law in effect before the date of enactment of this Act.

(2) APPLICABILITY OF OTHER TERMS.—Subject to paragraph (3), in Federal statutes or regulations in force prior to the United States recognition of the Native Hawaiian governing entity, the terms ''Indian'' and ''Native American'', and references to Indian tribes, bands, nations, pueblos, villages, or other organized groups or communities, shall not apply to the Native Hawaiian governing entity or its members, unless the Federal statute or regulation expressly applies to Native Hawaiians or the Native Hawaiian governing entity.

(3) INDIAN CIVIL RIGHTS ACT OF 1968.—The Council and the Native Hawaiian governing entity shall be subject to sections 201 through 203 of the Indian Civil Rights Act of 1968 (25 U.S.C. 1301–1303). Nothing in such Act, and nothing in this paragraph, shall be interpreted to expand the powers and authorities of the Council or the Native Hawaiian governing entity that are described elsewhere in this Act.

(d) REAL PROPERTY TRANSFERS.—Section 2116 of the Revised Statutes (commonly known as the ''Indian Trade and Intercourse Act'') (25 U.S.C. 177) does not apply to any purchase, grant, lease, or other conveyance of lands, or of any title or claim thereto, from Native Hawaiians, Native Hawaiian entities, or the Kingdom of Hawaii that occurred prior to the date of the United States' recognition of the Native Hawaiian governing entity.

SEC. 11. SEVERABILITY.

If any section or provision of this Act is held invalid, it is the intent of Congress that the remaining sections or provisions shall continue in full force and effect.

SEC. 12. AUTHORIZATION OF APPROPRIATIONS.

There are authorized to be appropriated such sums as are necessary to carry out this Act.

The SPEAKER pro tempore. Pursuant to House Resolution 1083, the gentleman from Hawaii (Mr. ABERCROMBIE) and a Member opposed each will control 15 minutes.

The Chair recognizes the gentleman from Hawaii.

Mr. ABERCROMBIE. Mr. Speaker, in support of our substitute amendment, the amendment ensures that the Native Hawaiian governing entity will have the same governmental authorities and sovereign immunity of other native governments.

The Abercrombie amendment, the substitute amendment, follows centuries of well-established Federal law. The amendment is supported by the National Congress of American Indians, the Alaska Federation of Natives and other tribal organizations. President Obama supports the substitute amendment, and I quote, ''as it adds important clarifications to craft a durable pathway forward.''

Mr. Speaker, the amendment in the nature of a substitute further clarifies that pending negotiations and subsequent implementation legislation with that, the following will occur: There will be no Indian Country within Hawaii. The United States will not take land into trust nor restrict alien ability of land owned by the Native Hawaiian governing entity. The governing entity may not exercise certain powers and authorities such as jurisdiction over non-Native Hawaiian individuals without their consent. And the State of Hawaii will retain regulatory and taxation authority over Native Hawaiians and the Native Hawaiian governing entity.

Mr. Speaker, the Native Hawaiian government reorganization does as follows: Establishes a process for the recognition of a single Native Hawaiian governing entity; establishes a U.S. office for Native Hawaiian relations in the Department of the Interior to consult with other Federal agencies and the State of Hawaii; establishes a Native Hawaiian interagency coordinating group; authorizes United States-State of Hawaii Native Hawaiian governing entity negotiations based on the following: the transfer of lands, natural resources and other assets; the exercise of governmental authority over any lands or resources; the exercise of civil and criminal jurisdiction; and grievances regarding assertions of historical wrongs committed against the Native Hawaiians by the United States or the State of Hawaii. It prohibits gaming by Native Hawaiian governing entities and Native Hawaiians. It prohibits the Native Hawaiian governing entity from being eligible for any new Indian programs to which they are not already included.

Let me say then, in conclusion, what the Native Hawaiian Government Reorganization Act does not do. It does not recognize the Native Hawaiian government upon passage of this bill. It does not exempt the Native Hawaiian government from any provision of the U.S. Constitution. It does not exempt the Native Hawaiian government from any provision of Federal law. It does not exempt the Native Hawaiian governing entity from taxation. It does not authorize a Native Hawaiian government entity to secede. It does not alter the civil or criminal jurisdiction of the United States or the State of Hawaii. And finally, it does not allow for the transfer of land or any authority of land to a Native Hawaiian governing entity.

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

Mr. HASTINGS of Washington. I rise in opposition to the amendment.

The SPEAKER pro tempore. The gentleman is recognized for 15 minutes.

Mr. HASTINGS of Washington. I yield myself as much time as I may consume.

(Mr. HASTINGS of Washington asked and was given permission to revise and extend his remarks.)

Mr. HASTINGS of Washington. Mr. Speaker, I rise in opposition to this amendment. As I said in my opening statement, this amendment was crafted in a manner that has become the hallmark of this Democrat-led House, this behind closed doors, with very little time for the American people or the people of Hawaii to review it. It has been available for public review, Mr. Speaker, for less than 48 hours.

Just last night, Hawaii's Governor, Linda Lingle, a strong supporter of Native Hawaiian recognition, announced her opposition to this substitute.

As introduced, the basic bill, H.R. 2314, provides that matters such as transferring lands and preempting Federal and State civil, criminal, and tax jurisdiction must be subject to negotiation with and the consent of the State of Hawaii and the U.S. Congress.

But this substitute short circuits that public process. It immediately preempts the State of Hawaii's jurisdiction over civil, tax, and possibly criminal matters. All the Native Hawaiian entity would have to do is undertake any activity in the name of an official government action and immunity from the State authority applies.

The substitute makes a number of major revisions, all written in secret, away from public view. And let me, Mr. Speaker, just highlight a few:

It creates a new membership criteria that is six pages in length. They do not require one to reside in Hawaii to be a member of this newly created entity.

Second, these six pages of membership criteria are ultimately meaningless. Once the governing entity is formally recognized, it may discard these criteria and grant, deny, or revoke membership for any reason.

In the substitute, section 6C–1 establishes the White House as the lead agency to implement this act.

□ 1900

Mr. Speaker, this unreasonably injects the political operatives of the White House into the formation of the governing entity.

A new section 7 also requires the Attorney General to assign a Department of Justice attorney to assist and protect the government entity. This will wrongfully color the objectivity of the Justice Department when a challenge of the constitutionality of this act is inevitably made. And, Mr. Speaker, I am convinced there will be one made.

Mr. Speaker, there are fundamental changes from the original bill that deserve more scrutiny than we can provide on the House floor today because we've only had, as I mentioned, 48 hours to look at it.

But let me repeat that perhaps the most objectionable provisions are the ones in which the race-based entity is immunized from lawsuits in any Federal or State court, and shielded from State civil, tax, and possibly criminal jurisdiction.

Now, I realize this debate has been going on. I realize the gentleman from Hawaii (Mr. ABERCROMBIE) has attempted to accommodate the objections of Governor Lingle and the Attorney General of Hawaii, and he should really be commended for that effort. But the accommodations, at least thus far, do not resolve their fundamental problems with this bill, which is the preemption of State civil, taxation, and possibly criminal jurisdiction without the consent of the State.

Governor Lingle, as I mentioned, last night formally announced her opposition to this substitute. In referring to the changes made by the substitute, the Governor said, ''I do not believe such a structure, of two completely different sets of rules—one for 'governmental' activities of the Native Hawaiian governing entity and its officers and employees, and one for everyone else—makes sense for Hawaii.''

Mr. Speaker, perhaps this impasse could have been avoided if the Governor and the Attorney General had been privy to those negotiations, at least to the details where they could or could not agree. But, again, those decisions were kept from these people apparently because they did not agree with this substitute.

Mr. Speaker, then what will be the practical result of this substitute if it becomes law? Does it mean the native entity can construct a government building for its officers and employees in violation of State zoning laws? Does it permit the entity to discharge waste material in violation of State law? Will it prevent anyone from enforcing contracts made with the entity?

Mr. Speaker, if this bill becomes law, those questions are left unanswered. And so perhaps we will learn the answers to these questions after it's too late. The State will be unable to enforce its laws and regulations over the entity because of the new provisions in this substitute.

Mr. Speaker, I just want to emphasize this point. It is not reasonable to roll over the sovereign rights of a State. And it is especially not reasonable when the Governor of that State, in this case Governor Lingle—who has long been a proponent of the principles embodied in this issue—disagrees and cannot support the amendment in the nature of a substitute that we are discussing here tonight.

For these reasons, Mr. Speaker, I urge and ask my colleagues to vote ''no'' on this substitute.

STATEMENT BY GOVERNOR LINDA LINGLE ON THE NATIVE HAWAIIAN GOVERNMENT REORGANIZATION ACT

''For more than seven years, my administration and I have strongly supported recognition for Native Hawaiians and supported the Akaka Bill.

''We have supported a bill that would set up a process of recognition first, followed by negotiations between the Native Hawaiian governing entity, the State of Hawai'i, and the United States. Once that was completed, it would be followed by the Native Hawaiian governing entity's exercise of governmental powers and authorities.

''Amendments made to the bill in December 2009 turned that process around. The current bill establishes that the Native Hawaiian governing entity would start with broad governmental powers and authorities, with negotiations to follow.

''Although I believe the original plan to negotiate first makes more sense, my administration has tried to work with the Hawai'i Congressional delegation on the new structure to establish governing powers first, with negotiations to follow.

''Ultimately, although we had good and productive discussions, the current draft of the bill is not one I can support.

''The basic problem as I see it, is that in the current version of the bill, the 'governmental' (non-commercial) activities of the Native Hawaiian governing entity, its employees, and its officers, will be almost completely free from State and County regulation, including free from those laws and rules that protect the health and safety of Hawai'i's people, and protect the environment. 'Governmental' activity is a broad undefined term that can encompass almost any non-commercial activity.

''This structure will, in my opinion, promote divisiveness and litigation, rather than negotiation and resolution.

''I do not believe such a structure, of two completely different sets of rules—one for 'governmental' activities of the Native Hawaiian governing entity and its officers and employees, and one for everyone else—makes sense for Hawai'i.

''In addition, under the current bill, the Native Hawaiian governing entity has almost complete sovereign immunity from lawsuits, including from ordinary tort and contract lawsuits, and I do not believe this makes sense for the people of Hawai'i.

''My decision to not support the current version of the Akaka Bill is done with a heavy heart, because I so strongly believe in recognition for Native Hawaiians.

''If the bill in its current form passes the House of Representatives, I would hope it can be amended in the United States Senate.''

I reserve the balance of my time.

Mr. ABERCROMBIE. Mr. Speaker, I yield 3 minutes to the gentleman from American Samoa (Mr. FALEOMAVAEGA).

Mr. FALEOMAVAEGA. Mr. Speaker, I want to say that I fully support the gentleman's substitute amendment, and I want to ask if we could do a little colloquy in the process.

I note with interest there has been several references made by our friends on the opposite side concerning the Hawaii Admissions Act suggesting there was nothing whatsoever that Congress at will, as part of the provisions of the Hawaii Admissions Act, taking care of Native Hawaiians. And I believe this is something that I think our colleagues need to understand a little better, that after the Hawaii Admissions Act, it didn't mean that we just completely forget anything and everything to do with the needs of Native Hawaiians.

Am I correct on that?

Mr. ABERCROMBIE. That is correct.

Mr. FALEOMAVAEGA. I also want to ask my good friend, as you had indicated and our friends have indicated Governor Lingle's opposition to the proposed substitute, am I to perceive that certainly Governor Lingle, with all due respect, is entitled to her opinion and some of the issues affecting the proposed legislation which she has supported for the past 7 years.

Do you see anything that cannot be done in a way that by accepting this proposed substitute we can still take corrective action, whatever it might be, the concerns that she might have later on?

Mr. ABERCROMBIE. Yes. Not everyone may have been on the floor or listening at the time that I indicated that I had a conversation with the Governor this afternoon, and I indicated to her that I would say specifically on the

floor that we have agreed to disagree, that she supports the object of the bill—as has been indicated by Representative HASTINGS quite accurately—but that in this disagreement over how to proceed legislatively, I commented both to her and I've commented on the floor and in conversations private and elsewhere that legislation is a process and that this is not theology. And as a result of it being a legislative process, it may not be perfect in every regard, but I am content and comfortable with the idea that whoever is Governor, including the present Governor for the remainder of her term, that she will not be disadvantaged nor will any other Governor be disadvantaged in any negotiations that take place with the native governing agency.

Mr. FALEOMAVAEGA. There's also been a reference made, I ask my colleague, that the idea of comparing Native Hawaiians to American Indians is somewhat absurd.

I would like to ask the gentleman if such a description, as our friends on the other side have suggested, is totally irrelevant. The fact of the matter is, there are only three truly indigenous aboriginal groupings under the sovereignty of the United States. The American Indians in the 48 continental States that we lived in with some 565 tribes fully recognized; there were some 100 other tribes not recognized, by the way.

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

Mr. ABERCROMBIE. I yield the gentleman 30 additional seconds.

Mr. FALEOMAVAEGA. I thank the gentleman for yielding.

I just want to say 565 tribes are recognized by the Federal Government. Does it stand a chance to suggest that Native Hawaiians cannot be recognized in the same way giving some sense of self-esteem and dignity to the people who are Native Hawaiians to the State of Hawaii?

Mr. ABERCROMBIE. I think the answer from the most practical point of view is the passage of the Hawaiian Homes Act of 1921. The Congress obviously recognized that there was a distinctive entity in the category of Native Hawaiians as a logical extension of the previous constitutional history regarding native people.

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

Mr. HASTINGS of Washington. Mr. Speaker, can I inquire how much time on both sides remains.

The SPEAKER pro tempore. The gentleman from Washington has 8½ minutes, and the gentleman from Hawaii has 8½ minutes.

Mr. HASTINGS of Washington. Mr. Speaker, I will yield myself 3 minutes.

Mr. Speaker, in the exchange between my friend from American Samoa and my friend from Hawaii, the issue was brought up that Governor Lingle was contacted today and that there would be a way to try to satisfy her concerns, and I don't doubt at all that that effort will be tried. Hopefully it will be successful. But let me just review where we were.

When we started the process, when we started this Congress, the original text of H.R. 2314 was something that Governor Lingle endorsed. The Senate bill, which I think was identical or very close, she also endorsed that. But now with the action of the other body, with the Senate in passing what is commonly referred to as the Akaka amendment, which is similar to what we are debating here today, the Governor does not support that.

Now we have the base bill here which the Governor does support, and we're debating now a substitute—which I hope doesn't pass but I am a realist. And it may pass. And now we will have a bill in both Houses or two bills, one in each House, in which the Governor disagrees with.

Now, if you're negotiating in good faith, it would seem to me that you should at least start with the position where the Governor of the affected State is in agreement with what you're trying to do and that's not the case today if the substitute were to pass.

Now, again, I am going to say that I take my good friend from Hawaii at his word that he is going to negotiate. Maybe if he was the only negotiator it could be worked out. I don't know because I don't know what is going on behind those doors. Nobody knows, unfortunately.

Mr. ABERCROMBIE. Will the gentleman yield?

Mr. HASTINGS of Washington. I would be happy to yield to my friend.

Mr. ABERCROMBIE. Perhaps you want to put that in as an amendment, that I should be the negotiator.

Mr. HASTINGS of Washington. Well, reclaiming my time, maybe we could work together on that right now if that would be the case.

Mr. Speaker, I am simply pointing this out because this is evolving into a process, and who is being left out of this process happens to be the elected Governor of the State of Hawaii. And to me that is regretful.

With that, I will reserve my time.

Mr. ABERCROMBIE. Mr. Speaker, I would like to yield 3 minutes to my colleague and good friend from Hawaii, MAZIE HIRONO.

Ms. HIRONO. Mr. Speaker, I rise today in strong support of the Abercrombie substitute amendment.

This amendment reflects a compromise between the Hawaii delegation—who I might add are also duly elected by the people of Hawaii—the State of Hawaii, the Obama administration, Indian Country, and the Native Hawaiian community.

Much has been made of remarks and statements by Hawaii's Governor and Attorney General on the substitute amendment. Let me say that the Hawaii delegation took their concerns, which were first raised in December, very seriously and many of their recommendations are reflected in the Abercrombie substitute before you today.

Under this bill, the Native Hawaiian governing entity will have the same inherent powers—no more, no less—as other native governments possess, namely, American Indians and Alaska Natives. Hawaiians historically have been the object of unjust and unfair treatment at the hands of our government. Why should we perpetuate such treatment?

In seeking to have Native Hawaiians' inherent powers be treated differently from how American Indians and Native Alaskans were treated, the Governor and Attorney General's position opens the door to challenging such powers as exercised by the American Indians and Alaska natives. This is problematic for all native peoples.

While the substitute amendment makes changes to this version of the bill, it has in no way changed the intent of the legislation. This bill remains a path for Native Hawaiians to achieve self-determination as it has been provided to American Indians and Alaska Natives. This has remained a consistent and constant goal of the Hawaiian delegation. After all of the years of work and compromise on this bill, this should be the year that Congress finally seizes the opportunity to provide long-awaited justice to Native Hawaiians.

We all know the previous administration did not support the Akaka bill, and a Presidential veto was likely. But now we have the support of a President who understands and supports the indigenous people of our State.

It is disappointing that when we are on the cusp of reaching a historic milestone in the history of our State and our country, our Governor and Attorney General have withdrawn their support of this bill. But Congress can and should do the right thing by passing this bill. In spite of all of the race-based, technical, and other rhetoric you will hear against this measure, it is high time that Native Hawaiians through this bill can once again embark on a journey of historic proportions.

I urge support of the Abercrombie substitute amendment.

□ 1915

Mr. HASTINGS of Washington. Mr. Speaker, I yield myself 2 minutes. Reference was made to how this would affect the laws of Hawaii.

Let me read from the Abercrombie substitute, page 51, line 1H: The Native American governing entity shall be immune from any lawsuit in any Federal or State court, with some exceptions as I had noted earlier.

On the same page, page 51 of the Abercrombie substitute, line 18: Governmental nonbusiness, noncommercial activities undertaken by the Native Hawaiian government entity shall not be subject to the regulatory or taxation authority of the State of Hawaii.

Now, Mr. Speaker, I am just pointing out this is what the substitute says, and these are the concerns that the Attorney General of the State of Hawaii and the Governor of Hawaii have, because we all know when we are writing laws here that the word ''shall'' as opposed to ''may'' has very, very strong meaning, and in both cases it says ''shall.''

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

Mr. ABERCROMBIE. Mr. Speaker, can you tell us the time remaining on both sides?

The SPEAKER pro tempore. The gentleman from Hawaii has 6 minutes remaining. The gentleman from Washington has 4½ minutes remaining.

Mr. ABERCROMBIE. And the gentleman from Washington has the privilege of closing, does he not?

The SPEAKER pro tempore. That is correct.

Mr. ABERCROMBIE. Mr. Speaker, I yield 1 minute to the Speaker of the House, the Honorable NANCY PELOSI.

Ms. PELOSI. Mr. Speaker, I thank the gentleman for yielding.

I am pleased to have this opportunity to come to the floor today to support Mr. ABERCROMBIE's initiative on behalf of Native Hawaiians. It is a pursuit that he has followed in all of his years in the Congress of the United States.

Aside from the considerable merit of his important legislation, which I fully support his amendment and his substitute and salute the work of Congresswoman HIRONO, too, on behalf of Native Hawaiians and our colleagues gathered here, it is with mixed emotions that I come. I know you will be successful, as you always have been, in looking out for Native Hawaiians.

For over 200 years, my colleagues, Congress, the executive branch, and the Supreme Court have recognized certain legal rights and protections for America's indigenous people. Congress' constitutional authority over indigenous affairs is premised upon their status as the original inhabitants of this Nation. It is the most moral and legal responsibility of Congress to reaffirm a political relationship with the native people of Hawaii. H.R. 2314 will achieve this purpose. The Native American interim governing congress will be established to develop elements of the organic documents and other criteria for the Native Hawaiian governing entity.

You all know, the debate has been going on, what this legislation is about in its specifics, but what it is about in its vision and its values for our country is something that I wanted to join in recognizing.

I also come here to salute Mr. ABERCROMBIE. This is probably—but you never know, Mr. ABERCROMBIE—the last bill he will be part of managing on the floor of the House.

Thank you, Chairman RAHALL, for bringing this important legislation to the floor before Mr. ABERCROMBIE left us. As if we had a choice.

His persistence, his determination, his courage on behalf of the people of Hawaii is well known to us, but the recognition that I want to give him goes beyond the State of Hawaii, the State he proudly represents, because his service to our country is about our entire country.

Whether it is the national security of our country, which he serves to strengthen on the Armed Services Committee, whether it is the beautiful natural patrimony, the beautiful gift that God has given our country in our natural resources that he serves on the Natural Resources Committee, or the rights of indigenous people that he serves on the Natural Resources Committee, NEIL ABERCROMBIE is a true patriot looking out for the people, the values, the beautiful land, and the security of America.

His service in Congress has been marked with great passion for ideas, but also with great intellect, always passionate about his beliefs, always dispassionate about the solutions that make sense for the American people. And what we are talking about here tonight is common sense for the Native Hawaiian people.

So, Mr. ABERCROMBIE, it is bittersweet, quite frankly, to come to the floor to commend you on your leadership on this, probably your last week in the Congress. I wish you well in your pursuits in Hawaii. Perhaps next time we will be calling you Governor Abercrombie, we hope, but also the gratitude of all who served here proud to call you colleague, privileged to call you friend, grateful for your leadership to our country. And I know you are very proud of your service to the great State of Hawaii.

Mr. HASTINGS of Washington. Mr. Speaker, I wonder if I could inquire of my friend from Hawaii if there are any more speakers on their side of the aisle.

Mr. ABERCROMBIE. No. I want to speak one more time, and I will be the final speaker.

Mr. HASTINGS of Washington. I reserve the balance of my time.

Mr. ABERCROMBIE. Mr. Speaker, I would like to enter into the RECORD a letter favoring the legislation, the substitute, from the National Congress of American Indians; the Alaska Federation of Natives; the Council for Native Hawaiian Advancement; the Sovereign Councils of the Hawaiian Homelands Assembly; the President of the Hawaii State Senate, the Honorable Colleen Hanabusa; and the Osage Nation from the Office of the Principal Chief.

NATIONAL CONGRESS OF AMERICAN INDIANS,
February 23, 2010.

Hon. NEIL ABERCROMBIE,
House of Representatives, Longworth House Office Building, Washington, DC.

Hon. Senator DANIEL AKAKA,
U.S. Senate, Hart Senate Office Building, Washington, DC.

Hon. MAZIE HIRONO,
House of Representatives, Longworth House Office Building, Washington, DC.

Hon. DANIEL INOUYE,
U.S. Senate, Hart Senate Office Building, Washington, DC.

DEAR HONORABLE MEMBERS: The National Congress of American Indians fully supports the Native Hawaiian people in their quest for self-determination and self-governance, and has for many years. (See NCAI Resolution PHX–03–004.) This week, the Native Hawaiian Reorganization Act of 2009 (H.R. 2314) is expected to be amended on the floor of the House of Representatives and subsequently passed through Congress.

NCAI supports the amendment as a way to ensure that Congress has a strong basis for treating Native Hawaiians as a distinct native community, and that the Act is constitutionally sound. Through the deliberative process with the Department of Justice, the Senate Committee on Indian Affairs and with legal scholars with expertise in federal Indian policy, Representative Abercrombie's amendment has addressed these concerns.

NCAI has demonstrated repeated commitment to Native Hawaiian self-governance and sovereignty. Over the past ten years, we have passed resolutions and steadfastly supported legislation encouraging the formation of a Native Hawaiian governing entity. NCAI supports Representative Abercrombie's proposed amendment to grant Native Hawaiians the self-determination and self-government they justly deserve.

Sincerely,

JACQUELINE JOHNSON PATA,
Executive Director.

ALASKA FEDERATION OF NATIVES,
Anchorage, AK, February 18, 2010.

Re Letter of support on the substitute amendment to H.R. 2314.

Hon. NEIL ABERCROMBIE,
House of Representatives, Longworth House Office Building, Washington, DC.

Hon. MAZIE K. HIRONO,
House of Representatives, Longworth House Office Building, Washington, DC.

DEAR REPRESENTATIVE ABERCROMBIE AND REPRESENTATIVE HIRONO: On behalf of the membership of the Alaska Federation of Natives (AFN), the oldest and largest statewide Native organization in Alaska, I am writing to express AFN's support for the passage of H.R. 2314, the Native Hawaiian Government Reorganization Act by the United States House of Representatives as soon as possible. It is our understanding that Representative Abercrombie will offer an amendment to H.R. 2314 in the form of a substitute when the U.S. House considers this bill on the floor. The substitute amendment is a product of collaboration between the Obama Administration and Hawaii's Congressional Delegation and will lead to the equitable treatment of Native Hawaiians on an equal footing with Alaska Natives and American Indians. Native Hawaiians are just as indigenous and just as aboriginal as any other Native American group.

We hope that the U.S. House of Representatives will give favorable consideration to H.R. 2314 as it represents more than 20 years of efforts by Native Hawaiians to achieve the status under Federal law that now applies only to the other two groups of indigenous people in our country.

Thank you for your consideration. If you have questions regarding this letter, please call me.

Sincerely,

JULIE KITKA,
President.

COUNCIL FOR NATIVE HAWAIIAN ADVANCEMENT,
Honolulu, Hawaii, February 22, 2010.

Hon. Senator DANIEL INOUYE,
U.S. Senate, Hart Senate Office Bldg., Washington, DC.
Hon. Senator DANIEL AKAKA,
U.S. Senate, Hart Senate Office Bldg., Washington, DC.
Hon. NEIL ABERCROMBIE,
House of Representatives, Longworth House Office Bldg., Washington, DC.
Hon. MAZIE HIRONO,
House of Representatives, Longworth House Office Bldg., Washington, DC.

ALOHA HONORABLE MEMBERS: The Council for Native Hawaiian Advancement (CNHA) unites 106 Native Hawaiian organizations to enhance the cultural, economic and community development of Native Hawaiians. We are an important and engaged policy voice focused entirely on our Native Hawaiian community. The Native Hawaiian Government Reorganization Act has remained one of our top policy issues over the last ten years, since 2000, when we participated in the original working group created by the Hawaii Congressional delegation and chaired by Senator Akaka.

We have conducted over 150 community sessions and convenings on the measure just in the last five years, and we have reviewed and submitted our input on this legislation each and every year over the past ten years. In December of 2009, CNHA strongly supported the substitute amendment passed by the Senate Committee on Indian Affairs. In January 2010 the Office of Hawaiian Affairs and the Attorney General's office requested further review of the substitute amendment and jointly submitted thirty changes for consideration by the Hawaii delegation. While the legislation is intended to express the policy of the federal government as it exists for Native peoples,, to Native Hawaiians, we appreciate your deference and work to review and address the input by the state of Hawaii agencies.

We support the substitute amendment to be brought before the full House of Representatives and the Senate. This legislation is ten years in the making, and is presented to our Congress with tremendous inclusion of a diverse constituency in Hawaii and nationally. Thank you for your hard work to accomplish that which is not new in federal-Native relations, the reaffirmation of Native Hawaiians as Native people to Hawaii, and the inclusion of Native Hawaiians in the federal policy of self-governance granted to American Indians and Alaska Natives.

Sincerely,

ROBIN PUANANI DANNER,
President and CEO.

SOVEREIGN COUNCILS OF THE HAWAIIAN HOMELANDS ASSEMBLY,
Honolulu, HI, February 22, 2010.

Hon. Senator DANIEL INOUYE,
U.S. Senate, Hart Senate Office Bldg., Washington, DC.
Hon. Senator DANIEL AKAKA,
U.S. Senate, Hart Senate Office Bldg., Washington, DC.
Hon. NEIL ABERCROMBIE,
House of Representatives, Longworth House Office Bldg., Washington, DC.
Hon. MAZIE HIRONO,
House of Representatives, Longworth House Office Bldg., Washington, DC.

HONORABLE MEMBERS: The Sovereign Councils of the Hawaiian Homeland Assembly (SCHHA), submits its strong support for the amendment to the Native Hawaiian Government Reorganization Act, as drafted by our Hawaii Congressional delegation. The content of the legislation is the result of input from broad constituencies, including state government officials, Tribal leaders, Native Hawaiian leaders and legal experts in the specialized area of federal Native law.

This measure is the work of ten years, done with extraordinary transparency, bipartisanship and a diligence that is reflected in the amendment drafted. It is time to give this measure an up or down vote in the House of Representatives and the Senate of the United States. Mahalo for your work to express a fair and just measure that extends the policy of self-determination and self-governance to the Native Hawaiian people.

Malama pono,

KAMAKI KANAHELE,
SCHHA Chairman.

STATE OF HAWAII,
STATE CAPITOL,
Honolulu, Hawaii, February 22, 2010.

Hon. Senator DANIEL INOUYE,
Hart Senate Office Building, Washington, DC.
Hon. Senator DANIEL AKAKA,
Hart Senate Office Building, Washington, DC.
Hon. Congressman NEIL ABERCROMBIE,
Longworth House Office Building, Washington, DC.
Hon. Congresswoman MAZIE HIRONO,
Longworth House Office Building, Washington, DC.

ALOHA MEMBERS OF THE HAWAI'I DELEGATION: For twelve years, I have served as a State Senator in Hawai'i's 21st district and for the last three, as Senate President. I am writing to express my full support for Congressman Abercrombie's proposed amendment to the Native Hawaiian Government Reorganization Act of 2009.

Native Hawaiians are our host culture; they are the indigenous people of Hawai'i and are what defines our state and makes Hawai'i what it is today. Native Hawaiian self-governance and self-determination is critical to the vitality of the Native community and to the character and fabric of the State of Hawai'i.

While I fully support the bill as passed by the Senate Committee on Indian Affairs in December 2009, I understand that the delegation has been working to address changes requested by the Hawai'i State Attorney General and the state Office of Hawaiian Affairs. I have reviewed Congressman Abercrombie's proposed amendment and am satisfied that it addresses any legitimate changes that maintain the purpose, integrity and spirit of the reorganization process.

I have followed the issue of federal recognition for Native Hawaiians for ten years, and I believe the proposed substitute amendment expected to be heard before the full House of Representatives is a strong and balanced measure that creates a fair and meaningful process for Native Hawaiians and for the State of Hawai'i.

It is time to pass this measure for our state, that we might reach for a future that does not repeat a difficult past. I'd like to express my sincere thanks to each member of the Hawai'i Congressional Delegation for working tirelessly to advance federal recognition for Native Hawaiians. The balanced measure that is currently before the House and the Senate speaks volumes about your dedication to the State of Hawai'i and Native Hawaiians, as well as your commitment to the notion of justice.

Sincerely,

COLLEEN HANABUSA,
President,
Hawai'i State Senate.

OSAGE NATION,
Pawhuska, OK, February 22, 2010.

Hon. JOHN SULLIVAN,
House of Representatives, Cannon House Office Building, Washington, DC.

DEAR CONGRESSMAN SULLIVAN: The Osage Nation stands firmly with the Native Hawaiian people in their quest for self-determination and we support the Native Hawaiian Government Reorganization Act of 2009 (H.R. 2314). It is a just and balanced bill that brings parity to Native Hawaiians, granting them rights that have been extended to native governments across the country.

As Oklahoma and other states have shown, when Native peoples are provided with the means to exercise self-determination, not only do they rightfully advance the welfare of their own peoples, but they also function as an important economic and job-creating engine for the entire state. We believe that H.R. 2314 provides an empowering and stable structure on which Native Hawaiians can build a prosperous future for their people and for the state of Hawaii.

The Native Hawaiian people have sought passage of this bill for 10 years. It has bipartisan support, including Republican co-sponsors Congressman Tom Cole of Oklahoma and Congressman Don Young of Alaska, who recognize it is time to deliver a fair process for Native Hawaiians to resolve longstanding concerns in their community as we have done in ours. As the Osage Nation can attest, federal recognition is a vital component in advancing the social and economic rights of native peoples.

We ask that you provide Native Hawaiians with an opportunity to exercise the principles of liberty and justice our nation was founded upon—principles which our tribe has been afforded—and support the passage of H.R. 2314.

Sincerely,

JIM GRAY,
Principal Chief.

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

Mr. Speaker, the Hawaii State Attorney General argues that granting the Native Hawaiian governing entity inherent powers could have an adverse impact on Hawaii, and I think that is the thrust, essentially, of the critique that has been made about the legislation this afternoon and this early evening.

In response, Mr. Speaker, I would like to say to the Members, and to yourself, of course, that the current bill language gives the Native Hawaiian governing entity no powers that are currently exercised by other government entities until negotiated. This would prevent the entity from providing general assistance to its members or caring for a needy child, absent the amendment as a substitute.

The substitute amendment resolves this by acknowledging certain inherent powers of the governing entity upon recognition, the same inherent powers that other native governments possess today; no more, no less. This is not, therefore, a radical notion. By definition, this is what Federal recognition does: It acknowledges that an entity is a quasi-sovereign tribal government. The acknowledged inherent powers of the entity are limited by language in the amendment, in the substitute amendment that states, and I quote:

''Nothing in this act shall preempt Federal or State authority over Native Hawaiians or their property under existing law.''

Upon recognition, the entity will have no land akin to Indian country over which it could exercise jurisdiction. Since some inherent powers are tied to having such land, like certain regulatory authorities, the entity will not be able to exercise those powers.

Finally, the negotiations process will further modify the powers and authority of the governing entity by virtue of the negotiation themselves.

Therefore, Mr. Speaker, I request that those Members who have some trepidation about voting for the amendment in the nature of a substitute reflect that we believe, those of us who support it—and it was certainly my intention in offering the amendment to address those concerns in a positive way and in a legislatively viable way.

I would ask at this time in closing, Mr. Speaker, that those Members who come to the floor to vote tonight consider voting for it, and I earnestly solicit the favorable attention of all members in voting for the amendment in the nature of a substitute.

I yield back the balance of my time.

Mr. HASTINGS of Washington. Mr. Speaker, I yield myself the balance of my time.

Mr. Speaker, once again, I want to congratulate and commend my good friend from Hawaii, because I know he has been working on this all the time that he has been here and probably before. But I just fundamentally disagree with the approaches taken with his substitute simply because, at least in the broadest sense, this is the only State that is affected by this legislation, the State of Hawaii.

Why should we push forward when the Governor of this State does not agree with the substitute and when the chief legal officer has some question, apparently—in fact, it is not apparent, it is pretty obvious—with some of the remarks I think that my friend just made as it relates to laws and regulations to the State of Hawaii?

Since this legislation only affects one State, wouldn't it be prudent for this body and representatives of the other 49 States to suggest to the State of Hawaii and all their elected officials, Why don't you come up with something that you can fundamentally agree on? But that has not been the case. It has not been the case in the other body, and, if this substitute passes, it will not be the case in this body. And that disturbs me. That disturbs me that we completely apparently don't want to take into consideration their concerns on issues that affect the citizens of the State of Hawaii.

So it is for those reasons, Mr. Speaker, that I urge my colleagues to vote against the Abercrombie substitute; because if the Abercrombie substitute is defeated, we will now have a bill that the Governor of Hawaii can support. That is a good starting point in future negotiations if the House or the Senate, the other body, were to pass this legislation.

With that, Mr. Speaker, I urge my colleagues to vote ''no'' on the Abercrombie amendment.

I yield back the balance of my time.

The SPEAKER pro tempore. It is now in order to consider the amendments printed in part B of House Report 111–413.

PART B AMENDMENT NO. 1 OFFERED BY MR. HASTINGS OF WASHINGTON

Mr. HASTINGS of Washington. Mr. Speaker, I have an amendment made in order under the rule.

The SPEAKER pro tempore. The Clerk will designate the amendment.

The text of the amendment is as follows:

Part B amendment No. 1 offered by Mr. HASTINGS of Washington:

Strike subparagraphs (A) and (B) of section 8(c)(8), and insert the following:

(A) the approval of the organic governing documents by a statewide popular vote in which all registered voters in the State of Hawaii are eligible to participate;

(B) the approval of the organic governing documents by the Secretary under subparagraph (A) or (C) of paragraph (4); and

(C) the officers of the Native Hawaiian governing entity elected under paragraph (5) have been installed.

The SPEAKER pro tempore. Pursuant to House Resolution 1083, the gentleman from Washington (Mr. HASTINGS) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Washington.

Mr. HASTINGS of Washington. Mr. Speaker, I yield myself 4 minutes.

Mr. Speaker, my amendment simply requires a statewide vote of approval in Hawaii before the Federal recognition is extended to the Native Hawaiian entity.

The use of a statewide vote in Hawaii is not uncommon. For example, it has been used to establish staggered terms for the State Senate, to modify the term length for the State Tax Commission, to issue bonds for private schools, and to establish residency requirements for candidates seeking higher office.

My amendment merely proposes that before Congress changes the civil rights of all Hawaiians and establishes a two-tiered government in Hawaii, one of which is based on an individual's ancestry and race, a vote of all Hawaiians should be held to approve these changes.

The most important statewide vote held in Hawaii occurred in 1959, when 94.3 percent of Hawaiians voted in favor of the Hawaiian Admissions Act in joining the Union as one unified State. When the outcome of the statewide vote was published, there was no footnote indicating that Native Hawaiians would be separated from their neighbors as a distinct political unit.

□ 1930

In fact, there is ample testimony and statements from public officials describing the racial harmony in the melting pot that was and still is Hawaiian culture. This is not to say Native Hawaiians should not have a distinct culture and history though, Mr. Speaker. We all honor and respect their culture and its contributions to all Americans, but this does not mean that there must be a separate legal and political status for them just as there must not be a separate legal and political status for anyone else based on their race and ancestry. It would be a grave mistake for Congress to impose this new separate government affecting the citizens of Hawaii without their consent, as H.R. 2314 proposes to do.

I must point out that even if my amendment is adopted, Mr. Speaker, it will not relieve the serious concerns that many of my colleagues and constitutional experts outside of Congress have with the underlying subject of this legislation, but what this amendment does do is that it puts the question to the people this legislation affects most, the citizens of Hawaii. In 1959, as I said, 94-plus percent of Hawaiians voted for statehood. Today, Hawaiians should be afforded a statewide vote on the question of creating a separate government based on race.

With that, I reserve the balance of my time.

Mr. RAHALL. Mr. Speaker, I rise in opposition to the amendment.

The SPEAKER pro tempore. The gentleman from West Virginia is recognized for 5 minutes.

Mr. RAHALL. Mr. Speaker, the Hastings amendment would require a referendum by all the registered voters of Hawaii for approval of the Native Hawaiian governing entity's organic governing documents.

The Hastings amendment is inconsistent with State law as the State of Hawaii has no mechanism for a statewide referendum, thereby forcing the State of Hawaii to change its laws to comply with the Hastings amendment. This raises the question of it being an unfunded mandate on the State.

The Abercrombie substitute proposes to treat the Native Hawaiian governing entity the same as other native governments. Neither the States nor non-native citizens have the authority to approve the organic governing documents of other Native governments. So I oppose the amendment.

Mr. Speaker, I yield 1½ minutes to the gentlelady from Hawaii (Ms. HIRONO).

Ms. HIRONO. Mr. Speaker, I rise in strong opposition to the Hastings amendment, which is unnecessary and, frankly, insulting to Native Hawaiians.

We can no longer treat Native Hawaiians as any less deserving of Federal recognition than other indigenous people. Citizens of one State don't get to approve or disapprove the laws of another State or proposed amendments to another State's constitution. This is also true of native governments in the United States. Citizens of States that include Indian nations or tribes are not

able to approve or disapprove governing documents of these native governments unless they are also citizens of the native government in question.

This bill provides a process of self-determination for Native Hawaiians by Native Hawaiians. The idea that everyone else in Hawaii should vote on whether they should be allowed to do so is completely contrary to the intent of this bill.

The Hastings amendment undercuts a basic principle in our constitutional principle of government, that citizens have a right to determine their own laws and be governed by those laws. It would set a precedent that could have negative consequences on other native and even State governments.

Put more bluntly, unless you believe that citizens of other States should be able to vote to approve or amend the organic governing documents of your own State, you should oppose the Hastings amendment. I urge my colleagues to do so.

Mr. HASTINGS of Washington. Mr. Speaker, I yield myself 1½ minutes.

Mr. Speaker, just in response, the State of Hawaii can and does hold statewide votes during general elections. Article 17 of the Hawaii Constitution describes the process for holding such votes, and it takes the action of the legislature. This is consistent with Hawaii's political culture.

Since 1994, for example, the State of Hawaii has considered 25 different statewide votes. They include a number of things, and I talked about that in my opening remarks. But Mr. Speaker, I am convinced that if we were to pass this bill, article 17 would come into play, because I believe in all likelihood, because of recent polling, the legislature of Hawaii would say, you know, we have the ability to put this to a vote; maybe we ought to do this since we are creating another governmental entity that has different rules and regulations than the State of Hawaii. That seems self-evident to me. My amendment simply facilitates that by saying that that should happen and it can happen under article 17 of the Hawaiian Constitution.

With that, I reserve the balance of my time.

Mr. RAHALL. Mr. Speaker, may I inquire as to the time remaining?

The SPEAKER pro tempore. The gentleman from West Virginia has 3 minutes remaining. The gentleman from Washington has 1 minute remaining.

Mr. RAHALL. I yield 1 minute to the gentleman from American Samoa (Mr. FALEOMAVAEGA).

Mr. FALEOMAVAEGA. I thank the gentleman for yielding.

I have the utmost respect for my good friend, Mr. HASTINGS, for proposing his amendment, but I do have some very serious concerns about the amendment. In the first place, when we talk about the event that took place in 1959, it was a referendum of whether or not the voters or the people of Hawaii would accept statehood. What we are establishing here is a very dangerous precedent, in my humble opinion, so that for everything now we are going to be referring to referendums to State governments to tell us the will of the people of the State, when in fact this should be done that the Congress expresses that will for collectively all, on behalf of our Federal Government.

So I do oppose the gentleman's amendment.

Mr. HASTINGS of Washington. Mr. Speaker, I yield myself the balance of the time.

The SPEAKER pro tempore. The gentleman is recognized for 1½ minutes.

Mr. HASTINGS of Washington. Let me just make reference to the 1959 vote. The vote was not whether you accept statehood—because if they had voted no, they could not have been a State—the question is whether they wanted statehood. Over 94 percent said yes, they want statehood. So that is a little bit of semantics there, but it is very important.

This issue to me is equally as important because the vote there said we want to become part of the United States as a unified State. This action that we are debating here today could divide the State of Hawaii. They ought to have the opportunity to vote. So I urge my colleagues to vote for the Hastings amendment.

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

Mr. RAHALL. Mr. Speaker, I yield the balance of my time to the gentleman from Hawaii (Mr. ABERCROMBIE).

Mr. ABERCROMBIE. Mr. Speaker, with all due respect to my good colleague and friend, Mr. HASTINGS from Washington State, I have to oppose this amendment because it has no precedent—or indeed any place I believe in Federal law that has been in place for well over 150 years as that law relates to Native governments.

Under our Constitution, the citizens of the United States are the only citizens who are authorized and recognized as having a right to have a say in the laws which govern our Nation, be they Federal statutes or amendments to our Constitution. In a similar manner, the citizens of one State in our Union do not get to weigh in on the laws of another State or any proposed amendments to another State's constitution. Put simply, they cannot vote for changes in the law of a State for which they are not citizens. It goes without saying that foreign governments have no role to play in the formulation of the laws of the United States or the U.S. Constitution.

All of these fundamental principles have in their foundation the fact that each government is a separate sovereign, and only the citizens of that sovereign government may determine what governmental powers and authorities that sovereign government may exercise. It is no different for native governments in the United States.

The largest native government in the United States is the Navajo Nation. It is situated in four States. Because they are not citizens of the Navajo Nation, the non-Navajo citizens of the States of Arizona, New Mexico, Utah and Colorado do not, under our constitutional principles, formulate, amend, or approve the governing documents either of the constitution or the laws of the Navajo Nation.

In like manner, under our Federal statuary and constitutional framework, the non-Indian citizens of Washington State do not have the right to approve the constitution or the laws of the 28 Indian tribal governments in the State of Washington, nor do the citizens of any other State have the right, under our Federal Constitution or Federal laws, to approve the governing documents, the constitutions, of the native governments in their States if they are not citizens of the native government.

I would suggest to my colleagues that they vote down the Hastings amendment on the basis that it is an inherent conflict of interest.

If the gentleman's premise is that without regard to citizenship in a sovereign government, any citizen of the United States should have a right to vote to approve the organic governing documents of another sovereign government, then every American would have a right to determine the laws of every State in the Union. The citizens of Vermont could vote to amend the constitution of the State of California. The citizens of Utah could vote to legalize gaming in another State, even though the laws of Utah criminally prohibit all forms of gaming.

This is counter to our constitutional family of governments in which each sovereign government and its citizens has the right to determine its own laws and be governed by those laws.

I would suggest to my colleagues that to even take a step in this direction would create constitutional chaos in our Federal system as well as in the laws which govern each State and each Native government. This is not one of the fundamental principles on which this country was founded, nor does it have a place in our constitutional system of governments.

The SPEAKER pro tempore. All time for debate on the amendment has expired.

The question is on the amendment by the gentleman from Washington (Mr. HASTINGS) to the amendment in the nature of a substitute offered by the gentleman from Hawaii (Mr. ABERCROMBIE).

The question was taken; and the Speaker pro tempore announced that the noes appeared to have it.

Mr. HASTINGS of Washington. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to section 2 of House Resolution 1083, further proceedings on the amendment offered by the gentleman from Washington will be postponed.

PART B AMENDMENT NO. 2 OFFERED BY MR. FLAKE

Mr. FLAKE. Mr. Speaker, I have an amendment at the desk that has been made in order.

The SPEAKER pro tempore. The Clerk will designate the amendment.

The text of the amendment is as follows:

Part B Amendment No. 2 offered by Mr. FLAKE:

At the end of the bill, add the following:

SEC. ___. APPLICATION OF 14TH AMENDMENT.

Nothing in the Act shall relieve a Native Hawaiian governing authority from complying with the equal protection clause of the 14th amendment to the United States Constitution.

The SPEAKER pro tempore. Pursuant to House Resolution 1083, the gentleman from Arizona (Mr. FLAKE) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Arizona.

Mr. FLAKE. This amendment, I would hope, would not be controversial. It has nothing to do with earmarks either, I'll let everybody know. But it would simply ensure that the equal protection clause, the 14th Amendment of the Constitution, applies to the Native Hawaiian governing authority established by this legislation.

I just want to say how much I admire the gentleman from Hawaii (Mr. ABERCROMBIE). I have worked with him for a number of years on a number of issues and I know that he brings to this debate a lot of hard work and a lot of care. I just want to commend him for that and for all that he does.

I think that this amendment simply clarifies, I would hope, that this does not violate any portion of the Constitution. Now, it has been said here many times by the proponents of the legislation that it does not, but there are still a lot of questions out there. As has been noted, the Governor of Hawaii and the Attorney General do not support this substitute amendment to the bill, and they have repeatedly expressed concerns fearing that it would apply different rules to those under their jurisdiction. I think that if there is any question, that we ought to ensure, at least at a minimum, that we are complying with the 14th Amendment.

The 14th Amendment states, ''All persons born or naturalized in the United States, and subject to the jurisdiction thereof, are citizens of the United States and of the State wherein they reside. No State shall make or enforce any law which shall abridge the privileges or immunities of citizens of the United States; nor shall any State deprive any person of life, liberty or property without due process of law; nor deny to any person within its jurisdiction the equal protection of the laws.''

I should note that on August 28, 2009, the United States Commission on Civil Rights voiced its opposition in a letter to Members of the Congress stating, The Commission recommends against passage of the Native Hawaiian Government Reorganization Act, or any other legislation that would discriminate on the basis of race or national origin and further subdivide the American people into discrete subgroups according to varying degrees of privilege.

And you can have arguments on either side. Proponents will say that this complies with the Constitution. Some question that it may not. And no less authority than the U.S. Commission on Civil Rights has those worries.

So what we are saying here is, why not adopt language that says that it simply complies, or no language in this legislation shall be contrary to the 14th Amendment?

With that, I reserve the balance of my time.

Mr. RAHALL. Mr. Speaker, I rise to claim the time in opposition.

The SPEAKER pro tempore. The gentleman from West Virginia is recognized for 5 minutes.

Mr. RAHALL. Mr. Speaker, this amendment proposes to require the Native Hawaiian governing authority to comply with the equal protection clause of the 14th Amendment. The Abercrombie substitute will correctly treat the Native Hawaiian governing entity the same as any other Native American government is treated.

Specifically, the Abercrombie substitute mandates that the Native Hawaiian government's organic governing documents must provide for the protection of the civil rights of Native Hawaiian citizens. It requires that the Native Hawaiian government's organic governing documents must provide for the protection of the civil rights of all persons affected by an exercise of Native Hawaiian governmental powers and authorities. And the Abercrombie substitute subjects the Native Hawaiian governing entity to the Indian Civil Rights Act of 1968, which prohibits, among other things, a denial of the equal protection of any person.

There is no reason for this amendment, and I would urge its defeat.

I reserve the balance of my time.

□ 1945

Mr. FLAKE. I thank the gentleman. I guess the gentleman is arguing that it is simply redundant.

I would suggest that, if the Governor of the State of Hawaii and the Attorney General of the State of Hawaii both have concerns about it and if the U.S. Commission on Civil Rights recommends against its passage for these very concerns, there is at least some question about whether or not it complies with the 14th Amendment.

So why not adopt this amendment? If we are saying straight out that this complies with the 14th Amendment, why not simply adopt this amendment? There is definitely a question out there. If it were unanimous and if everyone were saying, Let's pass this legislation as it is, as there is no constitutional question, that would be one thing, but we certainly don't have that today.

Let me just say that something was sent around to Members that was urging opposition to the Flake amendment, saying, ''H.R. 2314 already applies ICRA,'' or the Indian Civil Rights Act, ''to the entity, and requires the Secretary of the Interior to certify that the Native Hawaiian governing entity is in compliance with Federal law and that its governing documents provide for the protection of the civil rights of the citizens of the Native Hawaiian governing authority or entity.''

I would argue that we are talking apples and oranges here. What ICRA stipulates is that civil rights are applied equally to those within the governing authority, and so it simply stipulates that those within the Native Hawaiian governing act will comply with Federal law. In other words, there will be no discrimination among them. It doesn't address the core question here that we are seeking to address. It doesn't address whether or not there is a constitutional question about whether or not individuals outside of the governing entity here might be discriminated against.

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

Mr. FLAKE. I urge adoption of the amendment.

Mr. RAHALL. Mr. Speaker, I yield the balance of my time to the gentleman from Hawaii (Mr. ABERCROMBIE).

Mr. ABERCROMBIE. I will take the first few seconds of it, Mr. Speaker, because I believe this will be the last discussion of both the amendments and of the bill prior to voting, to thank Mr. FLAKE for his friendship over these years and to say to him that I admire his independent spirit; I admire his devotion to this House; I admire his steadfast sense of responsibility in the various amendments that he offers. I wish I could support it on the basis of that friendship and in my admiration for him.

Yet I would like to say in that context—and I hope I am stating the purpose of the amendment correctly—that Mr. FLAKE wants to require any native governing entity to comply with the Equal Protection Clause of the 14th Amendment of the United States Constitution. If I had to summarize it in a sentence, that's the way I would put it.

In the course of his remarks, he asked, Why not make sure? I think that's a perfectly reasonable request, but my contention would be, in asking that the amendment not be voted favorably upon, that precisely what he seeks to succeed in with his amendment is exactly what is in the bill, itself, which is in the amendment as a substitute. Mr. FLAKE's amendment then is duplicative of current Federal law.

Only after a thoughtful and deliberate process did Congress impose most of the provisions on the Bill of Rights on tribes through the Indian Civil Rights Act of 1968. The Equal Protection and Due Process provisions of the Bill of Rights were included verbatim in the Indian Civil Rights Act.

The Indian Civil Rights Act specifically states, ''No Indian tribe in exercising the powers of self-government shall deny any person within its jurisdiction the equal protection of its laws or deprive any person of liberty or property without due process of law.''

In section 1302, Constitutional Rights, again quoting, ''No Indian tribe in exercising powers of self-government shall:

''No. 8: deny to any person within its jurisdiction the equal protection of its laws or deprive any person of liberty or property without due process of law.''

The Flake amendment essentially then ignores the provision of H.R. 2314, as amended, should we pass the substitute.

The bill applies the Indian Civil Rights Act to the entity, the Native Hawaiian entity, and it requires the Secretary of the Interior to certify that the Native Hawaiian governing entity is in compliance with Federal law and that its governing documents provide for the protection of the civil rights of the citizens of the Native Hawaiian governing entity as well.

Thus, the Flake amendment, as I indicated, I believe, is a duplication, and would actually create a double standard for the Native Hawaiian governing entity, not treating them as other federally recognized tribal governments are today.

Finally, I believe the amendment could be subject to broad interpretation, the scope of which is unclear. As a result, litigation would likely flourish in the Federal courts, which might take years to resolve as the courts would have to examine the U.S. Constitution, Federal law and numerous Federal court decisions upholding the current law, which already imposes the same equal protection guarantees on tribes that Mr. FLAKE's amendment seeks to impose.

Therefore, I ask, in the context of my admiration and respect for Mr. FLAKE, that his amendment, however, be defeated.

With that, Mr. Speaker, if I have time remaining, I would like to take the occasion then to thank Mr. HASTINGS, Mr. FLAKE and all of those on the Resources Committee—Republican and Democratic alike—who have been my colleagues and friends all these years. I think the Resources Committee is one of the most unappreciated committees, unappreciated in the sense of comprehension by, perhaps, even Members of Congress and by the public at large. No committee deals with as detailed and as difficult a set of circumstances as the Resources Committee does. My respect and admiration for all its members abides with me as I take leave of the House.

Mr. Speaker, ''aloha'' to you. ''Aloha'' to the House of Representatives. ''Aloha'' to all Members here tonight.

Ms. HIRONO. Mr. Speaker, I rise in strong opposition to the amendment introduced by Congressman FLAKE.

Congressman FLAKE has personal ties to the State of Hawaii and I appreciate his interest in the underlying bill. However, his amendment duplicates existing legal guarantees in the Indian Civil Rights Act of 1968.

Contrary to what opponents of the bill have stated, everyone in Hawaii, Native Hawaiians and non-Native Hawaiians, will continue to be citizens of the United States upon passage of the bill, and therefore, afforded all the protections of the U.S. Constitution.

The Abercrombie Substitute Amendment further clarifies that upon recognition by the United States, the Native Hawaiian governing entity would have no authority over nonmembers, unless those nonmembers expressly consented to the jurisdiction of the governing entity.

Section 10 of the Substitute would make the governing entity adhere to the Indian Civil Rights Act, which guarantees protections for both members of the governing entity and nonmembers alike.

This bill provides for a careful balance of the interests of the federal government, the State of Hawaii, and the Native Hawaiian governing entity. I urge my colleagues to oppose the Flake Amendment.

The SPEAKER pro tempore. The question is on the amendment offered by the gentleman from Arizona (Mr. FLAKE) to the amendment in the nature of a substitute offered by the gentleman from Hawaii (Mr. ABERCROMBIE).

The question was taken; and the Speaker pro tempore announced that the noes appeared to have it.

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

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to section 2 of House Resolution 1083, further proceedings on the amendment offered by the gentleman from Arizona will be postponed.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. Pursuant to section 2 of House Resolution 1083, proceedings will now resume on the amendments printed in House Report 111–413 on which further proceedings were postponed, in the following order:

Amendment printed in part B by Mr. HASTINGS of Washington;

Amendment printed in part B by Mr. FLAKE of Arizona;

Amendment printed in part A by Mr. ABERCROMBIE of Hawaii.

Pursuant to clause 8 of rule XX, the Chair will reduce to 5 minutes the time for any electronic vote after the first vote in this series.

PART B AMENDMENT NO. 1 OFFERED BY MR. HASTINGS OF WASHINGTON

The SPEAKER pro tempore. The unfinished business is the question on adoption of the amendment printed in part B of House Report 111–413 by the gentleman from Washington (Mr. HASTINGS) on which the yeas and nays were ordered.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

The SPEAKER pro tempore. The question is on the amendment.

The vote was taken by electronic device, and there were—yeas 163, nays 241, not voting 28, as follows:

[Roll No. 56]

YEAS—163

Aderholt
Akin
Alexander
Austria
Bachmann
Bachus
Bartlett
Barton (TX)
Biggert
Bilbray
Bilirakis
Bishop (UT)
Blackburn
Boehner
Bonner
Boozman
Boustany
Brady (TX)
Bright
Broun (GA)
Brown (SC)
Brown-Waite, Ginny
Buchanan
Burgess
Burton (IN)
Buyer
Calvert
Camp
Campbell
Cantor
Capito
Carter
Cassidy
Chaffetz
Coble
Coffman (CO)
Conaway
Crenshaw
Davis (KY)
Deal (GA)
Dent
Diaz-Balart, L.
Diaz-Balart, M.
Dreier
Duncan
Ehlers
Emerson
Fallin
Flake
Fleming
Forbes
Fortenberry
Foxx
Franks (AZ)
Frelinghuysen
Gallegly
Garrett (NJ)
Gerlach
Gingrey (GA)
Gohmert
Goodlatte
Granger
Graves
Griffith
Guthrie
Hall (TX)
Harper
Hastings (WA)
Heller
Hensarling
Herger
Hunter
Inglis
Issa
Jenkins
Johnson (IL)
Johnson, Sam
Jordan (OH)
King (IA)
King (NY)
Kingston
Kirk
Kline (MN)
Lamborn
Lance
Latham
LaTourette
Latta
Lee (NY)
Lewis (CA)
Linder
LoBiondo
Lucas
Luetkemeyer
Lummis
Lungren, Daniel E.
Manzullo
Marchant
McCarthy (CA)
McCaul
McClintock
McCotter
McHenry
McKeon
McMorris Rodgers
Mica
Miller (FL)
Miller (MI)
Miller, Gary
Moran (KS)
Murphy, Tim
Myrick
Neugebauer
Nunes
Olson
Paul
Paulsen
Pence
Petri
Pitts
Platts
Poe (TX)
Posey
Price (GA)
Putnam
Rehberg
Roe (TN)
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Rooney
Roskam
Royce
Ryan (WI)
Scalise
Schmidt
Schock
Sensenbrenner
Sessions
Shadegg
Shimkus
Shuster
Simpson
Smith (NE)
Smith (NJ)
Smith (TX)
Souder
Stearns
Sullivan
Terry
Thompson (PA)
Thornberry
Tiahrt
Tiberi
Upton
Walden
Westmoreland
Whitfield
Wilson (SC)
Wittman
Wolf
Young (FL)

NAYS—241

Abercrombie
Ackerman
Adler (NJ)
Altmire
Arcuri
Baca
Baird
Baldwin
Barrow
Bean
Becerra
Berkley
Berry
Bishop (GA)
Bishop (NY)
Blumenauer
Boccieri
Boren
Boswell
Boucher
Boyd
Brady (PA)
Braley (IA)
Brown, Corrine
Butterfield
Cao
Capps
Capuano
Cardoza
Carnahan
Carney
Carson (IN)
Castle
Castor (FL)
Chandler
Childers
Chu
Clarke
Clay
Cleaver
Clyburn
Cohen
Cole
Connolly (VA)
Conyers
Cooper
Costa
Courtney
Crowley
Cuellar
Cummings
Dahlkemper
Davis (AL)
Davis (CA)
Davis (IL)
Davis (TN)
DeFazio
DeGette
DeLauro
Dicks
Doggett
Donnelly (IN)
Doyle
Driehaus
Edwards (MD)
Edwards (TX)
Ellison
Ellsworth
Engel
Eshoo
Etheridge
Farr
Fattah
Filner
Foster
Frank (MA)
Fudge
Garamendi
Giffords
Gonzalez
Grayson
Green, Al
Green, Gene
Grijalva
Gutierrez
Hall (NY)
Halvorson
Hare
Harman
Hastings (FL)
Heinrich
Herseth Sandlin
Higgins
Hill
Himes
Hinchey
Hirono
Hodes
Holden
Holt
Honda
Hoyer

Inslee
Israel
Jackson (IL)
Jackson Lee (TX)
Johnson, E. B.
Jones
Kagen
Kanjorski
Kaptur
Kennedy
Kildee
Kilpatrick (MI)
Kilroy
Kind
Kirkpatrick (AZ)
Kissell
Klein (FL)
Kosmas
Kratovil
Kucinich
Langevin
Larsen (WA)
Larson (CT)
Lee (CA)
Levin
Lewis (GA)
Lipinski
Loebsack
Lofgren, Zoe
Luján
Lynch
Maffei
Maloney
Markey (MA)
Marshall
Massa
Matheson
Matsui
McCarthy (NY)
McCollum
McDermott
McGovern
McIntyre
McNerney
Meek (FL)
Meeks (NY)
Melancon
Michaud
Miller (NC)
Miller, George
Minnick
Mitchell
Mollohan
Moore (KS)
Moran (VA)
Murphy (CT)
Murphy (NY)
Murphy, Patrick
Nadler (NY)
Napolitano
Neal (MA)
Nye
Oberstar
Obey
Olver
Ortiz
Owens
Pallone
Pascrell
Pastor (AZ)
Perriello
Peters
Peterson
Pingree (ME)
Polis (CO)
Pomeroy
Price (NC)
Quigley
Rahall
Rangel
Reyes
Rodriguez
Ross
Rothman (NJ)
Roybal-Allard
Ruppersberger
Rush
Ryan (OH)
Salazar
Sánchez, Linda T.
Sanchez, Loretta
Sarbanes
Schakowsky
Schauer
Schiff
Schrader
Schwartz
Scott (GA)
Scott (VA)
Serrano
Sestak
Shea-Porter
Sherman
Shuler
Skelton
Slaughter
Smith (WA)
Snyder
Space
Speier
Spratt
Stupak
Sutton
Tanner
Taylor
Teague
Thompson (CA)
Thompson (MS)
Tierney
Titus
Tonko
Towns
Tsongas
Van Hollen
Velázquez
Visclosky
Walz
Wasserman Schultz
Waters
Watson
Watt
Waxman
Weiner
Welch
Wilson (OH)
Woolsey
Wu
Yarmuth
Young (AK)

NOT VOTING—28

Andrews
Barrett (SC)
Berman
Blunt
Bono Mack
Costello
Culberson
Delahunt
Dingell
Gordon (TN)
Hinojosa
Hoekstra
Johnson (GA)
Lowey
Mack
Markey (CO)
McMahon
Moore (WI)
Payne
Perlmutter
Radanovich
Reichert
Richardson
Ros-Lehtinen
Sires
Stark
Turner
Wamp

□ 2017

Messrs. BOSWELL, BUTTERFIELD, DICKS, RANGEL, SCOTT of Georgia, KRATOVIL, WALZ, HEINRICH, CARSON of Indiana, WATT, Ms. SLAUGHTER, Mr. ARCURI, Ms. EDWARDS of Maryland, Ms. PINGREE of Maine, Messrs. HONDA, DOGGETT, McINTYRE, CLEAVER, PASTOR of Arizona, and Ms. VELÁZQUEZ changed their vote from ''yea'' to ''nay.''

Messrs. ADERHOLT, SHUSTER, SOUDER, and KING of Iowa changed their vote from ''nay'' to ''yea.''

So the amendment was rejected.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

(By unanimous consent, Mr. DREIER was allowed to speak out of order.)

MOMENT OF SILENCE IN MEMORY OF ETHIE RADANOVICH

Mr. DREIER. Mr. Speaker, I think all of our colleagues are aware of the fact that a week-and-a-half ago, after a more than 3½-year battle against ovarian cancer, Ethie Radanovich, the wife of our California colleague, GEORGE, tragically passed away. She was a wonderful, wonderful human being.

I would like to ask our colleagues to join in a moment of silence in memory of Ethie Radanovich, and to extend, Mr. Speaker, our thoughts and prayers to GEORGE and their 11-year-old son, King.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. Without objection, 5-minute voting will continue.

There was no objection.

PART B AMENDMENT NO. 2 OFFERED BY MR. FLAKE

The SPEAKER pro tempore. The unfinished business is the question on adoption of the amendment printed in part B of House Report 111–413 by the gentleman from Arizona (Mr. FLAKE) on which the yeas and nays were ordered.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

The SPEAKER pro tempore. The question is on the amendment.

This is a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 177, nays 233, not voting 22, as follows:

[Roll No. 57]

YEAS—177

Aderholt
Adler (NJ)
Akin
Alexander
Arcuri
Austria
Bachmann
Bachus
Bartlett
Barton (TX)
Bean
Biggert
Bilbray
Bilirakis
Bishop (UT)
Blackburn
Boehner
Bonner
Boozman
Boustany
Brady (TX)
Bright
Broun (GA)
Brown (SC)
Brown-Waite, Ginny
Buchanan
Burgess
Burton (IN)
Buyer
Calvert
Camp
Campbell
Cantor
Capito
Carter
Cassidy
Chaffetz
Coble
Coffman (CO)
Conaway
Crenshaw
Davis (KY)
Deal (GA)
Dent
Diaz-Balart, L.
Diaz-Balart, M.
Dreier
Duncan
Ehlers
Emerson
Fallin
Flake
Fleming
Forbes
Fortenberry
Foster
Foxx
Franks (AZ)
Frelinghuysen
Gallegly
Garrett (NJ)
Gerlach
Giffords
Gingrey (GA)
Gohmert
Goodlatte
Granger
Graves
Griffith
Guthrie
Hall (TX)
Halvorson
Harper
Hastings (WA)
Heller
Hensarling
Herger
Himes
Hunter
Inglis
Issa
Jenkins
Johnson (IL)
Johnson, Sam
Jordan (OH)
King (IA)
King (NY)
Kingston
Kirk
Kosmas
Kratovil
Lamborn
Lance
Latham
LaTourette
Latta
Lee (NY)
Lewis (CA)
Linder
LoBiondo
Lucas
Luetkemeyer
Lummis
Lungren, Daniel E.
Manzullo
Marchant
Marshall
McCarthy (CA)
McCaul
McClintock
McCotter
McHenry
McKeon
McMahon
McMorris Rodgers
Mica
Miller (FL)
Miller (MI)
Miller, Gary
Minnick
Moran (KS)
Myrick
Neugebauer
Nunes
Olson
Paulsen
Pence
Perlmutter
Petri
Pitts
Platts
Poe (TX)
Polis (CO)
Posey
Price (GA)
Putnam
Rehberg
Roe (TN)
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Rooney
Roskam
Royce
Ryan (WI)
Scalise
Schmidt
Schock
Sensenbrenner
Sessions
Shadegg
Shimkus
Shuster
Simpson
Smith (NE)
Smith (NJ)
Smith (TX)
Smith (WA)
Souder
Stearns
Sullivan
Taylor
Terry
Thompson (PA)
Thornberry
Tiahrt
Tiberi
Upton
Walden
Westmoreland
Whitfield
Wilson (SC)
Wittman
Wolf
Wu
Young (FL)

NAYS—233

Abercrombie
Ackerman
Altmire
Baca
Baird
Baldwin
Barrow
Becerra
Berkley
Berry
Bishop (GA)
Bishop (NY)
Blumenauer
Boccieri
Boren
Boswell
Boucher
Boyd
Brady (PA)
Braley (IA)
Brown, Corrine
Butterfield
Cao
Capps
Capuano
Cardoza
Carnahan
Carney
Carson (IN)
Castle
Castor (FL)
Chandler
Childers
Chu
Clarke
Clay
Cleaver
Clyburn
Cohen
Cole
Connolly (VA)
Conyers
Cooper
Costa
Courtney
Crowley
Cuellar
Cummings
Dahlkemper
Davis (AL)
Davis (CA)
Davis (IL)
Davis (TN)
DeFazio
DeGette
DeLauro
Dicks
Doggett
Donnelly (IN)
Doyle
Driehaus
Edwards (MD)
Edwards (TX)
Ellison
Ellsworth
Engel
Eshoo
Etheridge
Farr
Fattah
Filner
Frank (MA)
Fudge
Garamendi
Gonzalez
Grayson
Green, Al
Green, Gene
Grijalva
Gutierrez
Hall (NY)
Hare
Harman
Hastings (FL)
Heinrich
Herseth Sandlin
Higgins
Hill
Hinchey
Hirono
Hodes
Holden
Holt
Honda
Hoyer
Inslee
Israel
Jackson (IL)
Jackson Lee (TX)
Johnson (GA)
Johnson, E. B.
Jones
Kagen
Kanjorski
Kaptur
Kennedy
Kildee
Kilpatrick (MI)
Kilroy
Kind
Kirkpatrick (AZ)
Kissell
Klein (FL)
Kline (MN)
Kucinich
Langevin
Larsen (WA)
Larson (CT)
Lee (CA)
Levin
Lewis (GA)
Lipinski
Loebsack
Lofgren, Zoe
Lowey
Luján
Lynch
Maffei
Maloney
Markey (CO)
Markey (MA)
Massa
Matheson
Matsui
McCarthy (NY)
McCollum
McDermott
McGovern
McIntyre
McNerney
Meek (FL)
Meeks (NY)
Melancon
Michaud
Miller (NC)
Miller, George
Mitchell
Mollohan
Moore (KS)
Moore (WI)
Moran (VA)
Murphy (CT)
Murphy (NY)
Murphy, Patrick
Murphy, Tim
Nadler (NY)
Napolitano
Neal (MA)
Nye
Oberstar
Obey
Olver
Ortiz
Owens
Pallone
Pascrell
Pastor (AZ)
Paul
Perriello
Peters
Peterson
Pingree (ME)
Pomeroy
Price (NC)
Quigley
Rahall
Rangel
Reyes
Richardson
Rodriguez
Ross
Rothman (NJ)
Roybal-Allard
Ruppersberger
Rush
Ryan (OH)
Salazar
Sánchez, Linda T.
Sanchez, Loretta
Sarbanes
Schakowsky
Schauer
Schiff
Schrader
Schwartz
Scott (GA)
Scott (VA)
Serrano
Sestak
Sherman
Shuler
Skelton
Slaughter
Snyder
Space
Speier
Spratt
Stupak
Sutton
Tanner
Teague
Thompson (CA)
Thompson (MS)
Tierney
Titus
Tonko
Towns
Tsongas
Van Hollen
Velázquez
Visclosky
Walz
Wasserman Schultz
Waters
Watson
Watt
Waxman
Weiner
Welch
Wilson (OH)
Woolsey
Yarmuth
Young (AK)

NOT VOTING—22

Andrews
Barrett (SC)
Berman
Blunt
Bono Mack
Costello
Culberson
Delahunt
Dingell
Gordon (TN)
Hinojosa
Hoekstra
Mack
Payne
Radanovich
Reichert
Ros-Lehtinen
Shea-Porter
Sires
Stark
Turner
Wamp

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (during the vote). Members have 2 minutes remaining to cast their votes.

□ 2027

So the amendment was rejected.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

PART A AMENDMENT IN THE NATURE OF A SUBSTITUTE OFFERED BY MR. ABERCROMBIE

The SPEAKER pro tempore. The question is on the amendment in the nature of a substitute by the gentleman from Hawaii (Mr. ABERCROMBIE).

The question was taken; and the Speaker pro tempore announced that the ayes appeared to have it.

Mr. HASTINGS of Washington. Mr. 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 245, nays 164, not voting 23, as follows:

[Roll No. 58]

YEAS—245

Abercrombie
Ackerman
Adler (NJ)
Altmire
Arcuri
Baca
Baird
Baldwin
Barrow
Bean
Becerra
Berkley
Berry
Bishop (GA)
Bishop (NY)
Blumenauer
Boccieri
Boren
Boswell
Boucher
Boyd
Brady (PA)
Braley (IA)
Brown, Corrine
Butterfield
Cao
Capps
Capuano
Cardoza
Carnahan
Carney
Carson (IN)
Castor (FL)
Chandler
Childers
Chu
Clarke
Clay
Cleaver
Clyburn
Cohen
Cole
Connolly (VA)
Conyers
Cooper
Costa
Courtney
Crowley
Cuellar
Cummings
Dahlkemper
Davis (AL)
Davis (CA)
Davis (IL)
Davis (TN)
DeFazio
DeGette
DeLauro
Dicks
Doggett
Donnelly (IN)
Doyle
Driehaus
Edwards (MD)
Edwards (TX)
Ehlers
Ellison
Ellsworth
Engel
Eshoo
Etheridge
Farr
Fattah
Filner
Foster
Frank (MA)
Fudge
Garamendi
Giffords
Gonzalez
Grayson
Green, Al
Green, Gene
Grijalva
Gutierrez
Hall (NY)
Halvorson
Hare
Harman
Hastings (FL)
Heinrich
Herseth Sandlin
Higgins
Hill
Hinchey
Hirono
Hodes
Holden
Holt
Honda
Hoyer
Inslee
Israel
Jackson (IL)
Jackson Lee (TX)
Johnson (GA)
Johnson, E. B.
Kagen
Kanjorski
Kaptur
Kennedy
Kildee
Kilpatrick (MI)
Kilroy
Kind
Kirkpatrick (AZ)
Kissell
Klein (FL)
Kosmas
Kratovil
Kucinich
Langevin
Larsen (WA)
Larson (CT)
Lee (CA)
Levin
Lewis (GA)
Lipinski
Loebsack
Lofgren, Zoe
Lowey
Luján
Lynch
Maffei
Maloney
Markey (CO)
Markey (MA)
Massa
Matheson
Matsui
McCarthy (NY)
McCollum
McDermott
McGovern
McIntyre
McNerney
Meek (FL)
Meeks (NY)
Melancon
Michaud
Miller (NC)
Miller, George
Minnick
Mitchell
Mollohan
Moore (KS)
Moore (WI)
Moran (VA)
Murphy (CT)
Murphy (NY)
Murphy, Patrick
Murphy, Tim
Nadler (NY)
Napolitano
Neal (MA)
Nye
Oberstar
Obey
Olver
Ortiz
Owens
Pallone
Pascrell
Pastor (AZ)
Perlmutter
Perriello
Peters
Peterson
Pingree (ME)
Polis (CO)
Pomeroy
Price (NC)
Quigley
Rahall
Rangel
Reyes
Richardson
Rodriguez
Ross
Rothman (NJ)
Roybal-Allard
Ruppersberger
Rush
Ryan (OH)
Salazar
Sánchez, Linda T.
Sanchez, Loretta
Sarbanes
Schakowsky
Schauer
Schiff
Schrader
Schwartz
Scott (GA)
Scott (VA)
Serrano
Sestak
Shea-Porter
Sherman
Shuler
Skelton
Slaughter
Smith (WA)
Snyder
Space
Speier
Spratt
Stupak
Sutton
Tanner
Taylor
Teague
Thompson (CA)
Thompson (MS)
Tierney
Titus
Tonko
Towns
Tsongas
Van Hollen
Velázquez
Visclosky
Walz
Waters
Watson
Watt
Waxman
Weiner
Welch
Whitfield
Wilson (OH)
Woolsey
Wu
Yarmuth
Young (AK)

NAYS—164

Aderholt
Akin
Alexander
Austria
Bachmann
Bachus
Bartlett
Barton (TX)
Biggert
Bilbray
Bilirakis
Bishop (UT)
Blackburn
Boehner
Bonner
Boozman
Boustany
Brady (TX)
Bright
Broun (GA)
Brown (SC)
Brown-Waite, Ginny
Buchanan
Burgess
Burton (IN)
Buyer
Calvert
Camp
Campbell
Cantor
Capito
Carter
Cassidy
Castle
Chaffetz
Coble
Coffman (CO)
Conaway
Crenshaw
Davis (KY)
Deal (GA)
Dent
Diaz-Balart, L.
Diaz-Balart, M.
Dreier
Duncan
Emerson
Fallin
Flake
Fleming
Forbes
Fortenberry
Foxx
Franks (AZ)
Frelinghuysen
Gallegly
Garrett (NJ)
Gerlach
Gingrey (GA)
Gohmert
Goodlatte
Granger
Graves
Griffith
Guthrie
Hall (TX)
Harper
Hastings (WA)
Heller
Hensarling
Herger
Himes
Hunter
Inglis
Issa
Jenkins
Johnson (IL)
Johnson, Sam
Jones
Jordan (OH)
King (IA)
King (NY)
Kingston
Kirk
Kline (MN)
Lamborn
Lance
Latham
LaTourette
Latta
Lee (NY)
Lewis (CA)
Linder
LoBiondo
Lucas
Luetkemeyer
Lummis
Lungren, Daniel E.
Manzullo
Marchant
Marshall
McCarthy (CA)
McCaul
McClintock
McCotter
McHenry
McKeon
McMahon
McMorris Rodgers
Mica
Miller (FL)
Miller (MI)
Miller, Gary
Myrick
Neugebauer
Nunes
Olson
Paul
Paulsen
Pence
Petri
Pitts
Platts
Poe (TX)
Posey
Price (GA)
Putnam
Rehberg
Roe (TN)
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Rooney
Roskam
Royce
Ryan (WI)
Scalise
Schmidt
Schock
Sensenbrenner
Sessions
Shadegg
Shimkus
Shuster
Simpson
Smith (NE)
Smith (NJ)
Smith (TX)
Souder
Stearns
Sullivan
Terry
Thompson (PA)
Thornberry
Tiahrt
Tiberi
Upton
Walden
Westmoreland
Wilson (SC)
Wittman
Wolf
Young (FL)

NOT VOTING—23

Andrews
Barrett (SC)
Berman
Blunt
Bono Mack
Costello
Culberson
Delahunt
Dingell
Gordon (TN)
Hinojosa
Hoekstra
Mack
Moran (KS)
Payne
Radanovich
Reichert
Ros-Lehtinen
Sires
Stark
Turner
Wamp
Wasserman Schultz

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (during the vote). Members have 2 minutes remaining.

□ 2034

So the amendment was agreed to.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

The SPEAKER pro tempore. Pursuant to House Resolution 1083, the previous question is ordered.

The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time, and was read the third time.

The SPEAKER pro tempore. The question is on the passage of the bill.

The question was taken; and the Speaker pro tempore announced that the ayes appeared to have it.

Mr. HASTINGS of Washington. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. This will be a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 245, nays 164, not voting 23, as follows:

[Roll No. 59]

YEAS—245

Abercrombie
Ackerman
Adler (NJ)
Altmire
Arcuri
Baca
Baird
Baldwin
Barrow
Bean
Becerra
Berkley
Berry
Bishop (GA)
Bishop (NY)
Blumenauer
Boccieri
Boren
Boswell
Boucher
Boyd
Brady (PA)
Braley (IA)
Brown, Corrine
Butterfield
Cao
Capps
Capuano
Cardoza
Carnahan
Carney
Carson (IN)
Castor (FL)
Chandler
Childers
Chu
Clarke
Clay
Cleaver
Clyburn
Cohen
Cole
Connolly (VA)
Conyers
Cooper
Costa
Courtney
Crowley
Cuellar
Cummings
Dahlkemper
Davis (AL)
Davis (CA)
Davis (IL)
Davis (TN)
DeFazio
DeGette
DeLauro
Dicks
Doggett
Donnelly (IN)
Doyle
Driehaus
Edwards (MD)
Edwards (TX)
Ehlers
Ellison
Ellsworth
Engel
Eshoo
Etheridge
Farr
Fattah
Filner
Foster
Frank (MA)
Fudge
Garamendi
Gonzalez
Grayson
Green, Al
Green, Gene
Grijalva
Gutierrez
Hall (NY)
Halvorson
Hare
Harman
Hastings (FL)
Heinrich
Herseth Sandlin
Higgins
Hill
Hinchey
Hirono
Hodes
Holden
Holt
Honda
Hoyer
Inslee
Israel
Jackson (IL)
Jackson Lee (TX)
Johnson (GA)
Johnson, E. B.
Jones
Kagen
Kanjorski
Kaptur
Kennedy
Kildee
Kilpatrick (MI)
Kilroy
Kind
Kirkpatrick (AZ)
Kissell
Klein (FL)
Kosmas
Kratovil
Kucinich
Langevin
Larsen (WA)
Larson (CT)
Lee (CA)
Levin
Lewis (GA)
Lipinski
Loebsack
Lofgren, Zoe
Lowey
Luján
Lynch
Maffei
Maloney
Markey (CO)
Markey (MA)
Marshall
Massa
Matheson
Matsui
McCarthy (NY)
McCollum
McDermott
McGovern
McIntyre
McNerney
Meek (FL)
Meeks (NY)
Melancon
Michaud
Miller, George
Minnick
Mitchell
Mollohan
Moore (KS)
Moore (WI)
Moran (VA)
Murphy (CT)
Murphy (NY)
Murphy, Patrick
Murphy, Tim
Nadler (NY)
Napolitano
Neal (MA)
Nye
Oberstar
Obey
Olver
Ortiz
Owens
Pallone
Pascrell
Pastor (AZ)
Perlmutter
Perriello
Peters
Peterson
Pingree (ME)
Polis (CO)
Pomeroy
Price (NC)
Quigley
Rahall
Rangel
Reyes
Richardson
Rodriguez
Ross
Rothman (NJ)
Roybal-Allard
Ruppersberger
Rush
Ryan (OH)

Salazar
Sánchez, Linda T.
Sanchez, Loretta
Sarbanes
Schakowsky
Schauer
Schiff
Schrader
Schwartz
Scott (GA)
Scott (VA)
Serrano
Sestak
Shea-Porter
Sherman
Shuler
Skelton
Slaughter
Smith (WA)
Snyder
Space
Speier
Spratt
Stupak
Sutton
Tanner
Taylor
Teague
Thompson (CA)
Thompson (MS)
Tierney
Titus
Tonko
Towns
Tsongas
Van Hollen
Velázquez
Visclosky
Walz
Wasserman Schultz
Waters
Watson
Watt
Waxman
Weiner
Welch
Wilson (OH)
Woolsey
Wu
Yarmuth
Young (AK)

NAYS—164

Aderholt
Akin
Alexander
Austria
Bachmann
Bachus
Bartlett
Barton (TX)
Biggert
Bilbray
Bilirakis
Blackburn
Boehner
Bonner
Boozman
Boustany
Brady (TX)
Bright
Broun (GA)
Brown (SC)
Brown-Waite, Ginny
Buchanan
Burgess
Burton (IN)
Buyer
Calvert
Camp
Campbell
Cantor
Capito
Carter
Cassidy
Castle
Chaffetz
Coble
Coffman (CO)
Conaway
Crenshaw
Davis (KY)
Deal (GA)
Dent
Diaz-Balart, L.
Diaz-Balart, M.
Dreier
Duncan
Emerson
Fallin
Flake
Fleming
Forbes
Fortenberry
Foxx
Franks (AZ)
Frelinghuysen
Gallegly
Garrett (NJ)
Gerlach
Giffords
Gingrey (GA)
Gohmert
Goodlatte
Granger
Graves
Griffith
Guthrie
Hall (TX)
Harper
Hastings (WA)
Heller
Hensarling
Herger
Himes
Hunter
Inglis
Issa
Jenkins
Johnson (IL)
Johnson, Sam
Jordan (OH)
King (IA)
King (NY)
Kingston
Kirk
Kline (MN)
Lamborn
Lance
Latham
LaTourette
Latta
Lee (NY)
Lewis (CA)
Linder
LoBiondo
Lucas
Luetkemeyer
Lummis
Lungren, Daniel E.
Manzullo
Marchant
McCarthy (CA)
McCaul
McClintock
McCotter
McHenry
McKeon
McMahon
McMorris Rodgers
Mica
Miller (FL)
Miller (MI)
Miller, Gary
Moran (KS)
Myrick
Neugebauer
Nunes
Olson
Paul
Paulsen
Pence
Petri
Pitts
Platts
Poe (TX)
Posey
Price (GA)
Putnam
Rehberg
Roe (TN)
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Rooney
Roskam
Royce
Ryan (WI)
Scalise
Schmidt
Schock
Sensenbrenner
Sessions
Shadegg
Shimkus
Shuster
Simpson
Smith (NE)
Smith (NJ)
Smith (TX)
Souder
Stearns
Sullivan
Terry
Thompson (PA)
Thornberry
Tiahrt
Tiberi
Upton
Walden
Westmoreland
Whitfield
Wilson (SC)
Wittman
Wolf
Young (FL)

NOT VOTING—23

Andrews
Barrett (SC)
Berman
Bishop (UT)
Blunt
Bono Mack
Costello
Culberson
Delahunt
Dingell
Gordon (TN)
Hinojosa
Hoekstra
Mack
Miller (NC)
Payne
Radanovich
Reichert
Ros-Lehtinen
Sires
Stark
Turner
Wamp

□ 2051

So the bill was passed.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

WHEN WILL CONGRESS TAKE A STAND ON GUN CONTROL?

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

Mr. QUIGLEY. Mr. Speaker, today I had the honor of speaking with Chicago Firefighter Annette Nance-Holt and Chicago Police Officer Ronald Holt.

On May 10, 2007, their 16-year-old son Blair was shot and killed when a gang member opened fire on a crowded city bus. Blair jumped in front of another student to shield her.

When the child of two public servants gives his life to save another child from the scourge of gun violence, I have to ask, What are we prepared to do for these kids?

Over 500 Chicago public school students were involved in gun incidents over the last 2 years. That is two students for every Member of this House who signed a brief urging the Supreme Court to put even more guns in Chicago's streets and schools.

This Congress has allowed unlicensed gun dealers to sell guns at gun shows to people on terrorist watch lists and refuses to reauthorize the assault weapon ban. Congress has failed to hold the middle ground on guns.

Blair Holt was willing to take a bullet to protect a stranger. Is it too much to ask this House to take a tough vote to protect our kids?

HEALTH CARE REFORM

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

Mr. CASSIDY. Mr. Speaker, I am a physician. I still see uninsured patients at the public hospital where I've worked for 20 years. Now, to give uninsured patients access to private health care, we've got to lower costs. But lowering health costs is more than just access; it's also about a stronger economy.

According to the White House Council on Economic Advisers, they had a study that explained that lowering health care costs lowers unemployment, raises the standard of living, and prevents disastrous budgetary consequences. Unfortunately, neither the House nor Senate bill lowers costs. The Congressional Budget Office says that each will more than double costs over the next decade.

Yesterday, the President released a new proposal combining the House and the Senate bill. But combining two bills that don't lower costs results in a third bill which certainly doesn't lower costs. If you don't lower costs, access and quality suffer, our economy suffers, people lose their jobs.

The American people—Republicans, Democrats, and Independents—want health care reform but they want reform which controls costs in reality, not just in rhetoric. They know that their health care, economy, and jobs depend upon it.

REAUTHORIZE SURFACE TRANSPORTATION BILL

(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. Mr. Speaker, I rise today as a result of the Senate invoking cloture on what is being called a jobs bill. I believe we should be calling this bill what it really is. It's a cash infusion to keep the highway trust fund solvent.

Mr. Speaker, the Senate majority leader has said that a full reauthorization of surface transportation will be on the table by the end of the year. I ask, why not now? I ask, why not last February when we were debating the stimulus bill? Of the total stimulus spending in 2009, only 4 percent went to roads and bridges.

And while it is widely acknowledged that government spending does not end recessions, the money that has been otherwise squandered on portions of the stimulus that have been highly contested could have been used to promote maintaining or expanding our infrastructure. In turn, this would lead to safety enhancement, and above all, a more productive country.

The American people deserve some certainty—whether it's looming health care mandates, cap-and-trade legislation, or planners just wondering if the highway dollars are going to be there.

If we want real stimulus, Congress will do its work and reauthorize surface transportation legislation immediately.

NETWORKS BOOST SO-CALLED STIMULUS

(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. Mr. Speaker, network news coverage of the administration's so-called stimulus package has been overwhelmingly one-sided, according to a recent analysis by the Business and Media Institute. Since the President signed it into law a year ago, ABC, CBS, and NBC have featured supporters of the stimulus over those who oppose it by a margin of 2 to 1. Incredibly, about half of the network news reports have shown no opposing opinions about the stimulus bill.

Americans are not buying the media's spin. Three out of four say the stimulus money has been wasted, and only 6 percent think it has created jobs, according to a CBS/New York Times poll. In fact, 3.3 million jobs have been lost since the stimulus was signed.

The national media should give Americans the facts about jobs; not tell them what to think.

THE STIMULUS IS WORKING

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

Mr. GARAMENDI. Mr. Speaker, if Americans are believing that the stimulus isn't working, then the media must be telling them that. So I am kind of curious about the previous argument.

The facts are that the stimulus in my district in California is in fact working, and without it, there would be even more layoffs. It's not that this whole thing started in January of 2009. The Great Recession started the previous 2 years, so we've been trying to catch up.

The stimulus is actually working. Thousands of teachers are working in California as a result of the stimulus. Thousands of jobs have been created. And in my own district, schools are being repaired and major transportation projects are going forward.

So I know in my district that the stimulus is working regardless of what the media may be saying. It is working. Without it, there would be even greater layoffs.

□ 2100

FRITZ CUBIN

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

Mrs. LUMMIS. Mr. Speaker, I rise today in memory of my friend, Dr. Frederick ''Fritz'' Cubin, husband of former Wyoming Congresswoman Barbara Cubin who served the Cowboy State for 14 years in this U.S. House.

After a lengthy illness, Fritz passed away this past Monday. Our condolences go out to Barbara, sons Bill and Eric, and their family and friends.

Fritz had many passions: his family always first, hunting and politics taking the silver and bronze.

Dr. Cubin served his country in the United States Air Force. He served his family as a confidante to his wife, a devoted father to his sons. A family doctor for many, he also served his community, making his appointed rounds to Casper's retirement homes to the very end.

Fritz Cubin was a fierce patriot, with apologies to no one. He will be missed.

HONORING PETTY OFFICER SECOND CLASS LARRY ALLEN STONE AND PETTY OFFICER SECOND CLASS MARIO MAESTAS FOR THEIR SERVICE

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

Mr. BOOZMAN. Mr. Speaker, I rise today to honor the distinguished careers of Navy SEALs Petty Officer Second Class Larry Allen Stone and Petty Officer Second Class Mario Maestas. These officers were accomplished SEALs who selflessly dedicated themselves to serving our country and gave the ultimate sacrifice.

Stone was a member of the United States Navy SEAL Team Two, Little Creek Amphibious Base, where he was a lead communications instructor for the team. His superior skill with communications and equipment earned him a job instructing new SEALs, and his athletic prowess earned him the title of Outstanding Athlete in his unit.

Maestas served 5 years in the Navy before becoming a Navy SEAL in 2000. As a SEAL, he participated in combat missions in Kosovo, including deployments in support of Task Force Falcon, Kosovo, from which he earned the Navy Commendation Medal, the National Defense Service Medal, the Good Conduct Medal, and a Flag Letter of Commendation.

We are honoring these fallen SEALs during a memorial and building dedication for the Naval Special Warfare facilities at Fort Chaffee, Arkansas, Saturday, February 27, 2010.

Stone and Maestas devoted their lives to our country. They are truly American heroes who will be remembered for their service and sacrifice.

SPECIAL ORDERS

The SPEAKER pro tempore (Mr. PERRIELLO). 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 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 Maryland (Mr. CUMMINGS) is recognized for 5 minutes.

(Mr. CUMMINGS addressed the House. His remarks will appear hereafter in the Extensions of Remarks.)

MEMBERS HAVE AN OBLIGATION TO DEAL WITH OUR ECONOMY

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Ohio (Mr. SPACE) is recognized for 5 minutes.

Mr. SPACE. Mr. Speaker, I rise today to discuss our economy. I do not rise, however, to cast blame, engage in political posturing, or cast aspersions against my colleagues on the other side of the aisle. I rise to speak to what I believe all of us who have been blessed with the right of representation for our constituents have an obligation to do; that is, to deal with our economy.

Our constituents don't really care how we got here; they don't care who is to blame; they, frankly, don't care who comes up with the solutions, but they deserve and need resolution to these economic problems that we are facing right now. What our constituents on both sides of the aisle deserve is vision: vision of the future, vision of a new economy.

Back in Ohio's 18th Congressional District, Mr. Speaker, things are especially difficult. It is the area known as Appalachian Ohio, consisting of 16 of the poorest counties in the State of Ohio with the highest unemployment rates, the highest poverty rates. And with those high poverty rates come the manifestations of poverty, including hunger, homelessness, the breakdown of the traditional family unit, a lack of access to health care, a lack of access to education. The list goes on and on.

What I have been attempting to do in southeastern Ohio and what I urge my colleagues to consider doing around the country is to look forward to a future of economic prosperity, one where we know that things will be better.

For example, in the area of energy, I have organized an effort called Renew Ohio that is designed to focus on the jobs of the future. One of those fields that we know is an emerging sector is the field of energy. Not only will developments in technology and investments in energy sectors ultimately bring down the cost of energy, ridding ourselves of this dangerous and cancerous dependence on foreign oil, it will also create millions of jobs. It is obvious and it is promising.

Another sector, health care. Because of the aging nature of our society, we know that there will be future prospects for employment in the field of health care.

Another sector, technology. By bringing broadband, for example, to unserved and underserved areas of America, we are going to be advancing opportunities for economic growth and bridging the divide that exists right now in rural America when it comes to access to health care and education.

And, finally, agriculture. Agricultural jobs of tomorrow are quite different from the ones we know of today and the jobs of yesterday. It is a field that shows promise when it comes to trade, a field that shows promise with its relationship to energy, and one that, if we position ourselves correctly in, will create jobs for tomorrow.

This crisis that we are dealing with in this country, which has become very personal to every American, is one that we must address without regard to partisan politics. Our constituents clearly are ahead of Congress on that issue. They don't want blame. They don't want aspersions. They don't want excuses. They want answers and they want vision and they want leadership.

I urge Members on both sides of the aisle in this hallowed Hall to work together to find consensus and to move forward for a brighter tomorrow.

CONCERN AFTER IRAN ''WARHEAD'' REPORT

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. Mr. Speaker, one of the biggest problems facing the Middle East and the entire world is the nuclear development program that Iran is involved in right now.

The International Atomic Energy Agency in just the last few days has said that Iran is probably developing a nuclear warhead that they could use at some point in the future as their nuclear development program continues to expand. They have 3,000 or 4,000 centrifuges over there refining weapons-grade nuclear material right now.

The reason this is important is because it not only affects the United States and our capability to provide energy for this country that will be very important for our economy down the road, but our biggest ally and friend in the entire Middle East is Israel, and Israel right now does not yet have the capability to hit a major underground nuclear development site that may be developing a nuclear warhead that could destroy Tel-Aviv, could destroy much of Israel and kill millions of Israelis who are friends of ours and great allies.

It is extremely important that this administration do everything they can to support the Government of Israel in order to make sure that they have the capability and the ability to stop Iran's nuclear development program when it starts to imperil and jeopardize the entire Middle East.

Our energy sources that come from there, maybe 35 percent of our entire energy is dependent on the Middle East. If we have a conflagration over there, it is really going to hurt us, but it will hurt our great ally Israel even more. That is why we need to tell Prime Minister Benjamin Netanyahu that we support him, and we are going to give him the material and the equipment necessary to deal with Iran should they continue down this path, and that means the bunker busting bombs that will be able to go down 50, 75, 100 feet underground or maybe 150 feet into a mountainside to knock out a nuclear development program if it imperils the existence of Israel or threatens the entire Middle East.

I can't stress how important this is. The leader of Iran, Mr. Ahmadinejad, has said numerous times that he wants to see Israel wiped off the face of the Earth. They are developing a nuclear weapons program, and now the IAEA is saying that they are developing a nuclear warhead that will be able to strike should they be able to use their missile program. So we have to pay real attention to what is going on over there and give Israel the ability to do what is necessary, and we should support them in every way possible. If we don't do that, we are going to rue the day that they finish that nuclear development program in Iran.

Bibi Netanyahu is going to be here before too long speaking here in the United States. I hope that the President will reach out to him and say, We are going to give you all the tools necessary to be able to stop the nuclear risk that Iran poses over there if we have to do it. The United States and President Obama should work with Mr. Netanyahu to make sure that we get that job done. We certainly don't need a terrorist state like Iran developing a nuclear weapons program with a delivery system that could deliver a nuclear warhead.

The SPEAKER pro tempore. Under a previous order of the House, the gentlewoman from California (Ms. WOOLSEY) is recognized for 5 minutes.

(Ms. WOOLSEY 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. POE) is recognized for 5 minutes.

(Mr. POE of Texas addressed the House. His remarks will appear hereafter in the Extensions of Remarks.)

□ 2115

CORPORAL DUSTIN LEE MEMORIAL ACT

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. Mr. Speaker, I have introduced H.R. 4631. The text is ''to authorize the adoption of a military working dog by the family of a deceased or seriously wounded member of the Armed Forces who was the handler of the dog.'' This act may be cited as the ''Corporal Dustin Lee Memorial Act.''

Mr. Speaker, 2 years ago, it was brought to my attention that a family in Mississippi, Rachel and Jerome Lee, their son, Dustin, a marine, was killed in Iraq for this Nation. Also with Dustin was his dog, Lex, who was wounded. In fact, the Marine Corps brought the dog, Lex, to Dustin's funeral.

Mr. and Mrs. Lee gave their son for this country, and all they asked of this Nation was to please let them have Lex, the dog that their son, Dustin, loved so much. Well, we all live here in Washington in a bureaucratic world, and there is some reason I guess for that, but the Marine Corps said to the family that Lex has 2 more years of service before he can be retired.

I heard about this story, and I called Mr. and Mrs. Lee in Mississippi. They told me, Congressman, we understand that this dog is very important to the cause of our Nation, but this dog meant so much to our son that that's all we would like to have. Well, I want to thank General Mike Regner, who I called and asked General Regner, is there any way we can expedite the retirement of Lex? And he said we will do our best to make this happen.

Well, these dogs that are trained work magnificently for this country. In fact, they give their lives many times to save a service person by seeking out these IEDs and other explosives. Well, it took about 3 weeks—that is not a whole lot of time, it really is not, but I think in the situation of these dogs, when the handler is killed for this country or seriously wounded, that we should be able to expedite this small gift to the family.

I will say to my colleagues, I am going to send a ''Dear Colleague'' around in the next few days that the Department of Defense has worked with us on. They support this legislation, so I hope that my colleagues will join me, and let's move this legislation through the House I hope expeditiously.

Mr. Speaker, this is a photograph taken by the family. When they got Lex home, they let Lex remember Dustin by having his clothes and his boots that had been returned from Iraq, and they let Lex remember the fragrance of their son. Then they took Lex to the cemetery—this is a rather large cemetery—and they said to Lex, Find Dustin, find Dustin. And the dog ran around the cemetery and then came up to the headstone. This is the headstone. It is a picture of their son Dustin with Lex. Dustin is kneeling and Lex is sitting there beside him. Lex came up to this headstone and laid down beside the headstone.

So with that, Mr. Speaker, I will ask my colleagues, please join us in H.R. 4639. This is the least we can do for the family or the wounded individual.

Mr. Speaker, as I always do, I ask God to please bless our men and women in uniform. I ask God to please bless the families of our men and women in uniform. I ask God, in His loving arms, to hold the families—like the Lee family—who gave a child dying for freedom in Afghanistan and Iraq. And Mr. Speaker, I will ask three times from the bottom of my heart: God please, God please, God please continue to bless America.

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Washington (Mr. MCDERMOTT) is recognized for 5 minutes.

(Mr. MCDERMOTT 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 South Carolina (Mr. INGLIS) is recognized for 5 minutes.

(Mr. INGLIS addressed the House. His remarks will appear hereafter in the Extensions of Remarks.)

KEEP CLASSICAL MUSIC ALIVE IN ST. LOUIS

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Illinois (Mr. SHIMKUS) is recognized for 5 minutes.

Mr. SHIMKUS. Mr. Speaker, I come to the floor today joining with my friend and colleague, Congressman LACY CLAY, to speak out on an issue that is very important to both of us and our constituents, the continued existence of an over-the-air classical music station.

The sale of KFUO–FM by the Lutheran Church-Missouri Synod is currently pending before the Media Bureau at the FCC, and both myself and Congressman CLAY have been contacted by our constituents concerned that the purchaser of the station may cease the classical programming, which so many residents of the St. Louis and Metro East communities have benefited from over the years.

KFUO–FM has been a proud partner with almost every cultural organization in the St. Louis area. It is also heard internationally through live streaming on the Internet. Classic 99, as KFUO is also known, features a large amount of programming for the fine arts institutions of St. Louis, including the St. Louis Symphony Orchestra, the Opera Theater of St. Louis, the Repertory Theater of St. Louis, the St. Louis Art Museum, the Missouri History Museum and Historical Society, the Missouri Botanical Garden, the Touhill Performing Arts Center of the University of Missouri-St. Louis, the Metropolitan Opera, the Bach Society of St. Louis, the St. Louis Chamber Chorus, the American Kantorei, the St. Louis Public Library, the St. Louis Children's Choir, along with many others.

KFUO is in a virtual partnership with these institutions, as many hours are given to these and other organizations for live broadcasting, education, and information programming, as well as for promotion. The loss of Classic 99 and its limitless contribution to the area's community may have a negative impact on many, and to the quality of life in the Metro East.

As many of my colleagues know, I am married to a classical musician. I met Karen while she was working as the director of Christian Education and Music at Bethlehem Lutheran Church in Monterey, California. When I started my life with Karen, I also began my life with classical music. Karen has worked as a youth minister, church music director, elementary music teacher, and private music instructor of many different instruments. She has also guided each of our children musically. All three of our boys are Suzuki-trained violinists. My sons, David and Josh, have sung with the prestigious St. Louis Children's Chorus. I credit their musical talents not only with my wife's teaching, but also with exposure to classical music from an early age. KFUO provides that critical early exposure to families all over the St. Louis area that may not have a family member with a music background.

To remove that sphere of influence I feel would be detrimental to many children in our communities. Without Classic 99, I don't know if many of the music institutions in the St. Louis area that rely on this station would be able to get their music heard. Even our local high school students have a chance to play on KFUO, an experience I'm sure that is a highlight of their musical education.

Mr. Speaker, I felt this issue was especially important for me to weigh in on today because, as a devoted Lutheran, I am concerned that the Lutheran Church-Missouri Synod does not realize how important these classical broadcasts are to the Christian faithful in the St. Louis area.

In most cases, Christian broadcasting and classical broadcasting are synonymous. The loss of this classical programming eliminates the witness to the Gospel through the broadcast of the words and music of Bach, such as broadcast of ''Bach at the Sem.'' Also, the St. Louis area would no longer be able to hear other Lutheran and Christian composers as well through programs devoted specifically to the Christian musical heritage, such as ''Joy'' and broadcasts of St. Louis Bach Society programs and overt Lutheran Christian programming such as ''Sing for Joy'' and the Sunday morning service from Chapel of the Cross in North County, St. Louis.

Music is an important part of Christianity and was an integral part in the start of the Lutheran church. One of my favorite Martin Luther quotes deals with the importance of music in the church, and I quote, ''Beautiful music is the art of the prophets that can calm the agitations of the soul; it is one of the most magnificent and delightful presents God has given us.''

From Bach to Mendelssohn, these talented musicians helped form the Lutheran church that we know today. I cannot imagine a church service without music, just as I cannot imagine St. Louis without KFUO–FM. It is just as important part to the St. Louis and Metro East residents as music is to Sunday mornings spent in worship. It is my sincere hope that the Lutheran church will realize this before this station changes its programming. It would be a loss to both the Christian community and the music community, a loss which I hope will be prevented.

Let us remember the words from Psalm 27:5–6 ''For in the day of trouble he will keep me safe in his dwelling; he will hide me in the shelter of His tabernacle and set me high upon a rock. Then my head will be exalted above the enemies who surround me; at His tabernacle will I sacrifice with shouts of joy; I will sing and make music to the Lord.''

Mr. Speaker, I am not here to say that the FCC should be dictating programming choice when considering a sale of a station. Rather, I would argue that the impact on cultural organizations and the impact on local jobs should be considered when deciding on these sales. I would like to enter for the record a petition to the LCMS Board of Directors, which both myself and former Senator Conrad Burns has signed, in addition to letters from musicians from all over the country that have enjoyed Classic 99's live internet broadcasts.

GERALD KIESCHNICK,
President, Lutheran Church Missouri Synod, St. Louis, MO.

DEAR PRESIDENT KIESCHNICK: The Musicians' Association of St. Louis, Local 2–197 AFM, is opposed to the sale of KFUO–FM, the only classical music radio station in the St. Louis metropolitan area, into a different format. This valuable resource is one of the main venues for arts organizations and has been a great tool in audience-building through live broadcasts and advertising.

The loss of our beloved radio station will have a huge impact on the arts in St. Louis:

Bach at the Sem, St. Louis Symphony Orchestra, and At The Garden, Live!, will lose their broadcasts, which are heard nationally through live streaming.

SLSO will lose a major advertising venue, which may hinder ticket sales and fundraising efforts. They are now moving forward after years of paycuts and freezes. Losing KFUO makes recovery more difficult.

Many arts organizations in the greater metropolitan area of St. Louis will lose a central advertising location in KFUO–FM. The loss of KFUO makes advertising much more difficult especially in these economic times.

President Kieschnick, Local 2–197 respectfully asks that you reconsider and direct your Board to stop the sale now.

Respectfully,
VICKY SMOLIK, President,
Musicians' Association of St. Louis, Local 2–197, AFM.

CLEVELAND FEDERATION OF MUSICIANS, LOCAL 4 OF THE AMERICAN FEDERATION OF MUSICIANS

Cleveland, OH, January 29, 2010.

U.S. Congressman JOHN SHIMKUS,
Springfield, IL.

DEAR CONGRESSMAN SHIMKUS, I am writing in support of the effort to prevent the sale of KFUO 99.1 FM.

One of the oldest radio stations west of the Mississippi River, and the longest continually-owned FM station in the Saint Louis area, KFUO not only programs classical, opera and jazz music, it is also a strong partner with the area's cultural institutions. The sale of KFUO, from the Lutheran Church-Missouri Synod (LC–MS) to Gateway Creative Broadcasting, Inc., would negatively impact those musical genres in the Saint Louis local and regional community.

In addition, KFUO programming targets school-aged children, and this sale would eliminate regular programming that allows high school orchestral musicians and choral singers the opportunity to perform for a radio audience, certainly a unique chance for these young musicians.

I understand a petition has been filed with the Federal Communications Commission alleging LC–MS did not properly open up a competitive bidding process to the public. An FCC investigation of this proposed transaction may deny the sale, or subject the LC–MS to further conditions including an open selection process.

In the wake of these allegations, and the potential loss of the crown jewel of cultural radio programming in the Saint Louis region, I sincerely urge you to join me in the fight to save KFUO 99.1 FM.

Very Truly Yours,
LEONARD DICOSIMO.

APPROVED KFUO LETTERS FOR RELEASE TO PRESS

NOTE: THE MUSICIANS COUNCIL HAS LETTERS REPRESENTING ORCHESTRAL MUSICIANS FROM CALIFORNIA, OHIO, MISSOURI, NORTH CAROLINA, ILLINOIS, TEXAS, TENNESSEE, WISCONSIN, AND NEVADA.

To: The Trustees and Management of KFUO FM

From: Paul R. Frankenfeld, President, Local 1, AF of M

Subject: The Preservation of Classical Music on KFUO

DEAR LADIES AND GENTLEMEN: In an age when arts organizations are struggling for survival, the continuation of classical music on a radio station is vital to maintain the ongoing community interest in symphony orchestras, chamber music, and opera. The long and proud tradition of service of this station to the broadcast of St. Louis Symphony concerts is to be applauded. I strongly urge you to continue this relationship by retaining the classical music format of KFUO FM so that current and future generations will have this resource to experience great art music.

Sincerely yours,

PAUL R. FRANKENFELD,
President, Local 1, American Federation of Musicians, Acting Principal Viola, Cincinnati Symphony Orchestra.

DECEMBER 31, 1969.

TO WHOM IT CONCERNS: Sometimes you don't realize how important something is until it isn't there any more.

Milwaukee has been without a classical station since WFMR abruptly changed 106.9 from classical to ''cool jazz'' (I think) over two years ago—and every day since I've heard at least one person mourn its loss.

It is not just the loss of hearing classical music on the air-waves, though that is a great loss in itself—it is the loss of announcers who were keenly interested in the musical scene in Milwaukee, who brought Symphony and other musicians in for interviews, who did feature stories about concerts coming up, and who raised awareness about classical music in greater Milwaukee.

My husband and I lived in St. Louis for a few months in 1990–91, and greatly enjoyed (among other things) our opportunity to perform with David Halen on ''From the Garden Live.'' We were amazed at how much excitement about local music was generated by that program, and have spoken enviously of it since, wishing that such an opportunity were available to us here.

I am awed by KFUO's long-standing commitment to sharing the fine arts and music which supports and enriches the significant cultural community of the St. Louis area. I earnestly hope that this honorable tradition will continue—that the citizens of St. Louis will not be bereft of a classical station, as we are, and that your great city will continue to have the fine classical station that it deserves.

Respectfully,

STEFANIE JACOB,
Pianist, Prometheus Trio Piano faculty, Wisconsin Conservatory of Music, Milwaukee, WI.

JANUARY 11, 2010.

TO WHOM IT MAY CONCERN: I have been a member of the Pittsburgh Symphony Orchestra for 29 years. Our local classical music station, WQED–FM, went on the air for the first time in 1973. It has been informing and enriching the city of Pittsburgh and a large extended community on radio, and the entire world streaming on the internet. In addition to their extensive programming, our PSO concerts are regularly broadcast on WQED as are over 100 local concerts by other artists each year. It would be a great loss both to Pittsburgh and the greater Pittsburgh area if we were to lose our station. (By the way, WQED–TV was this country's first community supported TV station).

I would like to see KFUO–FM maintained as a classical music radio station for St. Louis, and through live streaming, the entire United States. I applaud KFUO's long-standing commitment to sharing the fine arts and music which supports and enriches the significant cultural community of the St. Louis area. KFUO–FM has not only been responsible for promoting arts events in Missouri and Illinois, but is also steward of the countless contributors and listeners who have made KFUO–FM possible for the past 62 years. Please continue that trust by preserving KFUO–FM as a classical station.

You have a wonderful symphony orchestra and not only would they be affected by this, St. Louis would be diminished in the eyes of the educated public, and children will certainly miss out on the joy of discovering classical music on the radio.

Sincerely,

CYNTHIA BUSCH,
Violist, Pittsburgh Symphony Orchestra.

AUSTIN FEDERATION OF MUSICIANS,
Austin, TX.

TO WHOM IT CONCERNS: KFUO–FM has been partnering with the cultural community in St. Louis for over 60 years. KFUO's participation in the fine arts enriches the greater metropolitan area, including Eastern Missouri and parts of Illinois. Through live streaming, KFUO–FM is also heard throughout the United States and the world, proclaiming St. Louis as a major cultural community. Losing KFUO–FM adversely impacts all cultural institutions in the St. Louis area.

Please stop this sale. Thank you for your assistance.

In solidarity,

TERRY HALE,
President AFM33, Austin, TX.

Note: this petition is comprised of 41 prominent Lutheran Church-Missourians, including a United States Senator, who are opposed to the sale of KFUO–FM because of the adverse impact on the cultural community in the Greater St. Louis Metropolitan Area, especially the many world-class fine arts institutions.

KFUO/LCMS PETITION TO THE LCMS BOARD OF DIRECTORS

MAY 8, 2009.

(List of names augmented June 29, 2009)

DEAR MEMBERS OF THE LUTHERAN CHURCH-MISSOURI SYNOD BOARD OF DIRECTORS, Not unmindful of your responsibilities, and aware of the challenges presented Synod by current economic conditions, we ask you, nevertheless, to reconsider your decision on behalf of our Synod that authorized the sale of KFUO–FM. A sale, in our view and that of many others, would be very unfortunate. We are convinced that:

A vital mission of proclamation, nurture, outreach, and community relations is being conducted by KFUO–FM and these missions can be expanded and enhanced in the future;

A sale would damage the good name and reputation of The Lutheran Church-Missouri Synod in its headquarters city and around the world;

A sale would disenfranchise and severely disappoint many thousands of individuals and organizations that have provided virtually all the financial and volunteer support for the station throughout its history;

KFUO–FM is the source sustaining KFUO–AM. Its sale would surely be followed by AM's demise.

There are attractive alternatives for retaining KFUO–FM, thereby also ensuring the future of KFUO–AM. These should be explored with time and opportunity being given for their advancement.

Respectfully yours in Christ,

Dr. Andrew H. Bartelt (Executive Vice President for Academic Affairs, Concordia Seminary).

Dr. Karl L. Barth (President Emeritus, Concordia Seminary, St. Louis).

Dr. Robert Bergt (Director, The American Cantorei and ''Bach at the Sem'' concert series).

The Rev. Keith Boheim (The Marvin M. Schwan Charitable Foundation).

Dr. Ralph A. Bohlmann (President Emeritus, The Lutheran Church-Missouri Synod).

The Rev. Larry Burgdorf (The Marvin M. Schwan Charitable Foundation).

Senator Conrad Burns (United States Senator, Retired).

Dr. Paul W. Devantier (Senior Vice President, Advancement, Concordia Seminary, St. Louis).

Richard W. Duesenberg (Attorney at Law; co-founder, ''Bach at the Sem'' concert series).

Robert H. Duesenberg (Attorney at Law; co-founder, ''Bach at the Sem'' concert series).

Dr. Charles W. Dull (Former Director, Hong Kong International School).

The Rev. Alan Erdman (President, Lutheran Family and Children's Services of Missouri).

Dr. Jean Garton (Former member Board of Directors, Lutheran Church-Missouri Synod).

Oscar H. Hanson (Former member Board of Directors, Lutheran Church-Missouri Synod).

Dr. John F. Johnson (Former President, Concordia Seminary, St. Louis).

Dr. James W. Kalthoff (President Emeritus, The Lutheran Church-Missouri Synod).

Dr. Robert H. King (Former Vice President, The Lutheran Church-Missouri Synod).

The Rev. Jerry Klug (President, Clara and Spencer Werner Foundation).

Ruth M. Koch (Chair, Concordia Publishing House Board of Directors).

Thomas Kopatz (Managing Partner, Thrivent Financial for Lutherans).

Dr. Jonathan Laabs (Executive Director, Lutheran Education Association).

Michael Louis (Senior Vice President, Financial Planning and Administration, Concordia Seminary, St. Louis).

Laurence Lumpe (Executive Director, Lutheran Hour Ministries).

Dr. Paul L. Maier (Second Vice President, The Lutheran Church-Missouri Synod).

Dr. Walter A. Maier, II (Former Second Vice President, The Lutheran Church-Missouri Synod).

The Rev. Ulmer Marshall (Former member Board of Directors, Lutheran Church-Missouri Synod).

Dr. Dale A. Meyer (President, Concordia Seminary, St. Louis).

Dr. Judith W. Meyer (President, Lutheran High School Association of St. Louis).

Michael Onnen (President, International Lutheran Laymen's League).

Gerald Perschbacher (Editor, ''The Lutheran Layman,'' International Lutheran Laymen's League).

Dr. Richard D. Peters (Former member Board of Directors, Lutheran Church-Missouri Synod).

James F. Ralls (Chair, Board of Regents, Concordia Seminary, St. Louis).

Dr. Walter Rosin (Secretary Emeritus, The Lutheran Church-Missouri Synod).

Representative John Shimkus (United States Congressman, Illinois).

Dr. Uwe Siemon-Netto (Former Religion Editor, United Press International).

The Rev. Jonathan P. Stein (Regular Pastor on FKUO-FM for more than 20 years).

Dr. Richard L. Thompson (Former Chair, Board of Directors, Lutheran Church-Missouri Synod).

Edwin A. Trapp, Jr. (Former member Board of Directors, Lutheran Church-Missouri Synod).

Dr. James Voelz (Dean of the Faculty, Concordia Seminary, St. Louis).

Phyllis Wallace (''Woman to Woman,'' Lutheran Hour Ministries).

John D. Wittenmyer (Vice-Chair, Board of Regents, Concordia Seminary, St. Louis).

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Oregon (Mr. DEFAZIO) is recognized for 5 minutes.

(Mr. DEFAZIO 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 Texas (Mr. POE) is recognized for 5 minutes.

(Mr. POE of Texas addressed the House. His remarks will appear hereafter in the Extensions of Remarks.)

HEALTH CARE BILL NEEDS EXPERT OPINION

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Pennsylvania (Mr. TIM MURPHY) is recognized for 5 minutes.

Mr. TIM MURPHY of Pennsylvania. Mr. Speaker, when the White House summit occurs at Blair House to talk about health care, I am disappointed that not a single Member of the House of Representatives who has a background in health care has been invited, despite the fact that Medicare and Medicaid alone spend several hundred billion dollars. It would be nice if someone who has actually diagnosed a patient, prescribed medication, or treated a patient would be there, but so be it, it's not.

But also, as the discussions are coming forth, there are great differences between what one is looking at and the other party may be looking at for interventions here. We cannot have a system that simply is based upon raising taxes to pay for a broken system. There are 31-some taxes that my friends on the other side of the aisle have proposed, such as taxing employers for providing health insurance, taxing them if they don't provide it, tax you if you own insurance, tax you if you don't. If you spend money on health care, charitable contributions, alcohol, mortgage interest, pollution, oil, prescription drugs, payroll, capital gains, smoking, health care, and now a tanning bed tax. This does not change the system. In fact, it is something that is akin to just saying ''take two taxes and call me in the morning.'' That is not real health care.

Now, Republicans have talked about a number of things, such as allowing people to choose plans across the country, to join groups. I also believe people should be allowed to choose a basic plan, that is, choose a plan that is what you need instead of the government telling you what you need. But most important of all is the number of quality reforms which are not being addressed yet. In a $2.5 trillion system, we waste from inefficiency, we waste from changes, perhaps between $800 billion and $1 trillion.

An article published by Wennberg, et al., in Health Affairs a couple of years ago described it well. Wennberg, Fisher, Skinner, and Bronner, all from Dartmouth University and Medical School, they said that part of the nature of the problem is the present value of projected lifetime Medicare costs for a 65-year-old in Los Angeles is $84,000 greater than for a 65-year-old in Seattle. The difference between Portland and Miami is $125,000 in a lifetime.

''Much of the health policy is based on the assumption that geographic variation and utilization is driven primarily by the local prevalence and severity of illness. In reality, prevalence of illness doesn't drive spending; only about 4 percent of the variation in Medicare spending among groups is associated with the regional variation in the prevalence of severe chronic illness.

''When we look at utilization,'' they go on to say, ''among academic medical centers which care for the sickest of the sick, we see the same pattern; equally sick patients receive different care depending upon which academic medical center they routinely use for care.''

I read on here: ''Higher spending might be justified if more intensive use of in-patient care resulted in better quality of care or better health outcomes, but it does not appear to do so. At the population level, research has shown that patients with severe chronic illness who live in communities where more intensive use of in-patient care is the norm do not have improved survival, quality of life, or access to life. Indeed, outcomes appear to be worse.''

They go on to propose a few changes here which are the things I have talked about at some length over time—that we need to make sure we are doing disease management. They say such things as, ''We recommend that the Federal Government fund a program of clinical research designed to transform the management of chronic illness to a system where care is based primarily on illness level, valid science, and patient preference.''

Detailed specification of the clinical pathways for caring for the chronically ill—for instance, when hospitalizing a patient with congestive heart failure, which patients with chronic obstructive pulmonary disease will benefit from steroids, when to schedule patients for a revisit, or when to refer to a specialist for additional diagnostic testing are all important. Unfortunately, in the bills proposed by the House and Senate, they cut the funding for the very things that could do that, Medicare Advantage, cutting out $500 billion from Medicare from the very programs that invest money in disease management where we can save money.

They go on to say as another strategy that the transition for Pay for Performance should be based upon cost-effective care. The endgame is the establishment of prospectively managed, cost-effective and coordinated care. The enrollment of patients and the cohorts for prospective care management requires risk adjustment methods that account not only for illness level, but also socioeconomic status, adherence patterns, and social supports. This care would be supported by adequate infrastructure, information technology systems, electronic medical records to provide clinical guidance through care coordination, and a program for monitoring quality and efficiency.

□ 2130

Mr. Speaker and my friends, we cannot continue to pay for a broken system. There is a lot of great health care in this country, but as long as we have a system that continues to say we will pay doctors for procedures, whatever that might be, as opposed to paying doctors or hospitals, which are helping to treat patients to get better, then we will continue to see costs spiral.

I hope that the House and Senate work on really reforming health care, on really reforming health care and pushing for coordinated care. That, my friends, is the answer of how we lower health care costs.

THE PRESIDENT'S EXTREME AGENDA

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Texas (Mr. BRADY) is recognized for 5 minutes.

Mr. BRADY of Texas. Mr. Speaker, this past week was the 1-year anniversary of the so-called ''stimulus bill''—$862 billion—every dime of it borrowed from the future and from our grandchildren.

When that bill was rushed through the House with almost no time to study it, we were promised as a country that it would jump-start the economy, that it would stabilize unemployment and that it would restore consumer confidence.

The fact of the matter is that we have lost 4 million jobs since the stimulus was passed. Unemployment has risen dramatically. It continues to hover around 10 percent. Only 6 percent of Americans in the latest poll believe that the stimulus actually created jobs in America. Most of them feel that that extra debt has actually hampered the economy. Six percent. By comparison, I should say 7 percent of Americans still believe Elvis is alive, so you

sort of know what range this credibility has for the stimulus.

The fact of the matter is that stimulus wasn't designed to create jobs. It was designed to bail out government workers at the State and local levels. The truth is, if you are a government worker or if you belong to a teachers' union, you probably got a pay raise from the stimulus. If you work in construction or in manufacturing, you probably got a pink slip.

The fact of the matter is the government has grown since the stimulus has passed. The jobs in the private sector—small businesses and medium-sized businesses—are disappearing and continue to disappear, and that's because it wasn't designed to create small business jobs. In fact, more money in the stimulus was set aside to buy public art in America than to help small businesses to create jobs. It shows.

Too much of it was wasted. Too much of it was exaggerated claims where the White House announced jobs created in fake congressional districts. You heard about some of the waste, the fraud and the abuse in the stimulus: the $3 million turtle crossing in Florida, the $50,000 hand puppet grant in one of our States, the $4 million bike trail to Taco Bell in Massachusetts. By the way, I love Taco Bell, but that's not how our tax dollars should be spent. I'll end with this one, but this is one of those which is too hard to believe. $390,000 of your tax dollars was spent at the University of New York, in Buffalo, in a study to compare the relationship between drinking malt liquor beer and smoking marijuana.

So American taxpayers have given to 100 people for 3 weeks $45 a day. To do what? According to published reports, to drink malt liquor beer and to smoke marijuana. Those types of abuses are spread, unfortunately, throughout the stimulus. It's one of the reasons there is no public confidence in it.

Today, they are looking at a second stimulus. They call it a ''jobs bill,'' but it's much like the first one, just smaller.

Over the district work period, I met with small- and medium-sized businesses in Orange, in Lumberton, in Lake Conner, and in the Woodlands. I asked them what they would do to create jobs, and they turned thumbs down on all this new stimulus spending. What they said is that the government is in the way.

In Orange County, at a roundtable, Keith Wallace, who owns a dry cleaners there and is on the port commission said, We need to get rid of the fear—the fear of higher health care mandates and taxes, the fear of cap-and-trade, the fear of new tax increases.

Marjorie Claybar, who runs a cafe in Orange County, said, We need certainty from our government. We need certainty.

Sue Cleveland, over in Lumberton, Hardin County, said, There is so much fear about what is going to happen in Congress with all of these tax increases, health care, and cap-and-trade.

Lori, from State Farms, said, People are simply too scared to invest.

The truth is that is it. Businesses are not willing to risk their hard-earned capital. They are not going to bring back workers that they had to let go. They are not going to hire new ones or make that expansion plan as long as government continues a job-killing agenda in Washington and as long as it proposes a job-killing budget. The President's budget, in my estimation, has killed more jobs than any budget in American history—new tax increases on small businesses, on energy companies, on local real estate companies, on families, on professionals all across the board, U.S. companies that compete overseas. All of those kill jobs in America.

The truth of the matter is we are not going to get out of this recession by government spending. Private enterprise, when those small businesses and medium-sized businesses start hiring again, is what will sustain an economic recovery in America. America hates being in a recession. They hate even more being in a depression. They are naturally prone to pull themselves out, but now the government is clearly the obstacle in the way of it.

We see this President and Congress pursue a more extreme agenda, a bigger health care bill—the President actually announced a bigger health care bill than the Senate one—more spending, more subsidies, more tax increases. They are not listening to the American public. They are not listening to our small business community. We are in trouble. It is time to get back on track.

THE SUCCESS OF STIMULUS I

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from California (Mr. GARAMENDI) is recognized for 5 minutes.

Mr. GARAMENDI. Mr. Speaker, I keep hearing this discussion that the stimulus didn't work. I don't know what people are looking at, because, in my district in California and in the State of California, the stimulus has been of utmost importance in maintaining at least a base.

California received some $63 billion from the stimulus. Where did the money go? Well, $9 billion went to the school systems in California so we didn't have to lay off teachers and janitors and bus drivers. Those people continue to be employed, and they continue to do an extremely important piece of work. That is investing in our children.

Along the way, we also invested in those schools. In my district, some nearly $100 million went into repairing schools—painting, fixing, improving their energy efficiency.

$197 million backfilled money that the State of California couldn't put up to build a tunnel through the Caldecott mountains. Six thousand jobs will be underway now and into the years ahead as people work on building the tunnel, and we are going to eliminate one of the great traffic jams in the Bay Area. It goes on and on and on.

The University of California and the State university system, instead of laying people off, received stimulus money, so they were able to continue to provide classes.

I don't know where all of this talk that the stimulus doesn't work comes from. It certainly doesn't come from the reality of what is taking place in California.

I've also noticed on television many of my Republican colleagues, who come here on the floor and say the stimulus does no good, who then go home and show some huge checks, taking credit for the stimulus money's providing jobs in their districts. So perhaps there is a speech on the floor, and then there is the reality out in the country.

Yes, we do need a second stimulus, and we need it to be a big one. People want to work. They don't want to take unemployment insurance. They don't want to have to be tax takers. They want to be taxpayers. The first stimulus did that. A second stimulus should do that.

I would also point out that, around the world, every industrialized Nation in the world, including China and India, did the same thing that we did in America, and they did far more. They actually put up a larger percentage of their GDP. Most of them borrowing as we did here in America. It is required that we put people to work. Otherwise, you are going to have tax takers. You are going to have greater unemployment. Let's give people a chance to have a job. Yes, it is deficit financing, but the second stimulus is going to be paid for fully by taking back the money that was given to the Wall Street rip-off.

So, Mr. Speaker, I think we need to understand that the stimulus, which is 1-year- and 1-week-old, actually worked. The second one is desperately needed because there is a world of hurt out there. If you are listening to your constituents, you know that they want to work. That is what the stimulus I did, and jobs for Main Street will do the same, using Wall Street money for Main Street jobs.

WORK TO SOLVE PROBLEMS RATHER THAN TO REWRITE HISTORY

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Florida (Mr. POSEY) is recognized for 5 minutes.

Mr. POSEY. Mr. Speaker, I am a little bit tired of hearing ''we inherited.'' We were on the floor today, and we were trying to have some dialogue about jobs and about the economy, and all I heard from the other side of the aisle all-day long was, You guys are the Party of No. You guys don't have any ideas. You guys yadda, yadda, yadda. You guys put us in debt.

I left the floor after that a little bit dismayed. When I got to committee, what did I hear in committee the whole time? You guys are the Party of No. You guys left us all this debt. You guys ''this'' and you guys ''that.'' It's a little bit hard to take. You turn your cheek the other way seven times, and then it's seven more times.

Sooner or later, somebody ought to set the record straight because, if my colleagues here can be so misinformed—and I'm a freshman. I mean I'm new here, but I know that final budgets do not come from the White House. They come from Congress. The party that has controlled Congress since January 2007 has been the Democratic Party. I mean it's not rocket science. It's a fact of life.

You know, one more time, just a brief civics lesson for anybody who doesn't understand that. I hope there's nobody in this Chamber who doesn't understand that.

Final budgets, binding budgets, do not come from the White House. They come from Congress. The party that has controlled Congress since January 2007 has been the Democratic Party. They controlled the budget process for fiscal year 2008, 2009, as well as 2010 and 2011.

In that first year, they had to contend with George Bush, which caused them to compromise on spending when Bush, somewhat belatedly, got tough on spending increases.

For fiscal year 2009, though, the Democratic-controlled House and Senate bypassed the President entirely, passing continuing resolutions to keep the government running until Barack Obama could take office. At that time, they passed a massive omnibus spending bill to complete the fiscal year 2009 budget. Where was Barack Obama during this time? He was a member of that very Congress that passed all of the massive spending bills, and he signed the omnibus bill, as the President, to complete fiscal year 2009.

Let's remember what the deficit looked like during that period. If the Democrats inherited any deficit, it was in 2007, the last of the Republican budgets. That deficit was the lowest in 5 years, and the fourth straight decline in deficit spending. After the Democrats in Congress took control of spending—and that includes then-Senator Obama who voted for the budgets—if the President inherited anything, he inherited it from himself.

In a nutshell, what my colleagues across the aisle are saying is that they inherited a deficit that they voted for, and then they voted to expand that deficit four-fold since January 20.

As Paul Harvey would say, ''That's the rest of the story.'' Now can we get together working to solve the problems instead of trying to rewrite history?

HEALTH CARE REFORM

The SPEAKER pro tempore. Under the Speaker's announced policy of January 6, 2009, the gentleman from Georgia (Mr. BROUN) is recognized for 60 minutes as the designee of the minority leader.

Mr. BROUN of Georgia. Thank you, Mr. Speaker.

I am a medical doctor. I have practiced medicine in Georgia for almost four decades. As a medical doctor with all of that clinical experience—I'm a family doc, a primary care provider.

I've examined the proposal that the White House put forward just 2 days ago. Frankly, I've got a diagnosis. I cannot give ObamaCare 2.0 a clean bill of health. What I can diagnose for the American people, though, is this:

It's going to make the American people sick—sick in their wallets because it's going to cost more. Health care costs in this country are going to skyrocket because of this ObamaCare proposal that the White House recently put out.

As The Wall Street Journal just very aptly said in an editorial this morning: The White House has accomplished a great thing. They took the most onerous pieces of the House bill and the Senate bill and combined them to make the current proposal of ObamaCare that the White House is putting forward even worse than either of those bills.

The quality of health care in this country is going to go down. It's going to go down because doctors and patients will no longer be able to make health care decisions. It is going to be made by a Federal bureaucrat here in Washington, D.C.—one that doesn't, in all probability, have any medical training whatsoever.

As a health care provider, as a medical doctor today, I see Federal bureaucrats who have no medical experience telling me and my colleagues whether we can put a patient in the hospital or not, whether we can give them a certain medication or not, how long they can stay in the hospital, what kind of care we can give. So there is already control, particularly with the Medicare patients of health care.

The problems that Medicare has today are going to be exacerbated, or made worse, by what this administration is doing and by what the leadership in this House and in the Senate are doing. It's not only going to destroy the quality of health care, but it's going to destroy the budgets of States, of local communities and, most especially, of small business and of people who are working class Americans.

The reason it is going to do that is that the cost of health care is going up. It's going to go up for everybody. It doesn't contain costs at all. We've been told by the President that this—and in fact, they claim on the White House Web site that this is going to help the Federal deficit by $100 billion. Well, the reason for that is they are going to markedly raise taxes—over half a trillion dollars in increased taxes. Those taxes are going to be on everybody.

We hear from the President that he doesn't want to tax anybody but the upper 5 percent of the population, 5 percent of the income, but that's not factual. Everybody is going to be taxed because of the mandates. We have been told over and over again that, if you like your health insurance, you can keep it. Nothing can be further from the truth.

Folks, Mr. Speaker, if you like your health insurance, you can't keep it, because even this new ObamaCare 2.0, the second version, has so many mandates and requirements on private health insurance that it appears to me that what our administration is doing is they are putting up a system that is going to force everybody onto the public exchange.

Well, the President told us a couple of months ago that he sees the public option—or in the Senate, it's the public option lite. They call it a public exchange. That is what is in the President's current proposal. It's just the first step towards Federal bureaucrats' controlling every health care decision in this country. Federal bureaucrats are going to run the health care system for everybody.

The playing field has been laid, in this latest proposal by the President, that it is going to put the squeeze on everybody in this country, not only on the insurance companies—and I'm not a friend of the health insurance companies. I fight them all the time as a health care provider, as a medical doctor—but it's going to put the squeeze on everybody to force them off of private insurance into a public exchange or into a public option.

The President told us just a few months ago that his game plan, his purpose of all this, is to try to force everybody into a government-controlled health care system, and that's exactly the direction that he is going.

□ 2145

Now, frankly, I think this proposal of a bipartisan meeting on Thursday, the 25th of February, is nothing but a ruse. It's nothing but a dog and pony show either to try to make the Republican Party and Republicans to be a party that has no ideas, which the Democrats over and over claim, or to be an obstructionist party, that just want to be the party of ''no.''

Mr. Speaker, the American public needs to understand the Republican Party is the party of k-n-o-w. We are the party of ''know'' because we know how to lower the cost of health care. We know how to lower the cost of energy, to seek energy exploration here in America so that we're less dependent upon energy sources from countries that hate us and want to destroy us. We are the party of k-n-o-w, ''know,'' because we know how to create jobs. And we do that through stimulating small business, by giving them tax breaks to leave dollars in the hands of small business men and women so that they can hire new employees, so that

they can expand their business, so that they can buy new inventory. We're the party of k-n-o-w because we know how to give individuals money in their pockets so they can be good consumers again.

Mr. BRADY of, Texas in his 5-minute speech, talked about the folks that he talked to just recently there in Texas, and these are small business men and women that said that we need to get the fear out of the system. We need to give assurance.

Mr. Speaker, I am here tonight as a medical doctor to try to give some assurance to the American people that there are people here on the Republican side that are fighting against this government takeover of the health care system.

Mr. Speaker, the American people have spoken very loudly. A recent poll showed that 70 percent of Americans either want us to scrap the ObamaCare plans, the House plan and the Senate plan, and it would include his new plan because it's the two plans put together, or do nothing. Well, frankly, as a medical doctor, I don't want to do nothing. I have introduced my own health care finance overhaul plan, H.R. 3889, which is a comprehensive overhaul of the health care system. It's a little over 100 pages. It would put patients in charge of health care decisions, along with their doctors. And even Medicare patients. It would stop this government control of health care dollars and would put those decisions back in the hands of the patients and the families where they should be. So Republicans are the party of k-n-o-w, ''know.'' We've tried real hard.

But the President has proposed this bipartisan summit. But a senior White House official said Thursday the Democrat negotiators, talking about this summit that is going to occur this Thursday, the Democratic negotiators are resolving final differences in House and Senate health bills. That's what we saw just this week in the Obama administration's proposal that's on the White House Web site right now, 11 pages, no bill, no legislative language. We do not have a bill. All we have are bullet points and ideas that they have now resolved the differences and have one bill that passed last year with virtually no Republican help.

Our leadership went over to the White House and said, We'll be glad to come. We'll be glad to try to solve this problem for the American people. Our leadership, our Republican leadership, has offered a hand out to the White House and said to the White House, We want to find some commonsense solutions. It's good for patients, good for small business, good for America. We need to start all over again. Let's find some areas of mutual agreement. Let's find where we can agree on issues, where we can pass something to lower the cost of health care for all Americans. Let's try to find some solutions to help those who are struggling to pay their bills and can't buy health insurance by making it more affordable. Let's find solutions to those who are uninsurable because of preexisting conditions.

What was the answer from the White House? The White House's answer was, No, we will not do that. You have to accept our plan. We're going to start there. We will talk about our plan and we will see where we go from there. We're not going to start over. We're not going to try to find some common ground. You have to accept things that you do not like. That was the answer from the White House.

Our leadership said, Well, at least do this: Let's take the ramrod out. The ramrod has to do with the rule over on the Senate side that's called ''budget reconciliation,'' and it's a way of trying to ram things through the Senate.

The White House says, No, we won't do that. We're going to ram it down the throats of the American people whether they like it or not, and we will do it without your help. We will do it solely with Democrats doing this. And we don't care what you say. We don't care what you believe. We don't care what you bring to the table. We're not going to consider your proposals. We're not going to consider anything that you're offering. We're going to do it our way, like it or lump it. That's what the White House told our leadership.

Is that what the American people want? I don't think so. I don't think so at all. That's what the White House has said. Now, that was in a private meeting.

They've suggested that we have this open bipartisan meeting televised, and, frankly, I think it's just nothing but political theater to try to force down the throats of the American people a government takeover of health care so that government bureaucrats here in Washington, D.C., make your health care decision if you're out there in America; that's going to tell doctors, patients, and families whether they can get care or not, whether they can have a medication that may be even a lifesaving medication or not. And the cost is going to go up. What's that going to do? Because the costs are going to go up, it's going to hurt small business. It's going to hurt workers. It's going to hurt the middle class. We're told one thing by the President, but the President says one thing and does something else.

It's a sad day. It's really a sad day. It's a sad day for my patients. It's a sad day for working men and women in America. It's a sad day for those people who are struggling to make ends meet. It's a sad day for those people who are on government assistance today. It's a sad day for America because I think this dog and pony show, this charade, this ruse that the White House has put together for Thursday is nothing but something to try to pull the wool over Americans' eyes.

The good news is, though, America, I don't think, is going to buy it because the American people get it.

The President recently said he's just not articulated well enough about ObamaCare to allow the American people to understand how they need this government takeover of the health care system. He didn't call it a government takeover of the health care system. He said ''my plans.'' ''My,'' ''I''—all his focus is on himself. But the American people do get it. They understand very firmly that this is not what they want. This is not the change that they thought they were getting. This is not the hope and change that was promised.

I have been joined tonight by several of our Doctors Caucus members, a couple freshmen and then a longstanding Member of the House that have come tonight to talk to the American people, Mr. Speaker, through this Special Order about ObamaCare to let people know that Republicans are the party of ''know.''

To begin with, I would like to welcome and yield to a freshman, another family doctor from the State of Louisiana, from Shreveport, Louisiana, Dr. JOHN FLEMING.

Mr. FLEMING. I thank the gentleman from Georgia, PAUL BROUN, a fellow family physician, a fellow conservative who has been a great inspiration for me, a great Member, and under whose leadership many of these issues have been very valuable to me.

Mr. Speaker, what I'm going to do is just touch very lightly, just highlights, on where we started with this and where we are today and certainly yield back for others to weigh in on this.

It's been slightly less than a year ago that we began to see a strong movement towards the passage of health care reform in Congress. Quite frankly, I ran on health care reform as a physician, and I'm sure Dr. BROUN sees many of the things that can be fixed in our system that are problems. Having said that, we have the best health care system in the world. How do I know this? Well, just one of many empiric facts is a gentleman—I believe his name is Mr. Williams—who is Premier of Newfoundland, who needed heart surgery, and the type of heart surgery he needed was simply not available in Canada. So he came to the U.S. of A., the good old U.S. of A., to have that heart surgery because that's where the cutting edge is for health care. If you really need health care, the best of health care, and you have the resources, the U.S. of A. is the place to get it, but we need to be sure that good health care is available to all.

Less than a year ago, there was launched, by both the House and the Senate, efforts to pass health care reform, which really turned out to be, in my view, nothing more than a government takeover of health care.

□ 2200

Both bills are very similar. Both passed, of course, each House. The one or two major differences would include the House bill has a government option. The taxation is heavy in both.

The financing is heavy in both, but very similar.

But, to cut to the chase, it cuts out a half-trillion dollars from Medicare. It taxes people $800 billion, and it does not bend the cost curve down. Even the CBO says that.

Now, we have a situation, despite the fact that all of us here who are speaking tonight have been working very hard for many months, day after day, night after night, attempting to drive a wooden stake in the heart of this vampire, the government takeover of health care. And it seems, even when it's dead, it seems to be rising again.

Now, you know, it started out with a slight approval rating in the early days. I mean, who wouldn't be for health care reform? It sounds like a wonderful idea. But as people began to learn about it, and certainly when we got to the August recess where there were town hall meetings, we saw situations where people became so angry they were almost, I would say, out of control at times, very angry at many of their representatives across the country who would dare want the government to take over the most intimate part of our society, and that is health care.

And so, little by little, and maybe not so little by little, but perhaps even rapidly, we saw the approval rating of the government takeover of health care drop. And today, 2 to 1 Americans are against this. And those of us who were against it, it doesn't matter what party you're in—it doesn't matter. I mean, the only thing bipartisan about these bills we can actually say is that there are people on both sides of the aisle who are against it. But the bottom line here is that Americans do not want this.

I perceive us today, at this point in time, to be two touchdowns ahead, and 2 minutes left in the fourth quarter. The debate is over among the American people.

Yet and still, we have the President and Members of the House and the Senate, Democrat Party, who still want to find a way to cram it through. And one of the things they've come out with is just the release, less than 24 hours ago perhaps, maybe a little more than 24 hours ago, of a compiled version of the two bills. And here is what we have. The bill is most like the Senate bill, that is, the Obama 2.0 that Dr. BROUN refers to is most like the Senate bill, but it increases spending by $100 billion. It increases premiums that are already going to increase by $2,100 per family per year. And it does something unbelievable, unprecedented. It actually begins to tax, by a factor of 2.9 percent, unearned income. That's the capital gains tax, interest income. These are all things that come to people who, in many cases, have fixed incomes. And of course, yes, it is the people who make over $200,000 a year.

But you know what? Where are we today with the AMT tax? It was never indexed for inflation, and now we have middle class people paying it. This is not indexed either, so sooner or later, middle class taxpayers will be paying those taxes.

Mr. BROUN of Georgia. Will the gentleman yield a second?

Mr. FLEMING. Yeah, sure.

Mr. BROUN of Georgia. I want to point out something too so that we understand. We keep hearing from the President, we want to tax the rich. Most small businesses in this country file their income taxes individually because they're sub S corporations, which means that their income taxes are filed individually, as a person or as a couple. And over half of those people that make over $200,000, which is in the President's current proposal, are small businessmen and women, and it's taxes on their business. So, by taxing folks making over $200,000 or over $250,000, what it's going to do is it's going to take money out of small businesses so that they can't expand, so that they cannot give their employees the kind of salary that their employees deserve.

And I've talked to a lot of small businessmen and -women in Georgia who are going to have to let people go. So this is going to cost a lot of jobs. In fact, millions of jobs all over this country are going to be lost because of this tax, so-called tax on the rich, because it's really a small business tax. It's a tax on small business that's going to cost millions of people their jobs in this country. They're going to be out of work, and so we're going to have more joblessness in this country if this monstrosity gets passed into law. I thank you. I yield back.

Mr. FLEMING. Yes. I appreciate the gentleman, Dr. BROUN. Absolutely, that's the working capital for small businesses. You add to that that there will be as much as an 8 percent payroll tax for businesses that heretofore could not afford health care insurance, and they'll have to pay the insurance without getting that. And then their employees, who will not be able to afford to buy insurance, will be—instead of paying $750 per person under the Senate version, it'll be $2,000. So we have many things that are going to be job-killers out of this bill.

And last but not least, just when we thought all of those bad deals that really got this thing in trouble to begin with were going away, we find the Louisiana Purchase, the $300 million for Medicaid to Louisiana, which—Louisiana needs money to offset a FMAP problem, no doubt about it. But the problem is, if this bill goes to signature, that $300 million will be swallowed by a billion dollars of additional cost down the road that Medicaid is going to cost. So no real benefit to the State of Louisiana.

The Yukon deal—Senator DODD added $100 million for a hospital that he liked for his State.

Gatorade—Ben Nelson secured extra benefits for Medicare Advantage beneficiaries. The handout, the Montana, the North Dakota Senators deal, Hawaii got a special exemption for higher Medicaid DSH, or ''Dish'' payments. On and on and on, there are all sorts of deals still in this bill that have not been cut out.

And so I agree with the gentleman. As we go into this summit, health care summit on Thursday, there's no doubt about it. The American people need to understand that this is not about a true negotiation. The Republicans have been locked out of negotiations. We've been locked out of amendments.

Despite what I hear my Democrat colleagues say, we do not agree with 80 percent of this bill, not by any stretch of the imagination.

And so why now would we have this summit in front of the cameras? The reason is, as I said, is because this bill is nearly dead. It's trying to be revived, and now this is time for the Hail Mary. The President's going to jump in there and try to revive this somehow at the last minute.

And so I submit, Mr. Speaker, that it's time to kill this once and for all. Let's go on to true health care reform, stand-alone bills, starting with the low-hanging fruit, one at a time, attacking the things that we know we can all agree on: Preexisting illnesses, aggregating employees into large buying pools, purchase of insurance across State lines, tort reform—these things are straightforward. We could improve health care and lower the cost overnight by doing these things. And then get back to the people's work, and that is creating jobs for this country. I thank you and I yield back.

Mr. BROUN of Georgia. Thank you, Dr. FLEMING. I appreciate it. Now want to yield some time to another great member of our Doctors Caucus, Dr. JOHN BOOZMAN from Arkansas. And Dr. BOOZMAN, before you start, I want to say that just to kind of tag on to what Dr. FLEMING just said about the Louisiana purchase. He's from Louisiana. But this new proposal that President Obama has put forward is going to extend the Louisiana Purchase to every State. Now, the governors are going to love that, and the State legislatures are going to love that, because what it's going to do is it's going to take some of the financial burden off them for health care costs that are skyrocketing because of the Federal Government. But what it's going to also do is it's going to put a heavy burden on all the taxpayers in this country. So the taxpayers are going to hate the Louisiana Purchase. And it's just a cost shifting, basically, from a State level to a Federal level, and again, it's a Federal takeover of the health care system, and to get the States, as well as private insurance, out of the health care system, so—Louisiana Purchase. So I appreciate Dr. FLEMING bringing up the Louisiana Purchase.

Dr. BOOZMAN, I yield to you whatever time you may consume.

□ 2210

Mr. BOOZMAN. Thank you very much.

I agree. That sounds good in the sense of taking an additional role by the Federal Government paying for these things. The problem is, we've got a proposed budget by the administration of $3.8 trillion. Almost half of that money is borrowed from people like Saudi Arabia, China—people that don't like us very much. And the American public knows it just doesn't work. These things sound good but at some point, you have got to pay your bills, and we've got to start paying our bills.

The President outlined his plan, and the reality is he's not hearing the concerns of the American people. He is not hearing the concerns of the people of Arkansas. What he is doing is he is telling us what health care coverage we can have as opposed to what the American people want.

The American people now in overwhelming majority have said, ''No. This is not the bill we want.'' Right now, we're spending more than any other country in the world by far with our health care system. The proposal that we have will spend almost another trillion dollars and yet costs will continue to rise.

So, again, instead of trying to do something in the free market way to lower costs, what the bill actually does is basically say we're going to do that by setting price controls. And price controls don't work. What we're going to do is have rationing, and we will have decreased quality of care.

Another real concern I've got is the abortion coverage. The Hyde amendment has always said that we're not going to pay for abortions with taxpayer funding, and yet this bill leaves that wide open.

The Medicare payroll tax. The administration is talking about putting a 2.9 percent tax on non-wage income, and I don't think the American public understands yet that that is in there or being talked about, the ramifications about that. But when you start taxing dividends, when you start taxing interest, capital gains, things like that, those are the kinds of things that are creating jobs.

My frustration is instead of coming out with things that are job creators in this economy, we continue to have these things thrust upon us that are really job killers.

The group that he is not talking about—and we were discussing this earlier, and I will yield to my colleague here—are the health care providers.

Tomorrow, Thursday, there is going to be the meeting, and there is probably 17, 18, 19, 20 Members of Congress that are health care providers, and none of those are over there actually talking about what's going on.

Mr. BROUN of Georgia. Let me reclaim my time here.

Let's say that again so we understand. The American people say, ''What? You're not including doctors who are taking care of patients? How are you going to form a health care system?''

Dr. BOOZMAN, please say that again very clearly so the Speaker and anybody watching tonight can understand.

Mr. BOOZMAN. Again, and this is not a Republican or Democrat thing. I am just saying health care providers amongst all of us. When you add the experience up, the years of practice and things, you would think that this is the group that you would call on first to get over and give you good advice.

Mr. BROUN of Georgia. Reclaiming my time, I agree with you. In fact, I introduced H.R. 3889, a comprehensive bill, a little over a hundred pages, that totally would change health care financing in America and it would give patients the power to make the decisions along with their doctor.

I wrote the President. He said, If you have any ideas, my door is always open. But I've been knocking on that door over and over again, and it is slammed shut, locked, and I've been trying to open that door that he said was open and it's not been opened.

I know other members on our side, Dr. PRICE from Georgia, another physician, orthopedic surgeon, has introduced the Republican Study Committee Bill, H.R. 3400. Dr. PRICE has offered to talk with the administration. The door is locked. Bolted. Closed shut. Republicans Go Away is the sign on the door. And we're not being included in this so-called summit, bipartisan summit, on Thursday.

Why don't they want us there? Because we know about health care. They're not interested in what we, as physicians, know. They're not interested in our ideas. They're not interested in any Republican ideas.

This is a ruse. It's a show. Nothing but a dog-and-pony show to try to boost the President's approval ratings or try to make him look as if he is reaching out a hand of bipartisanship trying to find solutions for the American people. Actually, it's a fist that he is showing us, and it's a closed fist. It's a closed, locked door, and it's nothing but a show or a charade to try to look to be something different than it is.

Thank you, Dr. BOOZMAN.

We are also joined tonight with another colleague. Louisiana is blessed by having three physician members of the Republican delegation here. We heard from Dr. JOHN FLEMING just a moment ago. We have Dr. CHARLEY BOUSTANY from Lafayette, Louisiana. Lafayette is one of my favorite towns. I've got some great Cajun buddies that I duck-hunt with down there. In fact, I talked to one today about he's coming to Georgia and wants to go turkey hunting. Shelly Deshotels from Lafayette, Louisiana is a good friend and a turkey hunting buddy. And Shelly Deshotels told me today, ''Keep fighting.'' He doesn't want to see this health care bill passed anyway.

We've got another physician, Dr. BILL CASSIDY, who's joined us today.

Louisiana is like Georgia. We have three physicians from Georgia in the Republican delegation, and we have three physicians from Louisiana in their delegation.

I want to welcome and yield to Dr. BILL CASSIDY for such time as he may consume.

Mr. CASSIDY. Dr. BOUSTANY will be at the summit meeting.

Mr. BROUN of Georgia. Oh, really? That is news. Hallelujah. Praise the Lord.

Mr. CASSIDY. Clearly, I think we can all agree on what are the goals of health care reform. We want access to quality care at an affordable price. And it kind of gives us a nice way to judge each of these.

I am struck. Medicare is going bankrupt in 7 years. Medicaid is bankrupting States, and we're about to create a third entitlement to rescue the first two. And a third entitlement that is going to be based upon the House bill and the Senate bill. The Congressional Budget Office has said of both the House bill and Senate bill that they more than double costs within 10 years.

So we're going to go from a status quo which may double costs in 10 years, to a reform which more than doubles costs in 10 years.

Folks ask me how do I like my first year in Washington, D.C. I say, it's a crazy place. We pass a reform to control costs which is more expensive than the status quo—and that is important because the American people since August have been saying, Mr. Speaker, that we need to control costs. They understand that you can give everyone access, but soon our costs are out of control and access is gone. You can give everybody the highest quality, but unless you control costs, again you break the bank.

So the American people since August, and with the Senate election in Massachusetts putting an exclamation mark behind the sentence, are saying, Control costs.

Now as it turns out, the proposals before the President, the Senate bill, again, according to Congressional Budget Office, more than doubles costs in 10 years, and the President's proposal will be a hundred billion dollars more expensive than that.

Now, the President is billing this as a tax cut to the American people, but really it's a shell game. Some folks will have their taxes simultaneously raised and their subsidies increased. Now, that's a crazy thing, but on the other hand, if you're going to subsidize here, you must tax there. And because some of the things being taxed are insurance policies—insurance policies owned by union folks, for example, who negotiated this through their wages—there will be a tax on folks who most consider middle income.

What are the alternatives? You mentioned something earlier, Dr. BROUN. I said, man, you can tell the guy's a family physician. You talked about empowering patients. I think the fundamental difference between the Republican proposal and the Democratic proposal is that the Democratic proposal

is a top-down, control costs from Washington, D.C., type approach.

Mr. BROUN of Georgia. That doesn't control costs.

Mr. CASSIDY. Dr. BOOZMAN just pointed out that the price controls upon insurance policies is the ultimate in a top-down, bureaucratic, doesn't matter what the market says, we're going to control your costs from Washington. It never has worked.

On the other hand, the Republican approach is patient-centered. You and I know as physicians—and I am still seeing patients. I see them about once every 2 weeks in my practice. I work in a public hospital treating the uninsured. If you involve the patient in her care, she typically is healthier, she saves money, and the system saves money.

□ 2220

Health savings accounts, Dr. BROUN, I know you know this, but for the audience, a patient will put, with pretax dollars, before you are taxed on it, will fund a bank account, and that bank account is used to pay for medical care.

As it turns out, with traditional insurance, say a family of four puts up $12,000, and then a year later they put up another $12,000, and then a year later they put up another $12,000. With a health savings account, if you don't use the money, it rolls over to the next year. And some families will continue to accumulate until the amount they have to put in is zero because they have been so wise with how they spend their money.

A good example of this, I am sorry Dr. FLEMING left, because he talks about how his medical practice went to HSAs for all the employees. And he has an employee who was smoking. And she complained, because before the insurance paid for inhalers—the smoking had given her asthma—and now she had to pay for it out of her own pocket. So before she was cost-insensitive, and now, because it is out of her bank account so to speak, she is aware of it.

And Dr. FLEMING said to her, Well, you know, if you stopped smoking, you wouldn't need that inhaler.

And she goes, Really?

He goes, Yes.

She stopped smoking, her health is better, she no longer pays for inhalers, and we are controlling costs overall. So by involving somebody in her care, her health is better, the system saves money, and she has more money in her pocket.

And, by the way, one last thing before I yield back, the Kaiser Family Foundation has a study. They found that a family of four with a health savings account, that that policy is 30 percent less expensive than a traditional insurance policy for a family of four; that the family with the health savings account and the catastrophic policy on top, not only is that policy 30 percent cheaper, but they use preventive services as frequently as a family with a traditional insurance policy.

Now, if our goal is to give high quality care to all at an affordable cost, well, what we just found out is with the HSA you lower the cost by 30 percent. Okay. That is one of your goals. And they are using preventive services as frequently. So they have access to quality care. As it turns out, because it is lower cost, 27 percent of people in this study who had a health savings account with a catastrophic policy were previously uninsured. About 50 percent had a family income of $50,000 or less, and about 60 percent had a family income of $70,000 or less.

So again, by lowering costs 30 percent, people who were formerly uninsured now have access to quality care. That is a patient-centered approach, far different from the bureaucratic approach that is being offered by the Senate and House bills. But from our experience as practicing health care providers, I think we can say it is the right approach.

I yield back.

Mr. BROUN of Georgia. Thank you, Dr. CASSIDY.

One other thing that I want to add, too; not only is it less expensive, people can afford to buy insurance where before they had not been able to. They use more preventative services, but they take care of themselves better. So they are healthier. Diabetics control their blood sugar better. People who have high blood pressure control that better. Folks with high cholesterol tend to get their cholesterol lowered. They have less heart attacks, strokes. So they are healthier. They live longer. They are more productive. They are happier. They feel better, have more energy. So it actually promotes wellness.

If you really think about it, in the health care system today, we are not taking care of healthy folks, for the most part. We take care of sick people. That is what doctors do. That is what hospitals do, take care of sick people. Some people say we have a sick care system. Well, the system is sick because of the government.

Before I go back to Dr. BOOZMAN, I want to tell a couple of stories about my practice and how government intrusion in the health care system has driven the cost of health care up for everybody. Back several years ago, I was practicing medicine down in rural southwest Georgia. Congress passed a bill called CLIA, the Clinical Laboratory Improvement Act, and what this did is it shut down every single doctor's lab in this country.

Prior to CLIA, I had a fully automated, quality controlled lab in my office. And when patients came in to see me with a red, sore throat, running a fever, coughing, runny nose, I would do a CBC, or complete blood count, to see if they had bacterial infection and, thus, needed antibiotics, needed that expense, needed the exposure to the antibiotics and problems that may come from that, or whether they had a viral infection that is not helped by antibiotics at all. They don't need to spend that money. They don't need the exposure to the antibiotics. Less chance of having anybody have allergic reactions, less chance of developing the superinfections in this country.

I do that test, a CBC in my office, in 5 minutes. It costs $12. That is what I charged. That is what I charged Medicare and Medicaid as well as the patients. So this was a tool that I could use in my office, fully quality controlled. But Congress, in its supposedly infinite wisdom, in fact, Mr. WAXMAN, who is right in the middle of trying to push forward this government control of health care, was the one who pushed through CLIA—one of the ones.

After CLIA shut down my lab and every lab in doctors' offices across the country, to do that same test I had to send my patients across the way to the hospital. So they had to leave my office, go over there, spend 2 to 3 hours doing what I could do in 5 minutes, $75 for one test. Twelve dollars to $75. Five minutes to 2 to 3 hours for the patient.

Now, what do you think that did to the cost of everybody's health insurance in this country? What do you think it did to the cost that Medicare has to pay for lab services? It rose the cost of health care markedly all across this country. And that is with one government intrusion, CLIA. We have hundreds.

Not long ago Congress passed HIPAA. HIPAA has cost the health care industry billions of dollars. It is totally unneeded regulation. It has cost the health care industry billions of dollars and has not paid for the first aspirin to treat the headaches it has created. What does that do to my insurance costs and the American people's insurance costs? It drives it up markedly. Somebody has to pay that billions of dollars for that one government regulation that was put in place by Congress and the President signed into law. It has cost the health care industry. It costs all of us a tremendous amount of money.

So it is government regulation, government intrusion in the health care system that has raised the costs for me and for my patients. And here we go with another government bill, another government takeover that is going to put cost controls, that is going to put taxes out the wazoo for everybody in this country. So it is going to cost everybody. And I believe it is totally designed, to go back to what the President said just a couple of months ago, that he wants to go to a government-controlled, centrally run health care system, socialized medicine run from Washington, D.C.

Before, Dr. BOOZMAN, I go to you, I just want to point out a couple things on this chart. What is in the new bill? It is just more of the same. It is the worst of the House bill, worst of the Senate bill put together. It is more of the same. It is a government takeover of health care. There is no question about it. There are price controls, as

Dr. BOOZMAN was talking about. There are a lot of individual and employer mandates.

So if you have health insurance and you like it today, it is going to go away, because the Federal Government and the Federal bureaucracy in Washington, D.C., is going to put mandates on your health insurance to the point that it is going to go away.

□ 2230

In fact, I believe it is geared up to try to put all health insurance companies out of business so that there is only one health insurer in America, and that is the U.S. Federal Government.

There is no medical liability reform. The President talked about he wanted to have medical liability reform. It is not in any of the Democrat bills, the House bill, the Senate bill, nor is it in ObamaCare II. It still puts Washington bureaucrats in charge of defining what is quality health care. In fact, in the stimulus bill, the nonstimulus bill—the failed stimulus bill—the Democrats put in something that's called—what was it called? I'm having a brain freeze here. It's called an Effectiveness Research Council, or Comparative Effectiveness Research is what it's called. What that is geared to do is physicians look at the comparative effectiveness of different treatments, whether if you have cancer, whether surgery, or chemotherapy, or radiation therapy—or a combination of all three is better. That's what we do in medicine.

The comparative effectiveness that the Democrats have put in place actually is geared towards how to spend dollars. It is the comparative effectiveness of spending $1 on a 40-year-old versus a 65- or 70-year-old. And so the way the whole system is set up, it means that the Medicare recipients are going to get thrown in the stick. Senior citizens, under the comparative effectiveness, are not going to get the care; they are going to be denied it by the Federal Government.

Cuts Medicare Advantage. It still raises taxes. There is over a half of a trillion dollars of increase in taxes, and this is the only way that they can even get it anywhere close to the kind of numbers that the President promised. And he and his administration have used what I call ''voodoo economics.'' The reason I call it voodoo economics is because you have to be a dead man walking around with no soul to believe the economic parameters of the economic issues that they've put in place. But this Obamacare raises taxes and will raise taxes on virtually everybody.

And it still gives the government-run plan a beachhead to eliminate private insurance. And I think this is the bottom line. This is the purpose that HENRY WAXMAN and CHARLIE RANGEL and Ted Kennedy and NANCY PELOSI and GEORGE MILLER and a lot of people have been pushing, the government takeover. They're very open and frank about it, and I congratulate them for being at least halfway honest. But the whole purpose of the Pelosi bill in the House, the Reid bill in the Senate, both ObamaCare and now the proposals that the President put forth yesterday morning, is a government takeover of health care, to tell the American people the kind of care that they can get.

Whether they can get it or not, it is going to take the decisionmaking process out of the hands of patients and families, out of the doctor's hands, and it is going to put it in—all those decisions are going to be made by government bureaucrats here in Washington, D.C.

So with that, I yield to Dr. BOOZMAN.

Mr. BOOZMAN. Well, again, I would add that I was a health care provider, but I was also a small business person in the sense that we had about 85 employees that we had to meet payroll with. And always our biggest cost of doing business, our biggest expense was health care insurance for our employees. Every year the guys would come along and they would say, well, your premium is going up 10, 15, 20 percent, whatever it is. The major problem that we have going on right now is increased cost. And as was discussed earlier by my colleague, you know, things like health savings accounts, those are free market reforms. It is a free market reform that lowers cost. Associated health plans, allowing my barber with his two or three employees to team with maybe thousands of barbers to get a much lower rate. And then lastly, controlling the nuisance lawsuits. Those are free market reforms that would lower costs, which we desperately need. The problem is—and again, I don't know who the President is listening to—but those types of things are not included in the bill that we see.

The only thing I would say though is, instead, there is no control of cost, and what we have is in the fine-print wage and price controls that they're just saying, well, we are going to dictate the cost. And again, as my colleague said earlier, that just doesn't work. That has been proven with several administrations in the past that it is going to lead to rationing and decreased quality of care.

I yield to you.

Mr. CASSIDY. You know, it is interesting because we can see from the Republican administration of Richard Nixon, the Democratic administration of Jimmy Carter on oil and gas, that when you try to artificially control price with regulation, it doesn't work. You have to address the fundamentals.

So let me give an alternative between this top-down bureaucratic means of control and a patient-centered approach. I was speaking about HSAs and patient-centered approaches with a constituent, and he says, you know, doc, I take a pill for my ulcer. Now, I have an HSA. My physician wrote a prescription and I said, physician, I know from experience that this pill is going to cost me $159—he didn't say $160, he said $159. He said, I have an HSA, I pay for this out of pocket, can you do me something different? And the physician said, oh, you have an HSA? Tore it up and wrote a prescription for generic and it cost him $20. The system just saved $139.

I have another patient who called me—I am a liver specialist—called me up, and she says, Dr. CASSIDY, I have a bad heart. My doctor over here said I needed this test because of my bad liver, not my heart, but rather my liver. And I said, from a liver perspective, you don't need it. She said, well, I will pay for it if I need it, I have an HSA, but I will pay for it if I need it. I said, no, ma'am, you do not need it. The system saved $1,000. Because she had an HSA, she was motivated, she was motivated to find out how much it cost and then to see if she really needed it.

Mr. BOOZMAN. Will the gentleman yield?

Mr. CASSIDY. I will.

Mr. BOOZMAN. Under these plans, the generic is not covered in the HSA; is that not correct? Can you comment on that?

Mr. CASSIDY. That is correct. It is kind of a crazy thing where if an HSA is used for a generic price on an over-the-counter drug, which is what we are describing here——

Mr. BOOZMAN. Which lowers cost.

Mr. CASSIDY. Which lowers cost, it's not available for an over-the-counter medicine. And so that $20 prescription is actually over-the-counter medicine, and we're talking about ulcer medicine. So in this way, the patient reacts so as to take care of her health and to lower her cost. And in millions of those interactions across the Nation, not from Washington, D.C., but rather from the exam rooms themselves is how the system saves costs.

You recall, Dr. BROUN and Mr. Speaker, how we spoke of the HSAs being 30 percent cheaper. Well, that's why they're 30 percent cheaper because patients are incentivized to control their cost.

One last thing I will say. When you ask a crowded room who is most responsible for each person's health, we all know that it is that person in particular. So what the Health Savings Account does, the patient-centered approach does, it says that the patient is most responsible for his or her care, and in so doing, we trust that the patient, with her physician, will make the right decisions. And the story of Health Savings Accounts is that that is true, that is a well placed trust.

Mr. BROUN of Georgia. Well, I will reclaim my time, and I thank you, Dr. CASSIDY.

In fact, my health care overhaul bill, H.R. 3889, expands health savings accounts, creates Medicare health savings accounts. So it puts Medicare patients in charge of their own dollars, and they own those dollars. And those dollars, if they're not expended, would roll into their estates so that their heirs would get them.

We pay our Medicare taxes to the Federal Government, and we should get it back. I am an original intent constitutionalist, and I understand that some people would say, well, Dr. BROUN, an HSA is not constitutional under Medicare, but we've got to fix Medicare. And it is a bridge to help Medicare patients start controlling their own costs and controlling their own money and controlling their own health care decisions. That is exactly what my bill, H.R. 3889, would do.

But I wanted to go back to this summit just in the last few minutes that we have. Actually, the mainstream media has written some articles that just came out today, and I wanted to read a couple of things from the mainstream media. The President has talked about he wants to reach out in a bipartisan way. The Wall Street Journal wrote today, Democrats have decided to give the voters what they don't want anyway. A San Francisco Examiner editorial said, Republicans publicly wondered if Obama's proposal represented a refreshing new attempt by the Chief Executive to display genuine bipartisanship and whether they should trust him to come to the summit with a truly open mind. And that is what we had hoped.

Going on with what they said: We now know the answer to both questions is a resounding ''no.''

The Washington Post said, President Obama's opening bid on health reform is not designed to entice Republicans to join the game.

And as we said earlier, I don't believe the President wants Republicans to join the game, he doesn't want the Governors to join the game. He doesn't want anyone to join the game because he has set the game rules himself, tilted towards just what he wants and what nobody else wants. It is just the leadership meeting in secret behind closed doors, with no input actually from our Democratic colleagues nor our Republican colleagues, nor Governors, nor health care providers, anybody except just the leadership has brought forth ObamaCare II.

And even in his hometown newspaper, The Chicago Tribune—not known to be a conservative newspaper—said this: Obama wants Republicans to approach the summit in a spirit of compromise. Too bad he's not leading by example.

So, Mr. Speaker, we've spent an hour with my colleagues talking about health care. Republicans are the party of k-n-o-w, know. We can lower the cost of health care. We can empower patients and doctors to make the decisions and start health care reform, health care financing reform, that makes sense economically, that will cover those that are uninsured, that will cover those who have preexisting conditions that can't get insurance today. We can do those things if the President and the leadership of this House and the leadership of the Senate would just listen to some of the proposals that we have put forward. Doctors have not been enjoined in this process. The American people have not been in this process. And the American people need to say no to ObamaCare.

□ 2240

EXPRESSING APPRECIATION FOR REPRESENTATIVE DALE KILDEE

The SPEAKER pro tempore (Mr. SCHAUER). Under a previous order of the House, the gentlewoman from North Carolina (Ms. FOXX) is recognized for 5 minutes.

Ms. FOXX. Mr. Speaker, today on the floor, we had a rare occasion when we were able to congratulate one of our colleagues, Mr. KILDEE from Michigan, for casting his 20,000th vote.

It was a great opportunity for us to show our appreciation and affection for a Member who is extraordinarily well respected and, I would say, even loved by his colleagues.

It is unfortunate that so much emphasis in the media is placed on the partisanship that occurs here in the House. We do have strong philosophical differences, but on a personal level, we respect each other, and have genuine affection for each other. That extends even to our staff.

A few weeks ago, we had a similar situation when we had the unfortunate passing of Congressman BOEHNER's chief of staff. She was eulogized here on the floor by both Democrats and Republicans, and I am so pleased that we have been able to show, again, that we do care for each other personally in this House, because that is not the image that people have of us.

I want to go back to speaking some more about DALE KILDEE. There is nobody in this House, or very few people in this House, who feel any stronger about my philosophy than I do. I have the greatest respect and admiration for Mr. KILDEE. As Mr. JOHN BOEHNER said today on the floor, that is what he calls him, and that is what I have always called him. I have had the great pleasure to serve with him on the Education Committee as well as on the Page Board.

I want to say that I have learned a great deal from serving with Mr. KILDEE. He is a fabulous role model for us all. As was said today, he is always a gentleman. He is always very calm. He always gives the impression—and I believe it is a true impression—that he cares a great deal about the people he is dealing with and about the people he is serving. He loves the House, and he does his job with great thoughtfulness and diligence.

I want to say that he is, I think, a great role model for all of us. It has been my pleasure to be able to serve with him, again, on the Education Committee, on the Page Board and here in the House.

I think the comments that were made about Mr. KILDEE today were comments that we all agreed with. There was great applause after each one of the sets of comments that were made, and I think that it was, again, a terrific example of how we may differ philosophically on issues but of how we care for each other on a personal level and of how we respect each other despite our philosophical differences.

I want to pay my tribute to Mr. KILDEE for the wonderful service that he has given to the people of his district and to his steadfastness in coming to this floor day, after day, after day and for voting and for missing only 27 votes in 33 years and for being in a very elite group of people who has served in the House of Representatives and has cast 20,000 votes.

Mr. KILDEE, we love you and respect you, and we hope you are going to be around to cast many more thousands of votes.

HEALTH CARE REFORM

The SPEAKER pro tempore. Under the Speaker's announced policy of January 6, 2009, the gentleman from Virginia (Mr. PERRIELLO) is recognized for 60 minutes as the designee of the majority leader.

Mr. PERRIELLO. Thank you, Mr. Speaker, for giving us this time tonight to talk about the important issue of health care reform and, specifically, about a simple idea on which we believe folks across the political spectrum should be able to agree, which is that the health insurance companies should have to compete like every business in my district and like every business around the country. So we come together on a two-page bill—front and back, only 24-lines' long—that does something very simple:

It removes the monopoly protections that our health insurance companies have enjoyed for 65 years. Enjoyed because of free market principles? No. Enjoyed because of the amount of money spent lobbying both political parties to protect that insurance monopoly.

One thing we should be able to agree on, which costs the government nothing, is that health insurance companies should not be protected as monopolies. The Consumer Federation of America estimates that this could save consumers $10 billion. This is a simple American principle of competition, of the ending of health insurance monopolies.

I have been joined by several of my freshman colleagues tonight, who have not been stuck in Washington where the logic of protecting monopolies may make sense. We are coming from Main Street where people still believe in competition and accountability and in the kind of principles that will ensure consumers get a better deal. When they are forced to compete, prices come down, and quality goes up. It is a very simple principle.

My coauthor on this bill, BETSY MARKEY from Colorado, has been a great

champion of good, commonsense, pragmatic solutions to our Nation's problems.

With that, I recognize the gentlelady from Colorado.

Ms. MARKEY of Colorado. Thank you very much, Tom.

You know, for years, I operated two small businesses. One was a small Internet company, and the other one was a coffee shop. I remember years ago, before I sold one of my businesses, a national coffee chain came into town.

□ 2250

And we weren't given any special Federal protection. When you're faced with competition, you do what any small business does. You know what you need to do. You know how to compete and lower price or serve a better product. And I don't know why the insurance industry for over 60 years has been afforded this special exemption from antitrust laws.

There are only two industries in the United States that enjoy this exemption: It's the insurance industry and Major League Baseball. Okay, I can understand Major League Baseball. It is our national pastime. But why they have been able to have no competition in the industry, it also affords no innovation in the industry because there is no competition.

Over the past 14 years, there have been over 400 mergers in the insurance industry so that now 95 percent of the insurance market is considered highly concentrated. There are States that have one or two insurance companies that are serving them.

Again, when we had a small computer business, we had several employees who were across State lines, and we had the availability of one insurance company. The prices were expensive. It wasn't necessarily what my employees wanted to do, but there was no competition in the industry.

This is commonsense regulation. It's, as Congressman PERRIELLO noted, two pages long, easy to understand, and, again, it does what we want to do with health insurance reform, which is, number one, bring competition to lower prices and still maintain affordable health care in this country.

With that, I would like to turn it over to my colleague Representative TONKO.

Mr. TONKO. Thank you, Representative MARKEY.

It is so important for us to underscore the value of competition that drives the American economy. We've seen it in so many industries and where competition provides choice for consumers. I think it's very interesting to note that over the last decade, as average households have stayed flatlined and as insurance premium costs have more than doubled, the consumers have had no choice in some situations. They have had to tolerate price fixing or insurance groups dividing up territories amongst themselves or certainly just subterfuging any of their competition out there.

I think that it's time for us to make certain that there is the competition. Certainly by moving with this reform to McCarran-Ferguson, we now can hope for a better day for America's insured. It is so important for us to make certain that this 65-year-old prohibition is undone. And as Representative PERRIELLO said, this costs government nothing. It is the sort of reform that I believe can drive wonderful benefits for the people of this country as they have looked at these exorbitant prices where we've seen huge increases, where there's a need for a stronger bed of oversight, of regulation, making certain that the double-digit percentage increases are not tolerated, are not just rubber-stamped in a way that really engages the price fixing, that engages the efforts out there of greed that with that monopoly power have enabled them to really sock it to our health care consumers. We need reforms. We need them now. And I think this is a wonderful effort.

I want to applaud Representative PERRIELLO and you, Representative MARKEY, for putting forth this initiative. I think it's going to be something that meets with success in this Chamber, and then we're hopeful that we can continue to march forward for that progress to be struck.

Mr. PERRIELLO. Before I turn it over to the gentleman from California, I just want to say I'm new to Washington and I understand that it's a city where a lot of things are gray rather than black and white, but this is a bill that really seems to me like it's a clear situation of black and white. A two-page bill, 24 lines long that does one thing: removes the monopoly protection of the health insurance companies. There are no carve-outs. There are no exceptions. There are no loopholes. It is a clean bill.

And it's interesting to go back as voters have rightly been frustrated at all of the special deals that have been cut on the other side of this building to understand this is not a new thing. Sixty-five years ago the reason we were stuck with this problem was the insurance lobby came in in 1945 and was able to get this carve-out of monopoly protections that no other industry enjoyed. And it was supposed to be a 3-year phaseout. And what happened at the last second? A special deal was cut that removed that 3-year phaseout. Since then, the insurance industry has spent billions and billions of dollars buying their monopoly protection in this town of Washington. They spent $400 million last year while they were jacking up rates, premium rates, and out-of-pocket expenses for consumers, for patients around this country. They spent $400 million lobbying to protect their monopoly protections.

Sometimes there's a very clear choice. Do you stand with patients or do you stand with the profiteering of the health insurance companies? This is that clear choice. Do you stand for competition and accountability or do you stand for protecting special interest groups?

We have a chance tomorrow, hopefully on a bipartisan basis, to come together and do this one thing. While we can agree or disagree on the overall health care approach, can't we agree that removing the monopoly protections that make no sense to ensure competition and accountability is a good thing we can all agree on, we can all read over a single cup of coffee, and we can all move forward with the American sense of competition and accountability?

With that, I yield to a gentleman who spent much of his career understanding the insurance industry in his State and around the country. I yield to the gentleman from California (Mr. GARAMENDI).

Mr. GARAMENDI. Thank you, my colleague. I look forward to your continued pushing of this issue.

It was a century ago that Teddy Roosevelt established an effort, the progressive effort, to push back against the rapacious greed of Wall Street and those who were raping the American environment and began the progressive movement. Competition was at the heart of that effort to bring about justice and an opportunity for the small guy to actually make it.

Right now here in Washington, those of us who care about individuals, who care about small business, who care about the future of this economy are pushing back against those very same forces who over the last 65 years have been able to embed themselves firmly in the American system in a way that has created greater profits for them at the expense of people. The health insurance industry has clearly put profits before people, and it's time for us to end that.

With this bill, we force that industry into the same competitive market that we want all of American industry to be in, that is, in the free market competitive system, and to no longer be able to monopolize the health insurance marketplace.

Let me give you an example of what happens in California where WellPoint, Blue Cross of California, has 80 percent of the individual market. Last year, in 2009, they raised their rates an average of 30 percent in that individual market. The result of that was that their fourth quarter profit year to year, 2008 to 2009, increased some 700-fold from 300-plus million dollars to over $2.7 billion. How did they do that? They did that by controlling the marketplace, having a virtual monopoly on the market.

Now, that wasn't enough for them. Because of their market control, they have been able to institute, although it's been delayed, a 39 percent, up to 39 percent and a 30 percent average increase in this same marketplace. It is time, it's absolutely essential, that this two-page, 24-line bill that establishes the antitrust law in this field of health insurance be enacted.

Later, when we come back around with another comment, I will tell you

how it worked in California in 1991 when we instituted proposition 103 that eliminated the ability of the property casualty market, automobiles, homeowners, similar products, limited their ability to monopolize and to take advantage of being outside of the antitrust laws.

Let me congratulate you and our colleague from Colorado for putting forth this bill. It is essential.

Mr. PERRIELLO. Not to jump to the end of that story, but before we go on, I do believe when you instituted those reforms in your State, the premium rates increased at one-fifth, one-tenth of the rate of the rest of the country; is that correct?

Mr. GARAMENDI. Well, what happened in proposition 103—and I was the newly elected Insurance Commissioner in 1991 responsible for implementing the law. The insurance industry had the ability to work together to set rates and to monopolize the market in a way that was in a pattern to be able to have a uniform rate system using what was called rating bureaus. We simply outlawed rating bureaus and forced each company to use its own statistical analysis to set rates. The result was, over a 10-year period, a $30 billion reduction in costs to homeowners and automobile insurance consumers in the State of California.

□ 2300

I will tell you this, when you force these companies to compete, when you eliminate their protection from the antitrust laws, you will see a significant rate decrease. And when you have a company such as Blue Cross, that dominates a segment of the market, that is what is outlawed under the normal antitrust laws of this Nation.

Ms. MARKEY of Colorado. Thank you. And you're right. The rate increases that families are experiencing right now are absolutely unsustainable.

I was home in Colorado last weekend. I spoke to one woman, she had gotten an increase in her premiums for next year of 35 percent.

Another small business owner in Greeley told me he got a rate increase of 39 percent. How can you afford that?

And this is at the same time we're hearing on the news that the insurance industry, as a whole, has realized an over 50 percent increase in their profit in 2009 and 2008. And yet insurance premiums are going through the roof.

Now, this is not anything new. We have seen the Ford Commission, antitrust commission, recommend that Congress take action on eliminating this exemption. President Bush's Antitrust Modernization Commission, just a couple of years ago, recommended that Congress take action.

And in 2007, Republican Senator Trent Lott and Democrat Pat Leahy got together and proposed legislation that was actually more sweeping than this that affected more parts of the insurance industry. And at that time, Senator Lott said, I cannot, for the life of me, understand why we have allowed this exemption to stay in place for so long. He testified in 2007 in front of the Judiciary Committee for that, with that statement.

This has broad appeal with many organizations as well. The repeal of this exemption is supported by the American Hospital Association, the American Dental Association, and the National Association of Attorney Generals. They met 2 years ago, because right now the States are responsible for monitoring this, and they just don't have the resources to do this. Forty-seven out of 50 of our Attorney Generals around this country have said Congress needs to take action to repeal the antitrust exemption from insurance companies. The other three were not in attendance, but they voted no. Not a single State Attorney General supports having this exemption for the insurance industry. It's high time.

Now, I don't like to demonize one particular industry. There's nothing wrong with the notion of profit in this country. We are a capitalist Nation. But the fact is that we also, here in Congress, need to be guided by the fundamental notion of fairness. And the simple fact is that, one, one industry in this country has had an unfair competitive advantage, and that needs to end.

Mr. PERRIELLO. This is a year when there's a lot of demand for bipartisanship. And bipartisanship is a wonderful thing. We already have bipartisan support for this bill. Now, bipartisanship can't be defined by those who want to hold Congress hostage and prevent us from getting anything done. We already have the unanimous support of the Attorneys General in 2007 as you mentioned, not a single dissenting voice in saying this needed to be repealed. This is not a Federal takeover. The Attorney Generals both want the resources to fight this, and they want the expanded jurisdiction.

We have 95 percent of our health care markets highly concentrated. President Bush called a bipartisan blue ribbon commission together to look at the issue of antitrust exemptions, and they came back and said there is no justification for these antitrust exemptions to exist. Any arguments that are being made are anachronistic, or are simply ones that only make sense inside the Washington Beltway.

This is something where we need Main Street values, not Washington collusion, to go and challenge these monopolies and get competition back in the market. I yield back.

Mr. TONKO. Representative PERRIELLO, you know, I earlier heard Representative MARKEY speaking of the 400 mergers, and you talked about that resulting in 95 percent of the markets being concentrated. That simply states, no choice, no choice for the consumer. That means a runaway with costs that are going to be so inflated.

When you look at some of the stats out there, the large five, the big five insurance companies, you know, we look at that profit column, at some $12-plus billion, a 56 percent increase from calendar year 2008 to 2009. $12-plus billion. You know, those are benefits that could be shared.

As you said, you know, we understand it's a capitalist society. There are efforts out there, obviously, to be productive and be profitable. But 12 billion, a 56 percent growth, when average household incomes are flatlined, is very difficult to absorb for our constituents, for consumers out there.

And then to even look at the track record over the last decade from 2000 to 2009, to know that 250 percent increase was the outcome for profits. The time is more than past.

And as all these commissions had indicated, the Association of Attorneys General, all speaking out in defense of this. It's no wonder everyone is promoting this reform.

And I, again, want to congratulate the two of you for putting this measure out there, bringing it to the floor so that we can now make a statement, in a bipartisan fashion. We hope that tomorrow when this vote is taken there will be this effort to speak in defense of consumers who have taken it on the chin. These profit margins are cutting away at their own doability as a household. We can stretch that household budget by reducing those insurance premium costs, and that's what this effort is about: Accountability, affordability, accessibility, quality of care.

This is a major cornerstone of reform that is outside that package that we have been trying to assemble, but this is something we can do immediately, and as has been stated so many times over, without any cost to government. So this is a win for the consuming public out there. And they deserve this sort of effort because they've gone far too long where this injustice has been allowed to occur time and time again because of that exemption for an industry, when all other industries out there are covered by the forces of the antitrust legislation from McCarran-Ferguson's Act of 65 years ago. So it's time for change. It's time for reform, and I believe this brings balance to the equation and is the rightful thing to do.

Mr. PERRIELLO. As my coauthor from Colorado mentions, this isn't about being anti-insurance. This is being pro-competition and pro-consumer. It is well past time to put the patient first in the health care system.

We heard during the last hour some of our colleagues from the other side of the aisle talking about the need to protect the doctor-patient relationship. What decade are they living in? The doctor-patient relationship has been invaded for decades now. My sister who is a pediatrician many days spends more time on the phone with the insurance company than she spends with patients, insurance companies whose profit motive is based on denying people care, not providing people with care.

In a good, competitive market, the insurance companies will profit based on providing quality insurance and coverage to patients, not by highly concentrated markets. This is about putting that doctor back in control of care, instead of that insurance company back in control of care, because through the free market, we can ensure that consumers are moving towards the insurance companies that provide that kind of quality care. So this is about being pro-consumer and about being pro-patient and pro-competition. With that I yield.

Mr. GARAMENDI. Well, there is absolutely no doubt that it's an axiom of American business, and the American economic system, that competition leads to good things, lower prices and better product. But in the case of health insurance, as we've seen over these last decades, we've seen an increasing concentration and less and less competition. This bill will put competition back into the health insurance sector, and it is desperately needed.

Right now, in California, with Blue Cross of California, where they have 80 percent of the market, they don't need to compete for the customers. The customers are desperate to get coverage, and they've got to take whatever is being offered by a company that has 80 percent of the market. So let's get some competition back in there.

This is also an issue that affects individuals. I know a 23-year-old girl who's no longer on her parents' health insurance, cannot get health insurance, even though she's applied to Blue Cross, because she had acne. And the list of preexisting conditions is three pages long. So if we have competition, by eliminating this antitrust exemption and forcing and ending the monopoly, then I think companies are going to have to go out and search for customers, and that would help us all.

And let us also be very, very aware. I've spent 8 years of my life regulating the insurance industry, and I know this about that industry: It's about profit. It's not about people.

Now, in the property casualty business, it's important to pay attention to people. But it's not life or death, in most cases. In the case of health insurance, it is about a human being's life. It's about the young lady that I saw at a town hall meeting this last week, a 12-year old girl, born with a heart condition, whose father cannot leave the job, cannot go to a better job for fear of losing his health care, knowing that if he lost his health insurance, this young lady would not survive. She would lose her life. That's wrong, and that's got to end.

This bill is one small piece of the larger puzzle that we're working on to put in place in America a health care bill where people come before profit. We can do that. We can do that with this bill, and it'll be very clear in this House tomorrow where we stand.

□ 2310

Do we stand with families who need health care? Do we stand with individuals? Do we stand with young Gloria and her parents and say: End the monopoly. Put the antitrust laws in place so that the health insurance industry has to compete? That's our choice. And we'll see tomorrow where we stand.

Do we follow the tradition of Teddy Roosevelt, a Republican who went after the big corporations and said that in America, competition must be there, who fought back and pushed back against Wall Street? Or do we stand with the health insurance industry? That's our choice tomorrow, and it's there because two Members of this House have put forth a bill: my colleague from Virginia and my colleague from Colorado. I thank you for bringing this before us so that we can identify with the individuals who need health care or, on the other hand, with the insurance industry.

Mr. TONKO. This dynamic of competition, as the gentleman from California makes mention, competition is what drives the benefit for the consumer. Competition is stymied by the fact in my home State of New York three companies, three insurers, have asked for or have sent dividends to corporate parents out of State that fell just shy of a billion dollars last year. Just three groups. Now, would they have the luxury to do this if they were pressured to compete, to hold on to their market? I don't think so.

This year, those same three companies are looking to send $1.2 billion outside of the State to corporate parents. This is the sort of action that takes hold where you're not encouraging anybody to compete to hold on to their market and we're exporting these billions of dollars. My State, I am certain, is not alone in that phenomenon, and it is hurting the consumers of New York State simply because there is this mass exodus of dividends that are being paid out to the corporate parent firm.

So you look at the record in New York and what has happened over a 10-year stretch from 1999 to 2009, and that amassed to some $5 billion worth. This is a pattern that is becoming more and more pronounced, that is again not putting pressure on the system to respond in competitive measure. And that dynamic being pulled out of the equation then causes hardship for the very people that we need to hold down costs for health care insurance; $1.2 billion requested this year from just three groups to send those dividends out of the State.

These are reports that are disturbing, these are the forces that are driving this thinking to bring about the reform that is introduced in the Perriello-Markey legislation.

Again, to our Representatives here who have thought in such progressive terms, I say ''thank you'' because this will be a major piece of reform that brings instant benefit, that induces competition into the process, and it doesn't cost government a dime.

I am very happy that this effort is being made in this House, and I applaud the sponsors. I applaud all who are working to make this happen

Mr. GARAMENDI. If I might, Mr. TONKO just reminded me of two cases. One, a New York case last year in which the New York Attorney General brought action against 11 insurance companies in your State of New York who had conspired not only against consumers but against doctors and hospitals to artificially lower their rate of reimbursement to those hospitals.

Now, that followed on the heels of another national case in which insurance companies, the largest insurance companies in this Nation, also conspired against doctors in reducing their rates in a conspiracy. Those kinds of conspiracies are specifically outlawed by the antitrust laws of this Nation and this bill. I thank you so very much, Mr. PERRIELLO and Ms. MARKEY, for bringing this to our attention, bringing this bill here, because the kind of conspiracy that we have evidence that exists in America today will be outlawed at the Federal level.

These other cases were brought in State courts where there are antitrust laws that prohibit these kinds of conspiracies to harm the consumers or the providers of services.

Ms. MARKEY of Colorado. I want to thank my colleague from California who has unique experience with the industry and in this field for your perspective on this.

My colleague from New York has talked about competition. And it has been competition that has made this country great. I want to expand on that a little bit as well to talk about innovation. We have always been a country of entrepreneurs and innovators, and when you have an industry, an entire industry that can set prices, can collude with their partners, you have no innovation in the industry.

Some of our Republican colleagues were talking just a short while ago, and one of them was talking about health savings accounts. I am a supporter of health savings accounts as well. My sister and her husband wanted to get a health savings account with catastrophic health care, but because of their age and because of where they live, they could not find an insurance company that would offer that type of product for them, which would help them to save money and to really bring transparency to the system to know what they were spending their health care dollars on; and many people want that option. They weren't able to get it because it was not available in their part of the country.

Why? Because there is no need to. There is absolutely no incentive for our insurance industry to innovate, to change the system, to offer new products, to compete on prices. This is what the heart of this bill gets to. It

gets to competition and innovation in the system, which again is going to lower prices and, as we have all noted, doesn't cost the government a dime.

We should be able to get bipartisan support on this legislation tomorrow.

Mr. PERRIELLO. The gentlelady from Colorado spoke about the issue of fairness as a basic principle. One of the things I hear so often back home is why should there be one set of rules for the people who write checks to politicians and another set of rules for our businesses back home who are working so hard just to keep people employed?

The fact is there shouldn't be a different set of rules for the insurance companies just because they've been lobbying for 65 years in this town. Competition should apply. Monopoly protection should apply. People will hear this week, as this debate plays out, fancy words about safe harbor and this exemption and that exemption. They're sick of Washington providing safe harbors for those who have contributed the most to political parties.

Four hundred million dollars in lobbying just last year alone. Now that $400 million in lobbying from the health insurance industry didn't come because they said, You know, those politicians are on tough times. They just aren't getting enough money. There's not enough money in Washington. We feel like we should offer them $400 million. They were doing it because they want to protect their monopolies.

I just got back from a week in South Side, Virginia where we've seen job loss after job loss. One of the things that I heard from workers so often was—I was talking to a guy who just got laid off from Stanley. He was saying, I nearly made $40,000 back 20 years ago. Then I was down to $30 an hour and then down to $20 an hour. And now I just got fired from a job or laid off from a job for $11 an hour.

Now, there are many things. We need to look at our trade policy. We need to see ''Buy America'' not to be a bad word or a bad phrase in this country anymore. But I also hear from workers all the time with this issue saying, you know, I remember when I used to go in at the end of the year and ask for a raise. Now I don't even ask for a raise. I just ask to hold on to my health care benefits. That's not because these business owners are bad people; they're great people. They're bending over backwards to try to ensure that they're able to keep their workers on the payroll and keep them with health care.

The reason they haven't offered a raise to their workers in so many years is because that money that would have gone to a raise is going to the increased premiums for their health insurance just to keep people insured. There is a direct correlation where people aren't seeing that increase. Not only are they seeing their out-of-pocket health expenses go up, but that amount they don't see that their employer is paying has been going through the roof as well.

□ 2320

So we are crushing the competitiveness of American business because we aren't forcing the health insurance companies to compete. This is a basic principle that gets back to that purchasing power of working class and middle class Americans who are so often coming up to me and saying, Who is looking out for us? It seems like everything is going to the big guys. Who is still fighting for working class and middle class Americans?

Well, here is a two-page bill, 24 lines long, that stands up for working class and middle class Americans by saying we are going to force the biggest health insurance companies in this country to compete for your business. And that competition is going to mean lower costs and higher quality. We need to put working and middle class folks ahead of the health insurance lobbyists and the health insurance companies.

And with that, I yield to the gentleman from New York.

Mr. TONKO. Thank you, Representative PERRIELLO.

When we start talking about this competition, we wonder about the benefits that are so drastically needed because we see now that some companies are looking at charging a 39 percent increase for the premium; 39 percent. That is a gross, gross, difficult outcome for consumers in this country.

What is driving it? Well, yeah, there is lack of competition, but that lack of competition, that allows for a rather comfortable zone to increase CEO salaries. And when we look at the big five again, the largest insurers, the data shows that the CEOs were compensated up to $24 million in 2008. That is, I think, an outcome driven by a lack of competition. That pressure isn't there to respond, and so you just easily pass it over to the consumer. And without any sort of reform here, this will continue to grow.

I know that there had been many suggesting from studies that are very much respected that the average family plan will be increased by about $1,800 per year. Today, that is an average of $13,000, I believe, for a family plan. Well, in a short decade, we are just going to transpose those numbers, so 13 grows to 31. 31,000 is a train wreck waiting to happen. It is unsustainable. It is the sort of outcome we get when we don't take the bull by the horns and say, look, there is a simple reform. It is straightforward. It is basic. It calls for the all-American sense of competition, the all-American quality of competition, a good thing.

If you are a strong business, you welcome competition. It is good for the soul. It is good for the consumer. And so let's open this process to competition. Let's avoid some of these hefty increases in CEO salaries, or profit margins that are record breaking, and all sorts of insensitivities, gross insensitivities to the quality of care and the affordability of care for individuals and families out there.

The time has more than come. It is an important measure that we take before us tomorrow in this House. It will be a moment in history, I am convinced, so as to move forward and respond in compassionate measure, in reasonable terms, to bring those scales of justice back into a balance that speaks to a favorable outcome, a progressive path that we will follow.

Mr. GARAMENDI. My colleague from New York, thank you for bringing to our attention, did you say $24 billion for the executives of the five largest?

Mr. TONKO. Million.

Mr. GARAMENDI. Five biggest.

Mr. TONKO. The five largest insurers being compensated $24 million.

Mr. GARAMENDI. That ought to be enough. In fact, that ought to be about a hundred times too much. Competition.

You also brought out the word ''progressive.'' It was Teddy Roosevelt, in the early part of the last century, that really created the early progressive movement and the trust busters, recognizing that companies like Standard Oil and others had dominated the market and were squeezing, driving down and harming small businesses and individuals, and tried to set about a better balance. And they did.

That long tradition of standing up for families, working men and women, is a tradition that we now hold on the Democratic side of this House. It is what we are trying to do in so many different ways here with this bill, ending a 65-year opportunity that the health insurance industry has had to monopolize, to engage in conspiracies to set prices, and to harm the public not just in their economics and in their family income, but in their ability to sustain their life.

We have a chance tomorrow to follow a long tradition of righting the balance, of pushing back against those forces that would dominate us economically, socially, and, in this case, in our very health. So tomorrow is a very, very important day. But it is also a day when we can continue the process that we have seen this last year in this Chamber, where the Democratic Party is pushing back against those forces.

In December, we put forth a health care bill that would move us towards accessibility, towards accountability from the health insurance industry, and to affordability. We pushed back. Here is one more push that we are making tomorrow.

We also pushed forward on regulating Wall Street. There are those over here I heard earlier this evening that said that this thing began in 2009. It didn't. It began because the previous administration refused to push back against the rapacious greed of Wall Street, and we wound up with the collapse of the financial industry. We need to right that.

We are doing that with the bill that we put out here in December on regulating Wall Street, and now following

up with taking money back from Wall Street that was put out there by the TARP and sending it to Main Street in our jobs bill; righting the balance in America so that young families, hard-working Americans have a chance, in this case, to get health care, to get a job in the case of Jobs for Main Street. And for Wall Street, the days of unbridled opportunity for greed are over. And it is time for them to also hew to the lines of correct American competition, not greed—greed has never been good—but, rather, to provide the financial services that this economy needs.

We have a choice tomorrow. One more step along a policy of righting the ship of this Nation's economy, pushing back against the greed, pushing back against the rapacious attitudes that have dominated the American economy for the last decade.

Ms. MARKEY of Colorado. We, as Members of Congress, we come here to look at all sides of an issue. That is our responsibility, to look at the pros and cons of legislation. Most of the issues that we deal with are very, very complex. Oftentimes, we are voting on a bill. We may like some parts of the bill, we may not like other parts of the bill, but you can't say, I will vote ''yea,'' but let's change this. You have to vote ''yes'' or ''no.''

And I have looked—I think we all have—on all sides of this piece. We have talked to people in the industry. This seems pretty straightforward to me. The only argument that I have heard against this antitrust exemption is from the insurance industry themselves, who have said, well, the States can do it. The States have been doing it for 60 years. That is sufficient. Let the States do it. But yet the States are saying we can't do this. This is unfair to put this burden on us, as the State attorney generals have noted. And this is a Federal issue.

And why, why have we singled out just one industry in all of the United States except for Major League Baseball, which pays a luxury tax, some of the more successful teams, to keep some of the smaller teams going when they are not having a good season? I get that. I cannot understand why for 60 years we have singled out one industry in the United States for this exemption from antitrust laws. It is wrong. It is simple to fix, and we are going to do that tomorrow when we pass this legislation. This is not a Democratic bill or a Republican bill. This is for the American consumer.

Mr. PERRIELLO. I think one of the reasons why Ms. MARKEY and I have enjoyed working on this bill together so much is that we both are home in our districts every weekend. We have done a lot of town hall meetings. We have done a lot of roundtables with doctors and nurses and patients. We both come from districts that have a lot of Republicans, Democrats, and a whole lot of Independents as well. And I think we heard a lot of things. We hear a lot of things over and over again.

One is, What happened to common sense? Well, this bill is a simple, pro-competition, get rid of the monopoly protections, make them play by the same rules bill. It is common sense. People say, Why the partisanship? Why can't we get together? As you said, the attorneys general from all of the States, not a single dissenting vote, said they want this. They want this increased power to go after the monopoly. And they know that they need some of the resources and support to get this done.

□ 2330

President Bush's bipartisan commission came back and said there is no longer any reason why this should exist if ever such a reason existed. So this is a bipartisan idea. You mentioned former Senator Trent Lott as well. People said, what about a bill we can read and understand? Two pages, front and back, 24 lines, simple English. Lots of attempts to water this down, to add lots of legalese. No, this is a commonsense bill.

People say to us, why is it that the special interests seem to win out over working and middle class families? Why can't we get a victory for working and middle class families over the special interests? Well, that $400 million the insurance lobby spent last year was to protect this monopoly, and we are saying no to that lobbying influence, we are saying we are going to put working and middle class people ahead.

Finally, we have a simple choice, not one of these gray-area D.C. decisions. Tomorrow there will be a simple choice: Do you stand with patients and do you stand with competition, or do you stand with the profiteering and monopolies of insurance companies? It's a simple choice. Sometimes in this city it can get as muddled up as bad as the traffic, the logic and the morality, but it's a simple choice: Do you stand with patients, or do you want to protect the monopoly profiteering of the insurance companies?

Now, not all insurance companies are bad. There are lots of great companies out there. If you are not engaged in monopolistic practices, you have nothing to worry about. But if you are sticking it to consumers and colluding, beware, because common sense is going to win out here with a simple two-page bill that is going to repeal those monopoly protections and put patients and consumers first.

Mr. TONKO. I think the special interests are so glaringly obvious, my colleagues; the fact that they can escape these Federal investigation and enforcement measures, measures of antitrust laws that make them subject to Federal prohibitions against bid rigging or price fixing or dividing up market territories.

These are tools in the tool kit that don't serve consumers well. And as if the escaping isn't egregious enough, they can then move to prejudice against by not insuring because of preexisting conditions. We have talked about some of those more easily recognized or imagined conditions—heart disease, diabetes, high blood pressure, cancer—but it gets into the realm of the very loosely defined preexisting conditions—acne, domestic violence, overweight for toddlers, or what have you, obesity in toddlers. It is all set up in their favor. And I believe that there needs to be balance. And as Representative PERRIELLO said, there are undeniably sound players, good, good behaviors out there that respond well. But for those who are taking advantage of this exemption that has allowed to continue for far too long, the time has come to put up the stop sign and say it's over, it's a new set of rules come your way.

And the Attorneys General of this country obviously know something, they see it front and center, they see it in cases that they have to defend for the people in their respective States. And so they're advising us, in bipartisan fashion, they are advising us that a better day can be had, and here is the opportunity. A simple vote—hopefully a bipartisan vote—on a very succinct measure, one easily understood. It is time to end a 65-year stretch of what is I think a special response to an industry.

We talk about the deep pockets, we talk about the special interests, we talk about the force that they have had on this process as an industry. Well, when I think about the recent Supreme Court decision to allow for open-spigot season and pour more dollars into the process to influence legislative outcomes, to have more pressure on the process, to perhaps deny progress, I get very worried about this measure hanging around for far too long. I think the time has more than passed to get this done. Let's get it done in the sort of way that acknowledges that we have tough work to do here. We have people hurting across this country, not being able to afford health care coverage, not being able to sustain what are these ever-spiraling increases for health care premiums. Let's do them the big, big benefit of changing this law and voting ''yes'' tomorrow in the activities that will take place in the House.

Mr. GARAMENDI. Mr. TONKO, as I was listening to you, several thoughts came to mind. You were listing a series of activities that are clearly contrary to the normal competitive marketplace, price fixing and the like. There is also an issue in this health insurance sector called vertical integration, in which these large companies not only monopolize the market, but they have now reached into the various other aspects and vertically integrated, owning consulting companies, actuarial companies that provide them with the basic data where they can more easily manipulate that data, now moving into the pharmacy benefit programs and gaining control over the entire marketplace. That is one of the activities that would be able to be attacked by the

Federal Attorney General if this law were to go into place.

The monopolization of the market, as I described in California where Blue Cross has 80 percent of the individual market, leads to a terrible situation. And I would just like to bring us back to why we are doing all of this, why we are doing the health care reform that is now going to be taken up in the summit on Thursday of this week, why we are doing this particular bill. It is really about Gloria, that 12-year-old girl that I talked about who was born with a heart condition and also has diabetes. Her father is desperate to hang on to his job and the insurance policy that comes with it because they know—the mother, the father, and Gloria—know that should he lose that job, that family is uninsurable. And that young girl who has had to fight for every treatment in her 12 years to sustain her life is an opera singer, a Class A student, and has a future ahead of her. But if they have no health insurance, she is going to die because she needs constant care.

I can talk about a carpenter who retired because he couldn't continue to work who I saw on his deathbed saying, I just want to live long enough so that my wife can turn 65 and get Medicare, because if I die before that, she has no insurance, and she has a preexisting condition.

There is hurt upon this land. People are suffering for lack of a job, and they know that if they lose that job, they will lose their health care and they will lose their wealth and they may very well join the 40,000-plus Americans that lose their lives for lack of health insurance.

This side of the aisle, the Democrats, are pushing back against these situations. And tomorrow, one step, one more step, one more pushback and saying, in America, the present system is wrong, and tomorrow there will be an end to the ability of these insurance companies to monopolize the market, to engage in anticompetitive activities, price setting, vertical integration, and the rest.

I want to congratulate, I want to thank Mr. PERRIELLO and Ms. MARKEY for what you are doing tomorrow in your legislation.

Ms. MARKEY of Colorado. And I would like to thank my colleague from California for sharing those personal stories of people that you know who are unable to switch jobs because they will not be able to get health insurance, people who can't afford health insurance or get health insurance because of a preexisting condition. We have all heard the stories about the auto industry—the most important part of making a car is the health insurance for the workers who put that vehicle together, that the most important line item expense for companies like Starbucks is not coffee, but it is health insurance. I saw that in my own business as well. My husband and I, every year it was double-digit increases. And every year we, as small business owners, had to cut back on how much we could afford to pay. We started out paying 80 percent of our employees' health insurance. We went down to 70 percent. Now it is 60–40, because we just cannot afford to keep up. We cannot be competitive, particularly in a global economy where you are doing business overseas, your partners overseas don't have that enormous cost of health care that they are paying for their employees.

□ 2340

It's a real business decision to decide, Well, gee, can I afford to hire somebody new? Can it maybe be a contractor, and I won't be paying health insurance for him because I can't afford that extra, you know, $16,000–$17,000? So it is a difficult issue for everyone, and the competition is not there.

As I mentioned, when you've got employees in one or more States, it is virtually impossible to find more than one company. That's all we could find—one company across the United States which would offer insurance to people in several different States. That is just wrong.

We have all talked a little bit about the State attorneys general, and I want to read to you a quote from one of those attorneys general at their meeting when they all voted unanimously, really, for a repeal of this antitrust exemption. One of the assistant attorneys general noted:

''The most egregiously anticompetitive claims, such as naked agreements, fixing prices or reducing coverage, are virtually always found immune from prosecution under the law. They are always found immune.''

We have a very simple choice tomorrow: Do we stand for the insurance industry or do we stand for the American consumer?

It is not an issue of what is good for one industry. It is what is good for competition and innovation. What they have is wrong and unfair, and we have a chance to undo that tomorrow.

Mr. TONKO. I know that we are coming close to the end of our hour. I just want to state that perhaps, if this unfairness were not being levied upon, thrust upon American families, maybe this moment of reform wouldn't be happening, but because there is that unfairness, the propensity to push for this reform has now reached a very solid height.

I think that, as we go forward, as we are waxing anecdotally, what comes to mind for me is a couple whom I know who was hit with a catastrophic illness—a husband and wife team. Their premiums increased by 37 percent over the course of 2 years, and they are left now with one wage earner in the family. Both had been working. As the wife of this couple was impacted by catastrophic illness, they are now left with one wage earner and with a pile of debt that is $18,000 worth of uncovered medical expenses.

So that's what this is about. That's what feeds the passion of this debate.

I have to commend the leadership of this House. Speaker PELOSI has been vigilant about pushing the reforms, along with our respective Chairs from Education and Labor, from Ways and Means, from Energy and Commerce, and about really making it happen, about moving forward to make certain that the people's voices are heard here in this debate.

When we talk about some of the unfairness, about some of the imbalance in the outcomes, what about the medical loss ratio? Fewer and fewer premiums collected, percentage-wise, are returned to direct care for consumers. It was 95 percent a decade-and-a-half ago. Today, it's below 80 percent. So there is a reason for a number of these issues to come forward. There are a number of reforms to be advanced.

This bill, the Perriello-Markey bill, hopefully, will be approved tomorrow in a bipartisan vote. I am pleased to stand here in support of this measure. I want to thank all of my colleagues for the input that they are providing for this historic moment to happen.

I thank you very much.

Mr. PERRIELLO. We can make a difference tomorrow. We can make a difference in forcing competition in the health care market. We can also make a difference in starting to restore some of the trust in this body and in Washington. People across this country do not trust Congress, and that's for good reason. They always hear about the special interests coming out ahead. Here is a simple, simple thing:

Two pages, 24 lines long, which simply say that health insurance companies, which are some of the biggest companies in the world, should have to play by the same rules.

If the plumbers in my district got together and started to set prices, they'd go to jail. Why is it that the health insurance companies should be able to play by a different set of rules? People are always saying there are these commonsense reforms out there. Why can't we get them done?

Well, Ms. MARKEY and I have come together and have taken that idea. It's not our idea. It came from the people in our districts, from conservatives and liberals alike, who agree that restoring competition and removing monopoly protections make sense. When we have seen premiums double in the last 10 years, crushing the purchasing power of working and middle class Americans, that's real for people. When you don't have to compete, the consumer loses.

So people ask, Why can't you get these basic things done? Well, this is a chance not just to do something good in the health insurance market but to show the American people we can come together. We already know this is a bipartisan bill. All of the attorneys general, without a single dissenting vote, have said this is something we support. We want to be able to go after these monopolies.

Jury after jury, juries of the American people, have found this has been going on only to be overturned by the judges who say, Sorry. Because of McCarran-Ferguson, those basic monopoly rules do not apply. The antitrust rules do not apply.

This is a chance for us to do a simple two-page bill that puts patients ahead of the profiteering of the insurance companies. It doesn't say the insurance companies can't continue to make lots of money. They can. We're just saying you can't do it by colluding, by price-fixing and by doing the sorts of things that, since Teddy Roosevelt, we've put our foot down in this country and have said are anticompetitive behaviors.

It should be a great chance for everyone in this body to show the people back in their districts: I'm here to represent you, not to represent the lobbyists who write the checks, not the $400 million that the insurance lobby spent last year in this city. It's a chance to say, I'm going to stand up for patients.

This is not going to fix the entire health care problem, but why wouldn't we start with this? We know it has bipartisan support from the attorneys general. We know it has that bipartisan support from the President Bush commission that came out and said this needs to be done. It moves us in the right direction to put patients and doctors back in the driver's seat. It allows us to restore the basic sense of competition in this country. It says, for once, working and middle class families are going to come out ahead of the special interests. Consumers are going to come out ahead of the greed mentality that you talked about before.

We can do this. The American people sent us here to do this—to listen and to find ideas which are not Republican or Democrat but which are fundamentally American ideas and to institute them. We will need to continue to have a debate about health care reform beyond tomorrow, but let's show the American people tomorrow, on the eve of this health care summit, that there are ideas we can come together on. We have that chance.

So I come in to tomorrow with a great hope, with a great hope not only that we will get this bill passed but that it will restore a basic sense of competition and that it will put patients first. Maybe this could be the first step towards coming together in the health care debate to get things done, because people are in pain out there right now. We have lost millions of jobs. Yes, we took bold action a year ago to help stabilize the economy, but that's not enough. I'm not satisfied. We need economic growth.

So I appreciate the work that Ms. MARKEY has put into this, that Chairwoman SLAUGHTER and that Congressman DEFAZIO have put into this, and I thank the others who have fought this good progressive fight for so long. I look forward to seeing this through to completion tomorrow, and I thank you all for being part of this important, important fight.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to:

Mr. CULBERSON (at the request of Mr. BOEHNER) for today on account of personal business.

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. SPACE) to revise and extend their remarks and include extraneous material:)

Mr. CUMMINGS, for 5 minutes, today.

Ms. WOOLSEY, for 5 minutes, today.

Mr. SPACE, for 5 minutes, today.

Mr. MCDERMOTT, for 5 minutes, today.

Mr. DEFAZIO, for 5 minutes, today.

Ms. KAPTUR, for 5 minutes, today.

(The following Members (at the request of Mr. SHIMKUS) to revise and extend their remarks and include extraneous material:)

Mr. POE of Texas, for 5 minutes, March 2.

Mr. JONES, for 5 minutes, March 2.

Mr. MORAN of Kansas, for 5 minutes, March 2.

Mr. TURNER, for 5 minutes, February 26.

Mr. BOOZMAN, for 5 minutes, today.

Mr. POSEY, for 5 minutes, today.

Ms. FOXX, for 5 minutes, today.

Mr. TIM MURPHY of Pennsylvania, for 5 minutes, today.

Mr. BRADY of Texas, for 5 minutes, today.

(The following Member (at his request) to revise and extend his remarks and include extraneous material:)

Mr. GARAMENDI, for 5 minutes, today.

ADJOURNMENT

Mr. PERRIELLO. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 11 o'clock and 48 minutes p.m.), the House adjourned until tomorrow, Wednesday, February 24, 2010, at 10 a.m.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

6129. A letter from the Chief, Regulatory Analysis & Development, Department of Agriculture, transmitting the Department's final rule — Change in Disease Status of the Republic of Korea With Regard to Foot-and-Mouth Disease and Rinderpest [Docket No.: APHIS-2008-0147] received January 8, 2010, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

6130. A letter from the Under Secretary, Department of Defense, transmitting a report of a violation of the Antideficiency Act by the National Geospatical-Intelligence Agency, Case Number 08-03, pursuant to 31 U.S.C. 1517(b); to the Committee on Appropriations.

6131. A letter from the Secretary, Navy, Department of Defense, transmitting notification of both an Average Procurement Unit Cost (APUC) and a Program Acquisition Unit Cost (PAUC) breach for the enclosed program, pursuant to 10 U.S.C. 2433(e)(1); to the Committee on Armed Services.

6132. A letter from the Principal Military Deputy, Department of Defense, transmitting notification that the Department proposes to donate the battleship ex-WISCONSIN (BB 64) to the City of Norfolk, Virgina; to the Committee on Armed Services.

6133. A letter from the Assistant to the Board, Board of Governors of the Federal Reserve System, transmitting the System's final rule — Home Mortgage Disclosure [Regulation C; Docket No.: 1379] received December 23, 2009, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Financial Services.

6134. A letter from the Regulatory Specialist, LRAD, Department of the Treasury, transmitting the Department's final rule — Community Reinvestment Act Regulations [Docket ID: OCC-2009-0019] (RIN: 1557-AD29) received January 8, 2010, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Financial Services.

6135. A letter from the President and Chairman, Export-Import Bank, transmitting a statement with respect to a transaction involving U.S. exports to Federative Republic of Brazil, pursuant to 12 U.S.C. 635(b)(3)(i); to the Committee on Financial Services.

6136. A letter from the President and Chairman, Export-Import Bank, transmitting a statement with respect to a transaction involving U.S. exports to Israel, pursuant to 12 U.S.C. 635(b)(3)(i); to the Committee on Financial Services.

6137. A letter from the Deputy Secretary, Securities and Exchange Commission, transmitting the Commission's final rule — Extension of Filing Accommodation for Static Pool Information in Filings with Respect to Asset-Backed Securities [Release No. 33-9087; File No. S7-23-09] (RIN: 3235-AK44) received December 17, 2009, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Financial Services.

6138. A letter from the Secretary, Department of Health and Human Services, transmitting renewal of the October 1, 2009 determination of a public health emergency existing nationwide involving Swine Influenza A (now called 2009 — H1N1 flu), pursuant to 42 U.S.C. 247d(a) Public Law 107-188, section 144(a); to the Committee on Energy and Commerce.

6139. A letter from the Secretary, Department of Energy, transmitting a report entitled ''The Effect of Private Wire Laws on Development of Combined Heat and Power Facilities''; to the Committee on Energy and Commerce.

6140. A letter from the Assistant General Counsel for Legislation, Regulation and Energy Efficiency, Department of Energy, transmitting the Department's final rule — Energy Conservation Program: Certification, Compliance, and Enforcement Requirements for Certain Consumer Products and Commercial and Industrial Equipment [Docket Nos.: EE-RM/TP-99-450 and EE-RM/TP-05-500] (RIN: 1904-AA96 and 1904-AB53) received January 8, 2010, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

6141. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Approval and Promulgation

of Implementation Plans; State of Missouri [EPA-R07-OAR-2008-0787; FRL-9096-4] received December 23, 2009, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

6142. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Approval and Promulgation of Implementation Plans and Operating Permits Program; State of Iowa [EPA-R07-OAR-2008-0895; FRL-9096] received December 23, 2009, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

6143. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Approval and Promulgation of Air Quality Implementation Plans; Mississippi; Update to Materials Incorporated by Reference [MS-200923; FRL-9088-6] received January 11, 2010, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

6144. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Approval and Promulgation of Implementation Plans; Kentucky: Approval of Revisions to the State Implementation Plan [EPA-R04-OAR-2007-0500-200927; FRL-9102-6] received January 11, 2010, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

6145. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Extension of Deadline for Promulgating Designations for the 2008 Ozone National Ambient Air Quality Standards [EPA-HQ-OAR-2009-0476; FRL-9102-2] received January 11, 2010, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

6146. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Revisions to the California State Implementation Plan, San Joaquin Valley Air Pollution Control District [EPA-R09-OAR-2009-0492; FRL-9096-9] received January 11, 2010, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

6147. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Revisions to the California State Implementation Plan, San Joaquin Valley Unified Air Pollution Control District [EPA-R09-OAR-2009-0024; FRL-9097-2] received January 11, 2010, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

6148. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Revisions to the Calfiornia State Implementation Plan, San Joaquin Valley Unified Air Pollution Control District [EPA-R09-OAR-2009-0474; FRL-9100-1] received January 11, 2010, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

6149. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Approval and Promulgation of Implementation Plans; Puerto Rico; Guaynabo PM10 Limited Maintenance Plan and Redesignation Request [Docket: EPA-R02-OAR-2009-0508; FRL-9091-4] received January 11, 2010, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

6150. A letter from the Chief, Policy and Rules Division, OET, Federal Communications Commission, transmitting the Commission's final rule — Revision of Parts 2 and 15 of the Commission's Rules to Permit Unlicensed National Information Infrastructure (U-NII) devices in the 5 GHz band [ET Docket No.: 03-122] received December 30, 2009, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

6151. A letter from the Chief of Staff, Media Bureau, Federal Communications Commission, transmitting the Commission's final rule — Amendment of Section 73.622(i), Post-Transition Table of DTV Allotments, Television Broadcast Stations (High Point, North Carolina) [MB Docket No.: 09-196] received January 5, 2010, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

6152. A letter from the Chief of Staff, Media Bureau, Federal Communications Commission, transmitting the Commission's final rule — Amendment of Section 73.622(i), Post-Transition Table of DTV Allotments, Television Broadcast Stations (Cincinnati, Ohio) [MD Docket No.: 09-178] received January 5, 2010, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

6153. A letter from the Chief of Staff, Media Bureau, Federal Communications Commission, transmitting the Commission's final rule — Amendment of Section 73.622(i), Final DTV Table of Allotments, Television Broadcast Stations (Columbus, Ohio) [MB Docket No.: 09-124] received January 5, 2010, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

6154. A letter from the Acting Division Chief, Telecommunications Access Policy Division Wireline Competition Bureau, Federal Communications Commission, transmitting the Commission's final rule — High-Cost Universal Service Support Federal-State Joint Board on Universal Service Alltel Communications, Inc., et al. Petitions for Designation as Eligible Telecommunications Carriers RCC Minnesota, Inc. and RCC Atlantic, Inc. New Hampshire ETC Designation Amendment [WC Docket No.: 05-337] [CC Docket No.: 96-45] received December 30, 2009, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

6155. A letter from the General Counsel, Federal Energy Regulatory Commission, transmitting the Commission's final rule — Revised Mandatory Reliability Standards for Interchange Scheduling and Coordination [Docket No.: RM09-8-000; Order No. 730] received January 5, 2010, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

6156. A letter from the Secretary, Department of the Treasury, transmitting as required by section 401(c) of the National Emergencies Act, 50 U.S.C. 1641(c), and section 204(c) of the International Emergency Economic Powers Act, 50 U.S.C. 1703(c), a six-month periodic report on the national emergency with respect to terrorists who threaten to disrupt the Middle East peace process that was declared in Executive Order 12947 of July 23, 1995, pursuant to 50 U.S.C. 1641(c); to the Committee on Foreign Affairs.

6157. A letter from the Acting Director, Defense Security Cooperation Agency, transmitting a notice of proposed lease with the Government of Singapore (Transmittal No. 09-09) pursuant to Section 62(a) of the Arms Export Control Act; to the Committee on Foreign Affairs.

6158. A letter from the Deputy Assistant Secretary For Export Administration, Department of Commerce, transmitting the Department's final rule — Authorization Validated End-User: Amendment to Existing Validated End-User Authorizations in the People's Republic of China (PRC) and India [Docket No.: 0911051394-91397-01] (RIN: 0694-AE77) received December 30, 2009, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Foreign Affairs.

6159. A letter from the Secretary, Department of the Treasury, transmitting as required by section 401(c) of the National Emergencies Act, 50 U.S.C. 1641(c), and section 204(c) of the International Emergency Economic Powers Act, 50 U.S.C. 1703(c), a six-month periodic report on the national emergency with respect to Belarus that was declared in Executive Order 13405 of June 16, 2006; to the Committee on Foreign Affairs.

6160. A letter from the Secretary, Department of the Treasury, transmitting as required by section 401(c) of the National Emergencies Act, 50 U.S.C. 1641(c), and section 204(c) of the International Emergency Economic Powers Act, 50 U.S.C. 1703(c), and pursuant to Executive Order 13313 of July 31, 2003, a six-month periodic report on the national emergency with respect to the risk of nuclear proliferation created by the accumulation of weapons-usable fissile material in the territory of the Russian Federation that was declared in Executive Order 13159 of June 21, 2000; to the Committee on Foreign Affairs.

6161. A letter from the Secretary, Department of the Treasury, transmitting as required by section 401(c) of the National Emergencies Act, 50 U.S.C. 1641(c), and section 204(c) of the International Emergency Economic Powers Act, 50 U.S.C. 1703(c), and pursuant to Executive Order 13313 of July 31, 2003, a six-month periodic report on the national emergency with respect to the Western Balkans that was declared in Executive Order 13219 of June 26, 2001; to the Committee on Foreign Affairs.

6162. A letter from the Auditor, District of Columbia, transmitting a copy of the report entitled, ''District's Earmark Process Needs Improvement'', pursuant to D.C. Code section 47-117(d); to the Committee on Oversight and Government Reform.

6163. A letter from the Administrator, Environmental Protection Agency, transmitting semiannual report to Congress for the six month period prior to September 30, 2009; to the Committee on Oversight and Government Reform.

6164. A letter from the Acting Chairman, Equal Employment Opportunity Commission, transmitting the Inspector General's semiannual report to Congress for the period ending September 30, 2009; to the Committee on Oversight and Government Reform.

6165. A letter from the Chairman, National Credit Union Administration, transmitting the Inspector General's semiannual report to Congress for the reporting period April 1, 2009 through September 30, 2009; to the Committee on Oversight and Government Reform.

6166. A letter from the Director, National Science Foundation, transmitting the Foundation's annual report for fiscal year 2009, pursuant to Public Law 107-174; to the Committee on Oversight and Government Reform.

6167. A letter from the Director, Peace Corps, transmitting the Inspector General's semiannual report to Congress for the reporting period April 1, 2009 through September 30, 2009, pursuant to 5 U.S.C. app. (Insp. Gen. Act), section 5(b); to the Committee on Oversight and Government Reform.

6168. A letter from the Director, Peace Corps, transmitting the Corps' Performance and Accountability report for fiscal year 2009; to the Committee on Oversight and Government Reform.

6169. A letter from the Executive Director, Securities and Exchange Commission, transmitting the Commission's fiscal year 2009 Performance and Accountability Report; to the Committee on Oversight and Government Reform.

6170. A letter from the Administrator, Small Business Administration, transmitting the Administration's semiannual report

from the office of the Inspector General for the period April 1, 2009 through September 30, 2009, pursuant to 5 U.S.C. app. (Insp. Gen. Act) section 5(b); to the Committee on Oversight and Government Reform.

6171. A letter from the Deputy Assistant Administrator, Bureau for Legislative and Public Affairs, U.S. Agency for International Development, transmitting the Agency's fiscal year 2009 financial report; to the Committee on Oversight and Government Reform.

6172. A letter from the Chairman, Council of the District of Columbia, transmitting Transmittal of D.C. ACT 18-307, ''Pre-k Acceleration and Clarification Temporary Amendment Act of 2010''; to the Committee on Oversight and Government Reform.

6173. A letter from the Chairman, Council of the District of Columbia, transmitting Transmittal of D.C. ACT 18-308, ''Old Morgan School Place, N.W. Renaming Temporary Amendment Act of 2010''; to the Committee on Oversight and Government Reform.

6174. A letter from the Chairman, Council of the District of Columbia, transmitting Transmittal of D.C. ACT 18-306, ''Department of Small and Local Business Development Amendment Act of 2009''; to the Committee on Oversight and Government Reform.

6175. A letter from the Assistant General Counsel for Legislation, Regulation and Energy Efficiency, Department of Energy, transmitting the Department's final rule — Inflation Adjustment of Civil Monetary Penalties (RIN: 1990-AA32) received December 15 2009, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on the Judiciary.

6176. A letter from the Secretary, Department of Health and Human Services, transmitting a petition filed on behalf of workers from the Metals and Controls Corporation in Attleboro, Massachusetts to be added to the Special Exposure Cohort (SEC), pursuant to the Energy Employees Occupational Illness Compensation Program Act of 2000; to the Committee on the Judiciary.

6177. A letter from the Secretary, Department of Health and Human Services, transmitting a petition filed on behalf of workers from the Oak Ridge Hospital in Oak Ridge, Tennessee, to be added to the Special Exposure Cohort (SEC), pursuant to the Energy Employees Occupational Illness Compensation Program Act of 2000; to the Committee on the Judiciary.

6178. A letter from the Secretary, Department of Health and Human Services, transmitting a petition filed on behalf of workers from the Piqua Organic Moderated Reactor in Piqua, Ohio, to be added to the Special Exposure Cohort (SEC), pursuant to the Energy Employees Occupational Illness Compensation Program Act of 2000; to the Committee on the Judiciary.

6179. A letter from the Secretary, Department of Health and Human Services, transmitting a petition filed on behalf of workers from the Hanford site in Richland, Washington, to be added to the Special Exposure Cohort (SEC), pursuant to the Energy Employees Occupational Illness Compensation Program Act of 2000; to the Committee on the Judiciary.

6180. A letter from the Secretary, Department of Health and Human Services, transmitting a petition filed on behalf of workers from the Brookhaven National Laboratory in Upton, New York, to be added to the Special Exposure Cohort (SEC), pursuant to the Energy Employees Occupational Illness Compensation Program Act of 2000; to the Committee on the Judiciary.

6181. A letter from the Administrator, National Aeronautics and Space Administration, transmitting the Administration's response to the GAO-10-4 report and recommendations; to the Committee on Science and Technology.

6182. A letter from the Acting Chief, Border Security Regulations Branch, Department of Homeland Security, transmitting the Department's final rule — Administrative Process for Seizures and Forfeitures Under the Immigration and Nationality Act and Other Authorities [USCBP-2006-0122] (RIN 1651-AA58) received December 15, 2009, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

6183. A letter from the Chief, Publications and Regulations, Internal Revenue Service, transmitting the Service's final rule — Treatment of Certain Obligations under Section 956(c) [Notice 2010-12] received January 6, 2010, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

6184. A letter from the Chief, Publications and Regulations Branch, Internal Revenue Service, transmitting the Service's final rule — Rulings and Determination Letters (Rev. Proc. 2010-3) received January 6, 2010, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

6185. A letter from the Chief, Publications and Regulations, Internal Revenue Service, transmitting the Service's final rule — Use of Controlled Corporations to Avoid the Application of Section 304 [TD 9477] (RIN: 1545-BI14) received December 30, 2009, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

6186. A letter from the Chief, Publications and Regulations, Internal Revenue Service, transmitting the Service's final rule — Extension of Temporary Suspension of AHYDO Rules [Notice 2010-11] received December 30, 2009, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

6187. A letter from the Chief, Publications and Regulations, Internal Revenue Service, transmitting the Service's final rule — Tax-Exempt Bonds in Certain Disaster Areas [Notice 2010-10] received December 23, 2009, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

6188. A letter from the Chief, Publications and Regulations, Internal Revenue Service, transmitting the Service's final rule — Corporate Reorganizations; Distributions under sections 368(a)(1)(D) and 354(b)(1)(B) [TD 9475] (RIN: 1545-BF83) received December 23, 2009, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

6189. A letter from the Chief, Publications and Regulations, Internal Revenue Service, transmitting the Service's final rule — Reduction in Taxable Income for Housing Hurricane Katrina Displaced Individuals [TD 9497] (RIN: 1545-BF14) received December 23, 2009, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

6190. A letter from the Commissioner, Social Security Administration, transmitting a report on Hearings Backlog Reduction Update; to the Committee on Ways and Means.

6191. A letter from the Secretary, Department of Health and Human Services, transmitting a report entitled ''National Coverage Determinations'', pursuant to Medicare, Medicaid, and SCHIP Benefits Improvement and Protection Act (BIPA) of 2000; jointly to the Committees on Energy and Commerce and Ways and Means.

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. GEORGE MILLER of California: Committee on Education and Labor. H.R. 4247. A bill to prevent and reduce the use of physical restraint and seclusion in schools, and for other purposes; with an amendment (Rept. 111–417). Referred to the Committee of the Whole House on the State of the Union.

Ms. SLAUGHTER: Committee on Rules. House Resolution 1098. Resolution providing for consideration of the bill (H.R. 4626) to restore the application of the Federal antitrust laws to the business of health insurance to protect competition and consumers (Rept. 111–418). Referred to the House Calendar.

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 Mr. PETERSON (for himself, Mr. MORAN of Kansas, Ms. DELAURO, Mrs. EMERSON, Mr. DELAHUNT, Mr. FLAKE, Mr. MCGOVERN, Mr. BERMAN, Mr. BERRY, Ms. EDDIE BERNICE JOHNSON of Texas, Mr. CHILDERS, Mr. MINNICK, Mr. BOSWELL, Ms. HERSETH SANDLIN, Mr. SCOTT of Georgia, Mr. MASSA, Mr. BRIGHT, Mr. ELLSWORTH, Mr. HOLDEN, Mr. KAGEN, Mr. SNYDER, Mr. POMEROY, Mr. KIND, Mr. DAVIS of Tennessee, Mr. BOUSTANY, Mr. COSTA, Mr. BISHOP of Georgia, Mr. ROSS, Mr. TANNER, Mr. JOHNSON of Illinois, Mr. RYAN of Ohio, Mr. HINCHEY, Ms. LEE of California, and Mr. BOUCHER):

H.R. 4645. A bill to remove obstacles to legal sales of United States agricultural commodities to Cuba and to end travel restrictions on all Americans to Cuba; to the Committee on Foreign Affairs, and in addition to the Committees on Agriculture, 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 Mr. FATTAH:

H.R. 4646. A bill to establish a fee on transactions which would eliminate the national debt and replace the income tax on individuals; to the Committee on Ways and Means, and in addition to the Committees on the Budget, Rules, and Appropriations, 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. MCMAHON (for himself, Ms. BERKLEY, Mr. KLEIN of Florida, Mr. WEINER, and Ms. JACKSON LEE of Texas):

H.R. 4647. A bill to impose sanctions on 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, and for other purposes; to the Committee on Foreign Affairs, and in addition to the Committees on Financial Services, Ways and Means, 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. SMITH of Texas (for himself, Mr. KING of New York, Mr. ROGERS of Kentucky, Mr. HOEKSTRA, Mr. MCCOTTER, and Mr. FORTENBERRY):

H.R. 4648. A bill to prohibit the release or parole of certain unprivileged enemy belligerents into the United States, and for other purposes; to the Committee on the Judiciary.

By Ms. ROS-LEHTINEN (for herself, Mr. MARSHALL, and Mr. ROYCE):

H.R. 4649. A bill to impose sanctions on persons who are complicit in human rights abuses committed against citizens of Iran or their family members after the June 12, 2009,

political processes in Iran, and for other purposes; to the Committee on Foreign Affairs, and in addition to the Committees on Financial Services, Ways and Means, 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 Ms. SCHAKOWSKY (for herself, Mr. HINCHEY, Mr. GRIJALVA, Mr. MCGOVERN, Mr. STARK, Ms. BALDWIN, Ms. MOORE of Wisconsin, Ms. LEE of California, Ms. WOOLSEY, Mr. GONZALEZ, Mr. FILNER, Mr. ELLISON, Mr. HALL of New York, Mrs. MALONEY, Mr. POLIS of Colorado, Mr. HOLT, Ms. SHEA-PORTER, and Mr. GUTIERREZ):

H.R. 4650. A bill to phase out the use of private military contractors; to the Committee on Foreign Affairs, and in addition to the Committees on Armed Services, and Intelligence (Permanent Select), 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. BISHOP of Utah (for himself and Mr. CHAFFETZ):

H.R. 4651. A bill to prohibit the further extension or establishment of national monuments in Utah except by express authorization of Congress; to the Committee on Natural Resources.

By Mr. BLUMENAUER (for himself, Mr. WU, Mr. BAIRD, Mr. MCDERMOTT, and Mr. INSLEE):

H.R. 4652. A bill to amend the Federal Water Pollution Control Act to provide assistance for programs and activities to protect and restore the water quality of the Columbia River Basin, and for other purposes; to the Committee on Transportation and Infrastructure, and in addition to the Committee on the Budget, 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. GARRETT of New Jersey (for himself, Mr. BACHUS, Mr. QUIGLEY, Mr. HENSARLING, Mr. COLE, Mrs. CAPITO, Mr. GOHMERT, Mr. NEUGEBAUER, Mr. FRANKS of Arizona, Mr. PRICE of Georgia, Mr. LUETKEMEYER, Mr. ROYCE, Mr. GINGREY of Georgia, Mr. ROONEY, Mr. PITTS, Mr. MARCHANT, Mr. ROE of Tennessee, Mr. MCHENRY, Mr. BARTLETT, Mr. POSEY, Mr. FLEMING, Mr. LEE of New York, Mrs. SCHMIDT, Mr. LAMBORN, Ms. GRANGER, Ms. FALLIN, Mr. LANCE, Mr. KING of Iowa, Mr. CHAFFETZ, Mr. BILBRAY, Mrs. BACHMANN, Mr. BISHOP of Utah, Mr. HERGER, Mr. FORTENBERRY, Mrs. MCMORRIS RODGERS, Mr. ALEXANDER, and Mr. JONES):

H.R. 4653. A bill to provide on-budget status to the Federal National Mortgage Association and the Federal Home Loan Mortgage Corporation; to the Committee on the Budget, and in addition to the Committees on Ways and Means, 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 Mr. BRALEY of Iowa (for himself, Mr. BOSWELL, and Mr. LOEBSACK):

H.R. 4654. A bill to amend the Public Health Service Act to designate certain medical facilities of the Department of Veterans Affairs as health professional shortage areas, and for other purposes; to the Committee on Energy and Commerce.

By Mr. BRIGHT:

H.R. 4655. A bill to amend the Internal Revenue Code of 1986 to provide a 1-year extension of the increased expensing of certain depreciable business assets and the special depreciation allowance for certain business property; to the Committee on Ways and Means.

By Mr. BUCHANAN:

H.R. 4656. A bill to direct the Secretary of Veterans Affairs to carry out a pilot program establishing a child-care center for children of veterans receiving treatment and other individuals; to the Committee on Veterans' Affairs.

By Mr. CARSON of Indiana:

H.R. 4657. A bill to amend the Older Americans Act of 1965 to include information relating to the human immunodeficiency virus (HIV) in the disease prevention and health promotion services authorized by such Act; to the Committee on Education and Labor.

By Mr. DUNCAN:

H.R. 4658. A bill to authorize the conveyance of a small parcel of National Forest System land in the Cherokee National Forest and to authorize the Secretary of Agriculture to use the proceeds from that conveyance to acquire a parcel of land for inclusion in that national forest, and for other purposes; to the Committee on Agriculture.

By Mr. HODES:

H.R. 4659. A bill to amend the Truth in Lending Act to require disclosures to all cosigners and guarantors with respect to any consumer credit transaction or consumer lease that are required to be made to the consumer in connection with such transaction or lease, and for other purposes; to the Committee on Financial Services.

By Mr. HODES:

H.R. 4660. A bill to direct the Comptroller General of the United States to conduct a study on the performance of Federal Government in meeting certain small business procurement contracting goals, and for other purposes; to the Committee on Small Business.

By Mr. HODES:

H.R. 4661. A bill to amend the Internal Revenue Code of 1986 to increase the dollar limitation on expensing certain depreciable assets and to extend the deduction for an additional year; to the Committee on Ways and Means.

By Mr. KISSELL:

H.R. 4662. A bill to amend title XVIII of the Social Security Act to improve the diagnosis and treatment of lymphedema under the Medicare Program and to reduce costs under such program related to the treatment of complications of lymphedema, 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. KOSMAS:

H.R. 4663. A bill to amend the Internal Revenue Code of 1986 to provide for a permanent exclusion of all gain on certain small business stock; to the Committee on Ways and Means.

By Mr. KRATOVIL:

H.R. 4664. A bill to amend the Servicemembers Civil Relief Act to provide for a one-year moratorium on the sale or foreclosure of property owned by surviving spouses of servicemembers killed in Operation Iraqi Freedom or Operation Enduring Freedom; to the Committee on Veterans' Affairs.

By Mr. MASSA (for himself, Mr. BISHOP of New York, Mr. ISRAEL, Mr. KING of New York, Mrs. MCCARTHY of New York, Mr. ACKERMAN, Mr. MEEKS of New York, Mr. CROWLEY, Mr. NADLER of New York, Mr. WEINER, Mr. TOWNS, Ms. CLARKE, Ms. VELÁZQUEZ, Mr. MCMAHON, Mrs. MALONEY, Mr. RANGEL, Mr. SERRANO, Mr. ENGEL, Mrs. LOWEY, Mr. HALL of New York, Mr. MURPHY of New York, Mr. TONKO, Mr. HINCHEY, Mr. OWENS, Mr. ARCURI, Mr. MAFFEI, Mr. LEE of New York, and Mr. HIGGINS):

H.R. 4665. A bill to designate the facility of the United States Postal Service located at 23 Genesee Street in Hornell, New York, as the ''Zachary Smith Post Office Building''; to the Committee on Oversight and Government Reform.

By Mr. OWENS (for himself, Mr. WELCH, and Mr. MCINTYRE):

H.R. 4666. A bill to amend the Public Works and Economic Development Act of 1965 to establish a grant program to support cluster-based economic development efforts; to the Committee on Transportation and Infrastructure, and in addition to the Committee on 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 Mr. PERRIELLO (for himself, Mr. FILNER, Mr. HALL of New York, Mrs. HALVORSON, Mrs. KIRKPATRICK of Arizona, Mr. DONNELLY of Indiana, Mr. RODRIGUEZ, and Mr. TEAGUE):

H.R. 4667. A bill to increase, effective as of December 1, 2010, the rates of compensation for veterans with service-connected disabilities and the rates of dependency and indemnity compensation for the survivors of certain disabled veterans, and for other purposes; to the Committee on Veterans' Affairs.

By Mr. PIERLUISI (for himself, Ms. BORDALLO, Mr. SABLAN, Mr. SIRES, and Ms. WASSERMAN SCHULTZ):

H.R. 4668. A bill to amend the Elementary and Secondary Education Act of 1965 to increase the maximum amount that may be allotted to Puerto Rico under part A of title III; to the Committee on Education and Labor.

By Mr. PIERLUISI (for himself, Mr. SABLAN, Ms. BORDALLO, Mr. FALEOMAVAEGA, Mr. SERRANO, and Mrs. CHRISTENSEN):

H.R. 4669. A bill to amend title XVIII of the Social Security Act to provide that hospitals located in territories are eligible for electronic health record incentive payments under Medicare in the same manner as hospitals located in one of the 50 States are eligible for such incentive payments; to the Committee on Ways and Means.

By Mr. PITTS:

H.R. 4670. A bill to establish a program through which each State may provide a bust to be displayed in one of the House Office Buildings; to the Committee on House Administration.

By Mr. SARBANES (for himself and Mr. FORTENBERRY):

H.R. 4671. A bill to amend the National Trails System Act to include national discovery trails, and to designate the American Discovery Trail, and for other purposes; to the Committee on Natural Resources.

By Mr. YOUNG of Alaska:

H.R. 4672. A bill to provide for the conveyance of certain property located in Anchorage, Alaska, from the United States to the Alaska Native Tribal Health Consortium; to the Committee on Natural Resources, 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. KISSELL (for himself, Mr. FILNER, Ms. CORRINE BROWN of Florida, and Mr. BUYER):

H. Con. Res. 238. Concurrent resolution recognizing the difficult challenges Black veterans faced when returning home after serving in the Armed Forces, their heroic military sacrifices, and their patriotism in fighting for equal rights and for the dignity of a people and a Nation; to the Committee on Veterans' Affairs.

By Mr. PENCE:

H. Res. 1095. A resolution electing a Minority member to a standing committee; considered and agreed to. considered and agreed to.

By Mr. REYES (for himself, Mr. ORTIZ, Mr. GRIJALVA, Ms. EDDIE BERNICE JOHNSON of Texas, Ms. ROYBAL-ALLARD, Mr. SERRANO, Mr. GONZALEZ, Mr. HASTINGS of Florida, Mr. AL GREEN of Texas, Mrs. NAPOLITANO, Mr. BACA, Mr. GENE GREEN of Texas, Mr. GUTIERREZ, Ms. LINDA T. SÁNCHEZ of California, Mr. SIRES, Ms. ROS-LEHTINEN, Mr. BUTTERFIELD, Mr. CLEAVER, Ms. CLARKE, Ms. JACKSON LEE of Texas, Mr. CLAY, Mr. HINOJOSA, Ms. BORDALLO, Mr. SALAZAR, Mr. CUELLAR, Mrs. CHRISTENSEN, Ms. FUDGE, Mr. DAVIS of Illinois, Ms. RICHARDSON, Ms. BERKLEY, Mr. HINCHEY, Mr. CHAFFETZ, Ms. WATSON, Mrs. MALONEY, Mr. THOMPSON of California, Mr. HONDA, Mr. MEEKS of New York, Mr. MORAN of Virginia, Ms. NORTON, Ms. MCCOLLUM, Mr. MCHENRY, Ms. MATSUI, Mr. CONYERS, Mr. THOMPSON of Mississippi, Mr. PAYNE, Mr. BISHOP of Georgia, Ms. CHU, Mr. MEEK of Florida, Mrs. DAVIS of California, Mr. ELLISON, Mr. MCGOVERN, Mr. LINCOLN DIAZ-BALART of Florida, Mrs. LOWEY, Mr. RODRIGUEZ, Mr. PALLONE, Mr. CAO, and Ms. WOOLSEY):

H. Res. 1096. A resolution encouraging individuals across the United States to participate in the 2010 Census to ensure an accurate and complete count beginning April 1, 2010, and expressing support for designation of March 2010 as Census Awareness Month; to the Committee on Oversight and Government Reform.

By Mr. LIPINSKI (for himself, Mr. EHLERS, Mr. INGLIS, Ms. EDWARDS of Maryland, Ms. RICHARDSON, Ms. KOSMAS, Ms. MATSUI, Mr. AKIN, Mr. BARTON of Texas, Mr. HOLT, Mr. MCNERNEY, Ms. BORDALLO, Mr. KILDEE, Mr. HONDA, Mr. HARE, Mr. ROHRABACHER, Mrs. CHRISTENSEN, Mr. TONKO, Mr. CARNAHAN, Mr. MANZULLO, Ms. SUTTON, Mr. OLSON, Mr. BAIRD, Ms. MARKEY of Colorado, Ms. FUDGE, and Ms. ESHOO):

H. Res. 1097. A resolution supporting the goals and ideals of National Engineers Week, and for other purposes; to the Committee on Science and Technology.

By Mr. BRALEY of Iowa (for himself, Mr. KLINE of Minnesota, Mr. SNYDER, Mr. HUNTER, Mr. BROUN of Georgia, Mr. BOSWELL, Mr. KING of Iowa, Mr. LOEBSACK, Mr. LATHAM, Mr. JONES, and Mr. ISSA):

H. Res. 1099. A resolution recognizing the 65th anniversary of the Battle of Iwo Jima; to the Committee on Armed Services.

By Mr. CARSON of Indiana:

H. Res. 1100. A resolution expressing the sense of the House of Representatives that the National Institutes of Health and the Centers for Disease Control and Prevention should expand and intensify programs of research and related activities regarding the population of older individuals living with or at risk for HIV; to the Committee on Energy and Commerce.

By Mr. FLAKE:

H. Res. 1101. A resolution establishing an earmark moratorium for fiscal year 2011; to the Committee on Rules.

By Mr. HASTINGS of Florida (for himself, Mr. BERMAN, Mr. RANGEL, Mr. ACKERMAN, Mr. BISHOP of Georgia, Ms. BORDALLO, Ms. CORRINE BROWN of Florida, Ms. CASTOR of Florida, Mr. COHEN, Mr. CONYERS, Mr. CRENSHAW, Mr. CROWLEY, Mr. CUMMINGS, Mr. ENGEL, Mr. FALEOMAVAEGA, Mr. FATTAH, Ms. FUDGE, Mr. AL GREEN of Texas, Mr. GRIJALVA, Mr. HONDA, Mr. INGLIS, Ms. JACKSON LEE of Texas, Ms. EDDIE BERNICE JOHNSON of Texas, Mr. JOHNSON of Georgia, Ms. KILPATRICK of Michigan, Mr. LEWIS of Georgia, Mr. MCDERMOTT, Mr. MCGOVERN, Mr. MEEKS of New York, Ms. MOORE of Wisconsin, Ms. NORTON, Mr. PAYNE, Mr. POLIS of Colorado, Ms. RICHARDSON, Mr. RUSH, Ms. LINDA T. SÁNCHEZ of California, Mr. THOMPSON of Mississippi, Mr. TOWNS, and Ms. WATSON):

H. Res. 1102. A resolution commemorating the 20th anniversary of the release of Nelson Rolihlahla Mandela, recognizing the significance of his contribution to democracy and racial equality in South Africa, and honoring his life-long dedication to building a more equitable and united world; to the Committee on Foreign Affairs.

PRIVATE BILLS AND RESOLUTIONS

Under clause 3 of rule XII,

Mr. PASTOR of Arizona introduced a bill (H.R. 4673) for the relief of Martha Palmillas de Morales; which was referred to the Committee on the Judiciary.

ADDITIONAL SPONSORS

Under clause 7 of rule XII, sponsors were added to public bills and resolutions as follows:

H.R. 119: Mr. ADLER of New Jersey.
H.R. 204: Ms. CHU.
H.R. 211: Mr. VISCLOSKY.
H.R. 213: Mr. CARTER.
H.R. 303: Mr. BARROW.
H.R. 444: Mr. CUMMINGS.
H.R. 456: Mr. SULLIVAN.
H.R. 510: Mr. LINDER.
H.R. 536: Mr. HINCHEY.
H.R. 537: Mr. ALTMIRE.
H.R. 564: Ms. NORTON.
H.R. 635: Ms. NORTON.
H.R. 649: Mr. CHAFFETZ, Mr. BARRETT of South Carolina, Mr. GRIFFITH, and Mr. CARTER.
H.R. 669: Mrs. MALONEY.
H.R. 678: Mr. FORBES, Mr. BAIRD, Mr. TURNER, Mr. ELLISON, and Ms. CHU.
H.R. 712: Mr. SCHOCK.
H.R. 716: Ms. WOOLSEY.
H.R. 758: Mr. MCDERMOTT.
H.R. 832: Ms. ZOE LOFGREN of California and Mr. HODES.
H.R. 836: Mr. SHERMAN.
H.R. 878: Mr. COFFMAN of Colorado.
H.R. 930: Mr. BISHOP of New York.
H.R. 953: Mr. SESTAK.
H.R. 1067: Mr. LIPINSKI.
H.R. 1087: Mr. GERLACH.
H.R. 1175: Mr. SCHIFF, Mr. PATRICK J. MURPHY of Pennsylvania, Mr. CARNAHAN, Ms. KILPATRICK of Michigan, and Mr. SCHOCK.
H.R. 1177: Mr. ROTHMAN of New Jersey.
H.R. 1220: Mr. THOMPSON of Pennsylvania and Mr. GERLACH.
H.R. 1240: Ms. PINGREE of Maine and Mrs. MCCARTHY of New York.
H.R. 1250: Mr. YOUNG of Alaska and Mr. TURNER.
H.R. 1311: Ms. GRANGER.
H.R. 1346: Mr. PERLMUTTER.
H.R. 1351: Mr. WELCH.
H.R. 1352: Mr. GRIFFITH and Mr. ANDREWS.
H.R. 1392: Ms. LINDA T. SÁNCHEZ of California.
H.R. 1507: Ms. PINGREE of Maine.
H.R. 1526: Mr. YARMUTH.
H.R. 1552: Mr. HOLT.
H.R. 1584: Mr. PUTNAM and Mr. POSEY.
H.R. 1585: Mr. ROGERS of Kentucky.
H.R. 1587: Mr. BOYD, Mr. DAVIS of Tennessee, and Mr. ROSS.
H.R. 1628: Ms. GRANGER.
H.R. 1744: Mr. TANNER and Mr. DAVIS of Kentucky.
H.R. 1799: Mr. MILLER of Florida.
H.R. 1806: Mr. PATRICK J. MURPHY of Pennsylvania and Mr. COHEN.
H.R. 1829: Mr. MARKEY of Massachusetts, Mr. PRICE of North Carolina, and Mr. HUNTER.
H.R. 1897: Ms. KILROY.
H.R. 1956: Ms. GIFFORDS.
H.R. 1961: Ms. EDDIE BERNICE JOHNSON of Texas.
H.R. 1990: Mr. DOGGETT.
H.R. 2006: Ms. ESHOO.
H.R. 2054: Mr. LOEBSACK and Ms. CHU.
H.R. 2124: Mr. FORBES.
H.R. 2138: Mr. WEINER.
H.R. 2254: Ms. RICHARDSON, Mrs. DAVIS of California, and Mr. TURNER.
H.R. 2277: Mr. EHLERS.
H.R. 2280: Mr. MCCARTHY of California.
H.R. 2287: Ms. JENKINS, Mr. SOUDER, and Mr. POE of Texas.
H.R. 2299: Ms. NORTON.
H.R. 2331: Ms. GRANGER.
H.R. 2378: Mr. COFFMAN of Colorado.
H.R. 2443: Mr. SCHAUER and Mr. SABLAN.
H.R. 2521: Mr. CONYERS.
H.R. 2547: Mr. REHBERG.
H.R. 2584: Mr. BURTON of Indiana and Mr. SMITH of Nebraska.
H.R. 2608: Mr. CARTER.
H.R. 2697: Mr. SCHAUER.
H.R. 2840: Mr. QUIGLEY.
H.R. 2941: Mr. PASTOR of Arizona.
H.R. 2980: Mr. COURTNEY.
H.R. 3024: Ms. NORTON, Mr. BARTLETT, Mr. WELCH, and Mr. WESTMORELAND.
H.R. 3054: Mr. POLIS of Colorado.
H.R. 3068: Mr. WELCH.
H.R. 3077: Mrs. MALONEY.
H.R. 3116: Mr. OWENS.
H.R. 3149: Ms. CHU and Mr. BLUMENAUER.
H.R. 3189: Mr. BURTON of Indiana.
H.R. 3212: Mr. SNYDER.
H.R. 3271: Mr. PETERS.
H.R. 3315: Mr. MAFFEI.
H.R. 3343: Ms. HIRONO and Mr. KENNEDY.
H.R. 3351: Mr. GRAYSON.
H.R. 3421: Mr. KANJORSKI.
H.R. 3430: Ms. NORTON, Mr. MICHAUD, Mr. MARKEY of Massachusetts, Ms. CHU, and Mr. HOLT.
H.R. 3467: Mr. WELCH.
H.R. 3526: Mr. SCOTT of Virginia.
H.R. 3553: Ms. RICHARDSON.
H.R. 3578: Mr. CAPUANO, Mr. ELLISON, and Ms. ESHOO.
H.R. 3589: Mrs. LOWEY.
H.R. 3668: Ms. MARKEY of Colorado, Mr. ELLSWORTH, Mr. DAVIS of Tennessee, Mr. MOORE of Kansas, and Mr. HARPER.
H.R. 3712: Mr. SESSIONS, Ms. GIFFORDS, Mr. BOOZMAN, Mrs. MCMORRIS RODGERS, Mr. WALZ, Mr. SHULER, Ms. KILPATRICK of Michigan, and Mr. LUETKEMEYER.
H.R. 3745: Ms. PINGREE of Maine and Mr. BLUMENAUER.
H.R. 3764: Mr. CUMMINGS, Ms. NORTON, Mr. SESTAK, Mr. WEINER, and Ms. PINGREE of Maine.

H.R. 3766: Mr. WELCH.
H.R. 3787: Mr. KIND.
H.R. 3789: Mr. YOUNG of Alaska.
H.R. 3936: Mr. PENCE and Mr. FRANK of Massachusetts.
H.R. 3943: Mr. SESTAK, Mr. SOUDER, Mr. RUSH, Mr. KRATOVIL, and Mr. PATRICK J. MURPHY of Pennsylvania.
H.R. 3955: Ms. NORTON and Mr. CAO.
H.R. 4001: Ms. WOOLSEY.
H.R. 4021: Mr. COHEN and Mr. KIND.
H.R. 4053: Mr. DOGGETT.
H.R. 4070: Mr. THOMPSON of Mississippi, Mr. SESTAK, and Mr. SKELTON.
H.R. 4109: Mr. DAVIS of Alabama.
H.R. 4114: Mr. BERMAN.
H.R. 4163: Mr. HASTINGS of Florida.
H.R. 4175: Mr. VISCLOSKY.
H.R. 4186: Mr. SKELTON.
H.R. 4199: Mr. BISHOP of New York.
H.R. 4241: Mr. TIAHRT, Mr. ACKERMAN, Mr. CAO, Mr. MASSA, Mr. WELCH, Ms. HIRONO, and Mr. SIMPSON.
H.R. 4268: Mr. RANGEL, Mr. SCOTT of Virginia, Mrs. LOWEY, Mr. CAPUANO, Mr. RUSH, Ms. NORTON, and Mr. STARK.
H.R. 4274: Mr. ROTHMAN of New Jersey and Mr. STARK.
H.R. 4278: Mr. WELCH.
H.R. 4296: Mr. HALL of New York.
H.R. 4306: Ms. FOXX and Ms. KOSMAS.
H.R. 4311: Mr. WELCH.
H.R. 4322: Ms. LORETTA SANCHEZ of California and Mr. RUPPERSBERGER.
H.R. 4324: Ms. JACKSON LEE of Texas.
H.R. 4329: Mr. PERRIELLO and Mr. CANTOR.
H.R. 4330: Mr. PIERLUISI.
H.R. 4343: Mr. JOHNSON of Georgia and Ms. EDWARDS of Maryland.
H.R. 4347: Mr. HEINRICH.
H.R. 4353: Mr. CULBERSON.
H.R. 4360: Ms. PELOSI.
H.R. 4371: Mr. CHILDERS, Mr. MCHENRY, Mr. CARSON of Indiana, Mr. LANCE, Mr. GOHMERT, Mrs. BONO MACK, Mr. ABERCROMBIE, Ms. BERKLEY, Mr. LAMBORN, Mr. SESSIONS, and Ms. SLAUGHTER.
H.R. 4386: Ms. RICHARDSON.
H.R. 4391: Mr. ELLISON.
H.R. 4396: Mr. HOLDEN, Mr. CUELLAR, Mr. BERRY, Mr. SALAZAR, Mr. BISHOP of Utah, Mr. DAVIS of Tennessee, Mr. MELANCON, and Mrs. LUMMIS.
H.R. 4399: Mr. BARTLETT.
H.R. 4453: Ms. JENKINS, Mr. AKIN, Mr. GOHMERT, Mr. TIBERI, and Mr. UPTON.
H.R. 4466: Ms. ROS-LEHTINEN, Mr. DENT, Mr. AUSTRIA, and Mr. BLUNT.
H.R. 4470: Ms. WOOLSEY.
H.R. 4486: Mr. FRANK of Massachusetts and Mr. KUCINICH.
H.R. 4490: Mr. SMITH of Nebraska, Mr. DEAL of Georgia, and Mr. DUNCAN.
H.R. 4496: Mr. SENSENBRENNER.
H.R. 4513: Mr. LANCE.
H.R. 4517: Mr. GRAYSON.
H.R. 4522: Mr. POLIS of Colorado and Mr. GRAYSON.
H.R. 4526: Mr. SERRANO.
H.R. 4527: Mr. POLIS of Colorado.
H.R. 4529: Mr. FLAKE.
H.R. 4530: Mr. SABLAN.
H.R. 4537: Ms. WATSON, Mr. COHEN, and Mr. DRIEHAUS.
H.R. 4538: Mr. MORAN of Virginia and Mr. GEORGE MILLER of California.
H.R. 4541: Ms. CHU, Mr. BURTON of Indiana, Ms. JACKSON LEE of Texas, Mr. CUMMINGS, and Ms. WATSON.
H.R. 4549: Mr. CARNAHAN.
H.R. 4550: Ms. EDWARDS of Maryland and Mr. GRAYSON.
H.R. 4551: Mr. FILNER.
H.R. 4555: Mr. BARROW, Mrs. CAPPS, Mr. SCOTT of Virginia, Mr. MICHAUD, Ms. SHEA-PORTER, and Mr. TIERNEY.
H.R. 4556: Mr. CANTOR, Mr. SOUDER, Mr. REHBERG, Mr. KIRK, Mr. DUNCAN, Mr. PLATTS, Mr. TIAHRT, Mr. MCCOTTER, Mr. GOODLATTE, and Mr. BACHUS.
H.R. 4564: Mr. LARSON of Connecticut, Mr. GENE GREEN of Texas, Mr. ELLISON, Mrs. CAPPS, and Mr. LEVIN.
H.R. 4566: Mr. BACHUS.
H.R. 4576: Mr. THORNBERRY.
H.R. 4581: Mr. ROYCE and Mr. JONES.
H.R. 4582: Ms. BEAN.
H.R. 4586: Mr. GALLEGLY and Mr. MCCOTTER.
H.R. 4588: Mr. ROHRABACHER.
H.R. 4598: Mr. HOLDEN, Mr. FATTAH, Mrs. MALONEY, Mr. KAGEN, Mr. PLATTS, and Ms. PINGREE of Maine.
H.R. 4599: Mr. LEVIN.
H.R. 4614: Mr. KAGEN.
H.R. 4621: Mr. HASTINGS of Florida, Mr. GONZALEZ, Mr. POLIS of Colorado, and Mr. HARE.
H.R. 4624: Mr. BUYER.
H.R. 4626: Mr. DELAHUNT, Ms. EDDIE BERNICE JOHNSON of Texas, Mr. KAGEN, Mr. LOEBSACK, Mr. MURPHY of New York, Mr. ROTHMAN of New Jersey, and Mr. SALAZAR.
H.R. 4630: Mr. POLIS of Colorado.
H.R. 4634: Ms. ROS-LEHTINEN.
H.J. Res. 13: Mr. GRAYSON.
H.J. Res. 14: Mr. POSEY.
H.J. Res. 50: Mr. MCINTYRE.
H. Con. Res. 16: Mr. MCCAUL and Mr. CAMPBELL.
H. Con. Res. 49: Mr. MCMAHON.
H. Con. Res. 230: Mr. LOEBSACK.
H. Res. 93: Mr. SCHIFF.
H. Res. 213: Mr. GONZALEZ, Mr. FARR, Ms. CHU, and Ms. WOOLSEY.
H. Res. 267: Mr. WAXMAN.
H. Res. 311: Mr. FALEOMAVAEGA and Mr. BROWN of South Carolina.
H. Res. 577: Mr. SCHOCK.
H. Res. 615: Mr. WAMP.
H. Res. 704: Mr. WU, Mrs. MCMORRIS RODGERS, Mr. PALLONE, Mr. KLINE of Minnesota, Mr. DRIEHAUS, and Mr. ALTMIRE.
H. Res. 764: Mr. DANIEL E. LUNGREN of California.
H. Res. 873: Mr. SHADEGG.
H. Res. 913: Mr. CUMMINGS.
H. Res. 925: Ms. SUTTON, Mr. MCGOVERN, and Mr. BOREN.
H. Res. 949: Mr. SOUDER.
H. Res. 989: Mr. SCHRADER, Ms. PINGREE of Maine, and Mr. PRICE of North Carolina.
H. Res. 1006: Mr. FORBES.
H. Res. 1032: Ms. ZOE LOFGREN of California.
H. Res. 1033: Mr. LANCE, Mr. YOUNG of Alaska, Mr. BLUNT, Ms. BERKLEY, and Mr. TERRY.
H. Res. 1034: Mr. HINCHEY and Mr. DAVIS of Illinois.
H. Res. 1059: Mr. CALVERT.
H. Res. 1061: Mr. LEWIS of Georgia.
H. Res. 1064: Mr. HODES, Mr. WEINER, Mr. FILNER, Ms. WOOLSEY, Ms. ZOE LOFGREN of California, Mr. ABERCROMBIE, Mrs. MCCARTHY of New York, Mr. HARE, Mr. OLVER, Mr. FARR, Mr. GUTIERREZ, Mr. QUIGLEY, and Ms. NORTON.
H. Res. 1067: Mr. MILLER of Florida, Mr. ARCURI, Mr. MOORE of Kansas, Mr. MCINTYRE, Mr. SNYDER, Mr. PAUL, Mr. BARTLETT, Mr. MOLLOHAN, Mr. MARCHANT, Mr. KENNEDY, Mr. ISRAEL, Mr. MCKEON, Mr. COOPER, Mr. JOHNSON of Georgia, Mr. MARSHALL, Mr. SESTAK, Mr. OWENS, Mr. ANDREWS, Ms. CORRINE BROWN of Florida, Mr. MILLER of North Carolina, Mr. HILL, Mr. SCOTT of Virginia, Mr. PRICE of North Carolina, Mr. BURTON of Indiana, 1Mr. DUNCAN, Mr. WAMP, Mr. MICHAUD, Ms. GIFFORDS, Mr. KINGSTON, Mr. MASSA, Mr. LAMBORN, and Mr. BACHUS.
H. Res. 1069: Mr. FOSTER and Mr. ROTHMAN of New Jersey.
H. Res. 1073: Mr. BURTON of Indiana.
H. Res. 1075: Mr. BRADY of Pennsylvania, Mr. BARTLETT, Mrs. MCMORRIS RODGERS, Mr. ROGERS of Alabama, Mr. SNYDER, Mr. PLATTS, and Mr. INGLIS.
H. Res. 1078: Ms. BORDALLO, Ms. SUTTON, Mr. NUNES, Mr. CAO, Mr. MCGOVERN, and Mrs. MYRICK.
H. Res. 1080: Mr. MCCARTHY of California, Mr. NUNES, Ms. WATSON, Mr. HALL of Texas, Mr. HENSARLING, Mr. HARPER, Mr. RADANOVICH, Mr. DAVIS of Kentucky, Mr. KINGSTON, Mr. OLSON, Mr. JORDAN of Ohio, Mr. GARRETT of New Jersey, Mr. CAMP, Ms. RICHARDSON, Mr. UPTON, Mr. SHULER, Mr. CASTLE, Ms. HIRONO, Mr. LOBIONDO, Mr. INGLIS, Ms. ROS-LEHTINEN, Mr. BRADY of Texas, Mr. SHUSTER, Mr. WALDEN, Mr. BOOZMAN, Mr. WILSON of South Carolina, Mr. DANIEL E. LUNGREN of California, Mr. GOHMERT, Mr. LANCE, Mrs. SCHMIDT, Mr. REHBERG, Mr. PITTS, and Mrs. LUMMIS.

CONGRESSIONAL EARMARKS, LIMITED TAX BENEFITS, OR LIMITED TARIFF BENEFITS

Under clause 9 of rule XXI, lists or statements on congressional earmarks, limited tax benefits, or limited tariff benefits were submitted as follows:

The amendment to be offered by Representative FLAKE, or a designee, to H.R. 2314 the Native Hawaiian Government Reorganization Act, does not contain any congressional earmarks, limited tax benefits, or limited tariff benefits as defined in clause 9(d), 9(e), or 9(f) of rule XXI.

The amendment to be offered by Chairman SILVESTRE REYES to H.R. 2701, the Intelligence Authorization Act for Fiscal Year 2010, does not contain any congressional earmarks, limited tax benefits, or limited tariff benefits, as defined in clause 9 of rule XXI.

DELETIONS OF SPONSORS FROM PUBLIC BILLS AND RESOLUTIONS

Under clause 7 of rule XII, sponsors were deleted from public bills and resolutions as follows:

H. Res. 648: Mr. ROGERS of Kentucky.

United States of America

Congressional Record

PROCEEDINGS AND DEBATES OF THE 111th CONGRESS, SECOND SESSION

Vol. 156 WASHINGTON, TUESDAY, FEBRUARY 23, 2010 No. 23

Senate

The Senate met at 10 a.m. and was called to order by the Honorable JEANNE SHAHEEN, a Senator from the State of New Hampshire.

PRAYER

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

Let us pray.

Eternal God, high above all yet in all, we thank You for Your steadfast love and faithfulness. Do mighty things through the labors of our lawmakers, using them to accomplish Your work on Earth. Lord, provide them with faith to confront perplexities and to remain unwearied, even during monotonous seasons. Keep them strong as they face life's demands and may they never let go of their dreams.

We pray in Your great Name. Amen.

PLEDGE OF ALLEGIANCE

The Honorable JEANNE SHAHEEN led the Pledge of Allegiance, as follows:

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

APPOINTMENT OF ACTING PRESIDENT PRO TEMPORE

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

The legislative clerk read the following letter:

U.S. SENATE,
PRESIDENT PRO TEMPORE,
Washington, DC, February 23, 2010.

To the Senate:

Under the provisions of rule I, paragraph 3, of the Standing Rules of the Senate, I hereby appoint the Honorable JEANNE SHAHEEN, a Senator from the State of New Hampshire, to perform the duties of the Chair.

ROBERT C. BYRD,
President pro tempore.

Mrs. SHAHEEN thereupon assumed the chair as Acting President pro tempore.

RECOGNITION OF THE MAJORITY LEADER

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

SCHEDULE

Mr. REID. Madam President, following leader remarks, there will be a period of morning business for 1 hour, with Senators able to speak for up to 10 minutes each. The Republicans will control the first half, the majority the second half.

Following morning business, the Senate will resume consideration of the House message on H.R. 2847, which is the legislative vehicle for the jobs bill. Postcloture debate time expires shortly after midnight tonight.

I am hopeful and confident we can work out a reasonable time to vote on this; otherwise, we have to do it late tonight or very early in the morning.

Later today, I will ask unanimous consent for a 30-day extension of expiring tax provisions, including unemployment insurance, COBRA, flood insurance, and a number of other important issues. I hope we can clear that request later tonight or this afternoon. Senators, of course, will be notified if there are any votes scheduled.

Again, we have to finish this jobs bill we are on. We are going to move, as I explained last night, to the Travel Promotion Act, and then we are going to move to the big package I described a little earlier, which is so important to do. We will have to do the tax extenders, unemployment insurance extension for a reasonable period of time, along with COBRA. We are going to take a look at FMAP as something that needs to be done. We will discuss that in more detail when we get the timelines defined.

I suggest the absence of a quorum.

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

The legislative clerk proceeded to call the roll.

Mr. MCCONNELL. I ask unanimous consent that the order for the quorum call be rescinded.

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

RECOGNITION OF THE MINORITY LEADER

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

HEALTH CARE REFORM

Mr. MCCONNELL. Madam President, as we meet here in Washington this week, unemployment continues to hover around 10 percent. Tens of millions of Americans are struggling to make ends meet. The national debt is at a staggering all-time high. In response to all this, the administration wants lawmakers to go down to the White House to talk about a health care bill Americans have already rejected resoundingly. The American people thought the debate on this approach to reform was over. They issued their verdict on the substance of the Democratic bills and the process that was used to force them on the public. Yet here we are, once again, being told by the White House we have to consider the same health care bills that caused such a backlash across the country in December. Democrats either aren't listening to the American people or they are going down the same road they have gone down again and again over the past year: put a bill together behind closed doors and then try to force it through Congress along a party-line vote and ultimately onto a public that doesn't want it.

Americans don't want to be told what is best for them. They call the shots. What they are telling lawmakers in Washington to do on health care is to stop and start over. They want us to put the old bills on the shelf, pull out

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

Printed on recycled paper.

a clean sheet of paper, bring all the parties together, and start over.

They are telling us they want a new bill. It is no wonder, since the bills we have seen would slash Medicare, increase taxes, and lead to higher insurance premiums. You could call this kind of approach many things, but you can't call it reform. Americans want real reform. That is what I had hoped Thursday's meeting at the White House would present, an opportunity for us to share the best ideas and work together on commonsense solutions. I am disappointed the White House seems to view it instead as an opportunity to simply restart where we left off in December. Americans don't know how else to say it. They are not interested in reform that starts with either of these two bills. The American people have been quite clear about that. They are not interested in reform that starts with either of these two bills.

If you think they are mad about the process they have seen so far, wait until Democrats in Washington completely ignore them and try to jam these bills through one more time. People aren't interested in so-called reform that raises costs instead of lowering them. They are not interested in massive cuts to Medicare. They are not interested in new taxes at a time when we are already struggling. They are not interested in a government-run health care system that will inevitably lead to delays and to rationing. They want step-by-step reforms that address the core of our problem, which is cost, not grand government schemes that only expand existing problems, increase our debt, and extend the reach of government further and further into our lives.

Reform is necessary. Unfortunately, it seems Washington Democrats are so wedded to their own flawed vision of reform that they would rather have nothing at all done about health care than to implement the kinds of changes Americans want.

When it comes to solving problems, Americans want us to listen first and then, if necessary, offer targeted, step-by-step solutions. Above all, they are tired of a process that shuts them out. They are tired of giant bills negotiated in secret, then jammed through on a party-line vote in the middle of the night. It should be clear by now, Americans are tired of grand schemes imposed from above. They have been telling us exactly that for an entire year. Incredibly, our friends on the other side still don't seem to get it. But Americans see what is going on, and that is why they will reject this bill one more time.

I yield the floor.

RESERVATION OF LEADER TIME

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

MORNING BUSINESS

The ACTING PRESIDENT pro tempore. Under the previous order, there will be a period of morning business for 1 hour, with Senators permitted to speak therein for up to 10 minutes each, with the time equally divided and controlled between the two leaders or their designees, with the Republicans controlling the first half and the majority controlling the final half.

The Senator from Iowa is recognized.

JOBS LEGISLATION

Mr. GRASSLEY. Madam President, I yield myself such time as I may consume. I rise to address the jobs issue and the bill before the Senate. Part of it is to show to my fellow Senators and the American people that the Democratic leadership has a different view on this bill before us that is a partisan bill, particularly in regard to the absence of tax extenders being in that bill, compared to what they have over several of the recent years, which was very supportive of these tax provisions that are left out of this bill. I will explain it this way.

Although the Senate Democratic leader was highly involved in the development of the bipartisan bill, he arbitrarily decided to replace it with a bill now being jammed through the Senate. From the start, this was something Senator BAUCUS and I were working on with both leaders of the Senate. Somehow, that didn't seem to work in the end, as we thought it was working very well as we were moving along. As much as I was surprised by the Democratic leader's disregard for bipartisanship, I am even more surprised by the explanation given by him and his people who speak for him.

Perhaps the most significant change between the bipartisan package Chairman BAUCUS and I helped put together and the package we voted to move to is the package of expired tax provisions has been removed. These expired tax provisions are the ones I referred to as tax extenders. These generally very popular and certainly bipartisan tax extender provisions have, in fact, been extended several times over the past few years. What is surprising is that hyperpartisan members of the majority have suddenly somehow decided tax extenders are what they refer to as ''partisan pork for Republicans.'' A representative sample comes from one report which describes the bipartisan bill as ''an extension of soon-to-expire tax breaks that are highly beneficial to major corporations, known as tax extenders, as well as other corporate giveaways that have been designed to win GOP support.'' Like this is something that only Republicans have ever been for or it is just for major corporations.

There is another quote in the Washington Post which includes this attribution to the Senate Democratic leadership:

> ''We're pretty close,'' [the majority leader] said Friday during a television appearance in Nevada, adding that he thought ''fat cats'' would have benefitted too much from the larger Baucus-Grassley bill.

Understand, Senator BAUCUS is a Democrat, I am a Republican. The portrait being painted, then, by certain members of the majority, echoed without critical examination by people in our press, is wildly inaccurate. For one thing, the tax extenders include provisions such as the deduction for qualified tuition for college and related expenses and also the deduction for certain expenses for elementary and secondary schoolteachers. That ended December 31. It is going to mean tax increases for these families if we don't reinstitute it. If you are going to college or if you are a grade school teacher, the Senate Democratic leadership thinks you are a fat cat, so you are on your own. If your house was destroyed in a recent natural disaster and you still need any of the temporary disaster relief provisions contained in this extenders package, too bad, because helping you would amount to corporate giveaways in the eyes of some around here.

The bipartisan package that was shelved included an extension of unemployment insurance and also a COBRA health insurance extension. Do these provisions benefit corporate fat cats? The answer is obviously no. Therefore, the common, ordinary person, Main Street America, smalltown America or big city America, the working people of this country, that is who will benefit from those provisions that are left out of this bill.

The tax extenders have also been routinely passed and repeatedly passed because, in fact, they are and have been bipartisan and have been very popular and have been very beneficial to the economy. Democrats have consistently voted in favor of extending these tax provisions. Let me as an example refer to House Speaker NANCY PELOSI, who released a very strong statement upon the House package of tax extenders in December 2009. Just 6 weeks ago, the other body passed these tax extenders. This is what the leader of the Democratic Party in the House had to say in December 2009, not very long ago: that it is ''good for business, good for homeowners, and good for our communities.''

In 2006, the then-Democratic leader released a blistering statement:

> After Bush Republicans in the Senate blocked passage of critical tax extenders [because] American families and businesses are paying the price because this Do Nothing Republican Congress refuses to extend important tax breaks.

Recent bipartisan votes in the Senate on extending expiring tax provisions have come in the Emergency Economic Stabilization Act of 2008, the Tax Relief and Health Care Act of 2006, which passed the Senate by unanimous vote, and the Working Families Tax Relief Act of 2004, which was originally passed in the Senate by a simple voice vote,

although the conference report received 92 votes in favor and a whopping 3 against. That doesn't sound, to me, like these tax extenders are just for GOP corporate fat cats.

According to the nonpartisan Congressional Research Service, extension of several of these provisions goes back even further, including the Tax Relief Extension Act of 1999, which passed the Senate by unanimous consent and lost just one Senator voting against it coming out of conference.

Why have Democrats in the last few weeks or maybe in just the last few days turned against the extenders, particularly considering it passed overwhelmingly in the House of Representatives with Democratic support? The only explanation to this behavior is that certain Senators have decided it serves deeply partisan goals to slander what have been, for several years, very bipartisan and very popular tax provisions benefiting many different people.

Yesterday's Washington Post article, from which I quoted, includes a statement from a Democratic leadership aide saying that:

> No decisions have been made, but anyone expecting us immediately to go back to a bill that includes tax extenders will be sorely disappointed.

Having put their heads into the sand, this Chamber's leaders seem intent on keeping them there, based on that previous quote. The bill, as currently written, would allow employers of illegal workers to benefit from the payroll tax holiday. For sure, we should correct that mistake with an amendment. But under this parliamentary setup, you can only offer an amendment if not a single Senator objects to setting aside the existing business and replacing it with a new idea. The leadership's posture on this bill now prohibits this correction of giving illegal workers the benefit of a payroll tax holiday or the employer that employs them. Either the Democratic leaders are playing partisan politics with tax extenders or they don't understand the worth of the provisions to the economy as a whole and, most importantly, job retention and job creation.

I wish to speak about a very specific industry where 23,000 jobs are at risk and, in some instances, people actually without a job since December 31 because the biodiesel tax credit has been allowed to expire on December 31. That is one of the many tax extenders.

These workers are not GOP corporate fat cats, and in case anybody thinks biodiesel—because it is connected to agriculture—is related just to Iowans, let me make it very clear that these green jobs are in 44 of the 50 States, with thousands of people unemployed.

There are 24 facilities in Texas, 15 in my State of Iowa, 6 in Illinois, 6 in Missouri, and 4 facilities in Washington State. Ohio has 11 facilities, there are 5 facilities in Indiana, 3 each in Mississippi and South Carolina, 7 in Pennsylvania, and 4 in Arkansas. New Jersey has 2 facilities, there is 1 facility in North Dakota. Only 6 States out of 50 do not have some biodiesel production layoffs because Congress did not act by December 31 of last year.

You know what. We just had to stay in session on Christmas Eve—because we had not met on Christmas Eve since 1895—to pass a health care reform bill that does not take effect until 2014.

Think of that. Let people in the biodiesel industry be laid off because Congress cannot act because we had to work on a bill that does not take effect until the year 2014.

So we need to turn away from talk about GOP corporate fat cats. We have to start thinking about those teachers having income tax provisions to be able to deduct expenses they have for their classrooms. We ought to think about these biodiesel workers being laid off. We ought to be thinking about the people who are harmed by the floods and have an extension of the temporary tax relief for them and quit bad-mouthing popular bipartisan proposals that we need to pass and should have passed yet last year, as the House of Representatives did. So we need to get back to work on a bipartisan package that was in the works until the Democratic leadership dramatically changed directions and went partisan.

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

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

The legislative clerk proceeded to call the roll.

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

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

Ms. LANDRIEU. I wish to speak for up to 10 minutes as in morning business.

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

(The remarks of Ms. LANDRIEU pertaining to the submission of S. Res. 419 are located in today's RECORD under "Submitted Resolutions.")

The ACTING PRESIDENT pro tempore. The Senator from Pennsylvania.

HONORING OUR ARMED FORCES

LANCE CORPORAL LARRY JOHNSON

Mr. CASEY. Madam President, I rise for two purposes this morning. The first is to speak about a native of Scranton, PA, who died serving our country in Afghanistan. LCpl Larry M. Johnson, just 19 years old, lost his life in the service to his country in the last couple of days. He becomes for Pennsylvania the 43rd soldier killed in action in Afghanistan, with an additional 191 Pennsylvanians who have been wounded at last count.

When we lose one of our brave young soldiers in Afghanistan or Iraq or anywhere around the world, we have a lot to say about their sacrifice and their service. I often, as we all do at one time or another, quote Abraham Lincoln: "These Americans gave the last full measure of devotion to their country." No one said it better than Lincoln. He captured the essence of their service and the sense of loss we all feel when someone who is serving their country is lost in combat.

LCpl Larry Johnson's duties were the following: He was the combat engineer. His main responsibility was to combat and detect improvised explosive devices, and we know them by the acronym IEDs. He lost his life doing that work. Just 19 years old, he was a graduate of Scranton High School in 2008.

In instances such as this, probably the best testimony about the soldier's life, their commitment to their country and the sacrifice they made, probably the best testament of all of those subjects comes from members of their family. In this case, there was testimony in news articles over the last couple of days from friends and teachers, but, of course, most poignantly and most movingly from Larry Johnson's family. Yesterday in the Scranton Time-Tribune there was an article among several over the course of a couple of days, but this article in particular focused on Larry Johnson's family. I unanimous consent to have printed in the RECORD two stories, one entitled "Teacher Recalls Scranton Marine's 'Really Good Heart.'" That is the name of the first story. That is February 21. The second story I ask unanimous consent to have printed in the RECORD is entitled "Knock at the Door Brought Tragedy Home for Marine's Kin." That is from Borys Krawczeniuk, February 22.

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

[From citizensvoice.com, Feb. 22, 2010]

FOR MARINE'S FAMILY, KNOCK AT DOOR BROUGHT TRAGEDY HOME

(By Borys Krawczeniuk)

Johanna Johnson thought she would die first, not any of her four kids.

"You're not supposed to bury your son. Your son is supposed to bury you," Johnson, 43, said Sunday. "It isn't supposed to be this way."

She worried about Larry, her third child, the Marine in Afghanistan, the one who loved the outdoors and a good time and loved his mom so much that he always promised he would someday make sure she no longer had to work. He would buy her a double-block home in California, and she would live on one side and live off the rent from the other half.

"I'm 43 and he's acting like I'm 70," Johnson said.

She worried about him the way a mom worries about a son fighting a war a world away, but this was not supposed to happen.

Two serious-looking Marines are not supposed to come to the door of a tiny, third-floor apartment on Moosic Street in Scranton to report that your son gave his life in service to his country.

Last Thursday, they did.

The official Marine version says Lance Cpl. Larry M. Johnson, 19, of Scranton, died that day "as a result of a hostile incident while conducting combat operations in Helmand province, Afghanistan."

Family members say a Marine who transported his body to the U.S. told them Cpl. Johnson, trained as a combat engineer whose job was to seek and destroy improvised explosive devices, was the victim of one himself. He was part of the renewed thrust into Helmand, the United States' biggest push in Afghanistan since 2001. The goal is to chase away the Taliban.

His funeral will be Thursday or Friday, family members said.

Johanna Johnson was not home when the Marines arrived with the bad news.

She was at work, second day on the job on the assembly line packaging helmet shields at Gentex Corp. in Simpson where they make the helmets American troops wear in places like Afghanistan.

Ashley, 21, Larry Johnson's older sister, heard the knock on the door from the bathroom.

It was a hard knock, she remembered.

''Is your mom home one Marine asked.

''I went to turn away and I was like, 'Wait, did something happen to my brother?' '' Ashley Johnson asked.

They never actually said Larry Michael Johnson was dead.

''I just knew,'' Ashley said. ''I saw the look in their face that he was dead. I didn't even have to ask the question.''

She broke down. She chokes up re-telling the story.

Her brother, a 2008 Scranton High School graduate, always smiled. He loved to laugh and was good at breaking the silence when a conversation paused with a joke.

He was no more than 5 feet 7 inches tall, and suggesting Larry Johnson would be a Marine might bring a chuckle. He enlisted in October 2008 only two weeks after surprising his mother with his decision.

His father, an Army veteran also named Larry Johnson, would do his best to get his son to bulk up by lifting weights, but pictures show a skinny kid. In a senior prom picture, he has a barely visible pencil-thin mustache.

His sister Ashley always wanted to take care of him.

He wanted to care for animals. As a 10-year-old, he dreamed of being a veterinarian. He owned an unnamed python and could draw highly detailed pictures of animals. Outdoors, he snow-boarded, skied, water-skied, camped, rode all-terrain vehicles and liked to party, family members said. Though he was underage, he liked a beer or two now and then.

''The transformation that these Marines did to Larry was something,'' said Jeff Whitney, Johanna Johnson's boyfriend, whom Cpl. Johnson viewed as a stepfather. ''Not that he was a bad kid, don't get me wrong. But he was headed in the wrong direction, hanging around with knuckleheads. He was headed straight to jail. I kept on him every time. I kept on his butt.''

The Marines did the rest. His Marine pictures show a boy turning into a man, with wider biceps and a more rugged look.

He gained respect for others, family members said, always answering, ''Yes, sir'' or ''No, sir.'' After being deployed to Afghanistan in October, he talked about how he would no longer take life for granted.

At Christmas, he sent his mother a deep fryer and a crock pot he bought online from Wal Mart.

On patrol, he would sometimes call her via a satellite phone, sometimes when he should not have.

''He'd be out on a mission and he would call me,'' Johanna Johnson said. ''He always worried about his mother.''

The last three weeks, well before he died, he did not call. It is now apparent to family members that he could not because the mission was being planned, and secrecy was essential.

''I was stressing over my phone not ringing,'' Johanna Johnson said. ''I kept saying 'Why isn't he calling me? I wish he would call me.' ''

[From the Scranton Times-Tribune, Feb. 21, 2010]

''TEACHER RECALLS SCRANTON MARINE'S 'REALLY GOOD HEART' ''

(By Erin L. Nissley)

Jennifer Brotherton remembers former student Larry M. Johnson as a good-natured kid who almost always had a smile on his face.

When the Scranton High School teacher heard Friday the 19-year-old 2008 graduate was killed while serving with the Marines in Afghanistan, she was shocked.

''He had a really good heart and he was so full of energy,'' said Ms. Brotherton, who was Lance Cpl. Johnson's English teacher in 2006–2007.

''Any time a child dies, it's too soon,'' she added.

Lance Cpl. Johnson was a combat engineer assigned to 2nd Combat Engineer Battalion, 2nd Marine Expeditionary Brigade. He joined the Marines after graduating from Scranton High School and was promoted to lance corporal on Dec. 1.

Information released Saturday by military officials indicates that Lance Cpl. Johnson died Thursday ''as a result of a hostile incident while conducting combat operations'' in Helmand Province, Afghanistan. His remains arrived in Dover, Del., on Saturday.

Efforts to contact family members were unsuccessful.

Scranton School District officials plan to reach out to the family in the coming days ''to see what they might need,'' said Gregg Sunday, the district's business manager.

''I can't imagine what the family is going through right now,'' Mr. Sunday said. ''It's a tragedy.''

Lance Cpl. Johnson was deployed to Afghanistan in October. His awards include the Afghanistan Campaign Medal, National Defense Service Medal, Global War on Terrorism Service Medal and NATO International Security Assistance Force Medal.

Mr. CASEY. The one that focused on his family begins with this line, speaking of Larry Johnson's family:

> Johanna Johnson thought she would die first, not any of her four kids.

This is what Larry's mom is quoted as saying in the second line of the story:

> You're not supposed to bury your son. Your son is supposed to bury you. It isn't supposed to be this way.

The story went on to talk about what Larry's hopes and dreams were, not only for himself but for his own mother. The story says that Larry Johnson ''loved his mom so much that he always promised he would some day make sure she no longer had to work. He would buy her a double-block home in California, and she would live on one side and live off the rent from the other half.'' That was a soldier's dream for his mother—just 19 years old and not only thinking about the rest of his life, not only volunteering to serve his country in the Marine Corps and going to Afghanistan, but to have a dream—a dream for his mother's future that he hoped to bring to fruition.

Larry Johnson's sister Ashley is 21 years old, just 2 years older than Larry. She talked about the knock at the door that no family, no mother or father, no brother or sister—no loved one—ever wants to be present for. But Ashley heard the knock at the door. It was a hard knock at the door, she remembered. The one marine who was at the door asked, ''Is your mom home?''

This is what Ashley said after that. She went to turn away, and she asked herself: Wait, did something happen to my brother? He never actually said—the marine at the door—that Larry Michael Johnson was dead, but Ashley said the following:

> I just knew. I saw the look on their face that he was dead. I didn't even have to ask the question.

The story goes on to talk about Larry's father, by the same name—Larry—who was an Army veteran who served his country as well. It is talking about how his father prepared him to go into the Marine Corps once Larry made the decision to become a marine.

Then the story ends with a couple of references to, again, Larry's mom—the one he had a dream for, the one he wanted to build a house in California for someday in the future. The story says:

> At Christmas, he sent his mother a deep fryer and a crock pot that he bought online from WalMart.

He wanted to send that to her.

It says:

> On patrol, he would sometimes call [his mother] via a satellite phone, sometimes when he should not have.

But, again, he loved his mother.

Johanna Johnson is quoted toward the end of the story:

> He'd be out on a mission and he would call me. He always worried about his mother.

There is really not a lot more I could say about his life and his sacrifice than what was contained in this story about what it means to serve, what it means to give, as I said before, in Lincoln's words, ''the last full measure of devotion to your country.'' But we know that when these lives are lost, it is not just about service, it is not just about combat and the military or the Marine Corps. All of that is relevant and critically important, but in the end these stories are about families, about mothers and fathers and brothers and sisters.

For those who have loved and lost, we do our best to try to understand, but we can never fully understand what Johanna Johnson and her family are living through these last few days and will live with the rest of their lives. They will be able to manage that loss. They will be able to move on. But they will never be fully recovered from that kind of a loss.

We are thinking of Larry Johnson and his family today. We are praying for them. We want him and his family to know, in our own small way, how much we appreciate his sacrifice.

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

The PRESIDING OFFICER (Mr. UDALL of New Mexico). The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

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

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

(The remarks of Mr. SPECTER pertaining to the introduction of S. 3017 are located in today's RECORD under ''Statements of Introduced Bills and Joint Resolutions.'')

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

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. VITTER. I ask unanimous consent that the order for the quorum call be rescinded.

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

CONCLUSION OF MORNING BUSINESS

The PRESIDING OFFICER. Morning business is closed.

COMMERCE, JUSTICE, SCIENCE, AND RELATED AGENCIES APPROPRIATIONS ACT, 2010

The PRESIDING OFFICER. Under the previous order, the Senate will resume consideration of the motion to concur with an amendment to the House amendment to the Senate amendment to H.R. 2847, which the clerk will report.

The bill clerk read as follows:

A House message to accompany H.R. 2847, an act making appropriations for the Departments of Commerce and Justice and Science, and Related Agencies for the fiscal year ending September 30, 2010, and for other purposes.

Pending:

Reid amendment No. 3310 (to the House amendment to the Senate amendment), in the nature of a substitute.

Reid amendment No. 3311 (to the amendment No. 3310), to change the enactment date.

The PRESIDING OFFICER. The Senator from Louisiana.

Mr. VITTER. Mr. President, I rise to talk about what I believe should be our top priority, almost our exclusive focus in terms of immediate work, and that is the issue of jobs and the economy. Doing so, I applaud the fact that finally as a body we are somewhat focused on that. We are debating a bill having to do with job creation, economic growth. But at the same time, I find it unfortunate, really sad, that as we take up that top agenda item for the American people we do so by taking up a bill of the majority leader, which is fine, but in a way under which he completely shuts out any opportunity for amendment on the floor of the Senate.

Again, I find that process really unfair and unfortunate. The fact that every Republican idea, every Republican amendment is just being shut out is really frustrating, even angering to me as a Republican. But the issue isn't Republican and Democrat. The issue is what is good and right for the American people. The fact is that ideas and amendments on the Senate floor, which is supposed to be a place of unlimited debate, virtually unlimited ability to offer good ideas, to offer amendments, that is being completely subverted, and all amendments are being shut out.

Because of that, I am going to ask unanimous consent that we break out of that logjam, that we break out of that bitter partisanship and consider, with an open mind, one amendment I am bringing forward. But let me spend a few minutes outlining that amendment.

As we look on the job picture and the economy over the last year, as I talk about that job picture over the last year with folks in my State, I hear two dominant concerns. No. 1, we are still in a heck of a recession. The job creation that was promised a year ago with the stimulus just hasn't panned out. The promise of staying below 8 percent unemployment, minimizing that job loss, clearly, tragically, unfortunately never panned out. The President promised his stimulus would keep us below 8 percent. Unfortunately, as we all know, unemployment nationally went above 10 percent. Right now it still hovers near 10 percent, just a shade below that. And, again, unfortunately, the Federal Reserve has issued a report recently warning that sort of high level of unemployment would be with us for several years to come.

What I hear from Louisianans all around the State—and I would certainly trust what Members from every State of the Union hear in their home States—is that we need a better model to create jobs, to jump-start this economy, to get us out of this serious recession.

The other big theme and concern I hear all around Louisiana is: What are you all doing about this unsustainable level of spending and debt? I share that fear. I share that concern. Even as we struggle to get out of this recession—and we are not near there yet—I am fearful that the next economic crisis is coming based on spending and debt, unsustainable levels of spending and debt. We are near debt levels today comparable to where this Nation was at the end of World War II compared to GDP.

I don't like the idea of going into heavy debt for anything, but if we are going to do it as a nation, surely the reason we had with World War II, the need to build a modern Army overnight, unlike any military we had ever had before that, to defeat Hitler, to preserve freedom and democracy, literally our way of life, surely that reason is a pretty darn good one. That is why we as a nation went into debt, got up to 120 percent of GDP at the end of World War II.

The ''greatest generation'' that did that, that sacrificed and fought and won that war, turned around after the war and wiped away that debt, sent it down with great prosperity and fiscal restraint in the 1950s. But today we are nearing those same historic high levels of debt, with our overall debt now at about 100 percent of GDP, but, obviously, without the historical circumstances such as we had in World War II.

The other thing we don't have is that plan to get rid of it, that determination to reverse course and get our fiscal house in order because we don't have that plan either. In fact, we are in a huge fiscal debt hole, and we have not even stopped digging. In fact, the only thing this administration and this liberal Congress have done in the last year is to put down the shovel digging and used a backhoe instead, specifically to pass a budget that takes that historically high level of debt and doubles it in 5 years and triples it in 10 years.

In the face of those two enormous challenges, we need to create jobs much more effectively than we have in the last year, and we need to get spending and debt under control.

I proposed last March legislation that I and my cosponsors called the no-cost stimulus act. The no-cost stimulus act is about just that, creating great American jobs, stimulating the economy, helping us get out of this recession, using a fundamentally different model than the last year, at no cost to the taxpayer, not continuing to drop hard-earned taxpayer dollars out of helicopters—a fundamentally different approach at no cost to the taxpayer.

In fact, it will produce new Federal revenue and lower our level of deficit and debt.

How do we do that? We do it by focusing on our domestic energy sector, by opening access to domestic energy we have in great quantities in this country, by decreasing our reliance on foreign sources and creating great American jobs in the process. Again, we do this by opening access to our tremendous energy reserves we have.

We are the only country on Earth that has major, significant energy resources but that puts 95 percent of them off limits under Federal law and says: No, no, no, no, you cannot touch that. You cannot touch 95 percent of our domestic energy resources.

We need to change that both to improve our energy situation and to create good American jobs because the answer on the energy front is not either/or. It is not either drill for traditional sources, such as oil and gas, or develop new technology, new research and development. The American people know it is not either/or; it is all of the above, and we need to do all of the above aggressively.

This bill fits right into that commonsense, all-of-the-above mentality of the American people. We open access to domestic energy reserves. We produce

more energy here at home. In doing so, we grow great American jobs—2 million long-term, sustainable, well-paying jobs. In doing that, we increase GDP by as much as $10 trillion over the next 30 years.

But we accomplish even more. We lessen our dependence on foreign sources. We do not spend additional taxpayer dollars and go deeper into debt. By creating these jobs and domestic energy, we actually increase Federal revenue. Because what happens when we open our energy resources for production? That production comes online, royalty goes to the Federal Government—new Federal revenue—and we decrease deficit and debt. It truly is a win-win-win.

Part of that is also focusing on the nuclear side, developing what many folks, including the President, have talked about but which we have not accomplished yet: a true nuclear renaissance, a true streamlining of nuclear programs so we can dramatically increase that capacity, particularly producing electricity.

Finally, let me mention the other part of the win-win-win which is in this legislation. We devote some significant portion of the new, additional Federal revenue created to alternative energy research and development. So, again, it is not either/or; it is all of the above.

This proposal has significant support. I am very proud to say we now have 18 Senators who are coauthors of the proposal. There is a companion bill in the House with 50 coauthors there. So it is a significant proposal with significant support. It represents a win-win-win for the American people and the American economy in this time of serious recession.

So why shouldn't this be actively considered and debated and voted on, on the floor of the Senate? We are supposed to be considering a jobs bill. That is progress. At least, finally, we are focused on jobs. But why is every alternative, every amendment being shut out by the majority leader, including this valid alternative?

So in that vein, Mr. President, I ask unanimous consent that it be in order for me to offer amendment No. 3318, which is filed at the desk.

The PRESIDING OFFICER. Is there objection?

Mr. BROWN of Ohio. Mr. President, I object.

The PRESIDING OFFICER. Objection is heard.

Mr. VITTER. Well, again, I came to the Senate hearing this was the body of full and open debate, full and open consideration of amendments. The problem is my experience here in 5 years has been anything but that, including yet again this week on this legislation, as we are trying to address the top issue of the American people: jobs and the economy.

Why can't we have a full debate? Why can't we have open consideration of amendments, including this alternative model to continuing to spend taxpayer dollars, increasing deficit and debt at an alarming rate. Again, I find it unfortunate that is the partisan procedural position we are in. But I will continue with my Senate coauthors, with the 50 House coauthors of this no-cost stimulus proposal to advance this idea as part of a reasonable solution to grow good jobs without having to spend another trillion dollars of hard-earned taxpayer dollars and increased deficit and debt.

I yield the floor.

The PRESIDING OFFICER. The Senator from Ohio is recognized.

Mr. BROWN of Ohio. Mr. President, I come down to the floor and I hear the Senator from Louisiana saying he has been in the Senate for years and he cannot believe we cannot debate these things. I have watched over the last 13 months since President Obama took the oath of office—13 months and less than a week—and I am incredulous the Senator from Louisiana would say what he says; that we, in fact, do not allow debate in this institution, when more than 100 times, just in the last 13 months—I think maybe 110 times; I cannot keep count because we add a few every day or every week—more than 100 times the other party, the Republicans, have obstructed, have delayed, have stopped us from moving forward.

We have had plenty of time to debate. We will stay here weekends. We will stay here evenings. But when it is not debate they want, it is to block things—maybe talking things to death is the way they block things; maybe they just object to things—but time and time again we have had the ''slow walk'' on health care, so we have not been able to put a bill on the President's desk. That is not because people do not have ideas. It is not because people want to shut down debate. It is because they have tried to stop these bills on issue after issue after issue.

I remember something so simple as the children's health insurance bill, which President Bush vetoed but many people in both parties supported. They tried to slow that down. They tried to slow the Lilly Ledbetter legislation which we passed to try to make sure women doing the same job in the same place are paid as much as men doing the same job in the same place.

I could stand here, Mr. President, as you could, representing your constituents in Santa Fe and Taos and all over New Mexico—you could do the same as I can do, representing my constituents in Toledo and Dayton and Galion and Saint Clairsville—and point out that when we have tried to get things done, they have blocked it.

We do want bipartisanship. But the public, more than anything, wants us to get things done. The Senator from Louisiana has been one of the leaders, in conjunction with one of his other regional Senators, who has said health care could be President Obama's Waterloo. There are people in this institution on the other side of the aisle—not all of them; the senior Senator from my State, GEORGE VOINOVICH, has cooperated a lot of times on a lot of things, unlike some of his colleagues, but there are senior Senators on that side of the aisle, where their goal is to see the President of the United States fail. If the President of the United States fails, this country does not move forward.

We are in the worst economic times of my lifetime, brought on by terrible policies in the last 8 years: bank deregulation, tax cuts for the rich, a war not paid for, a giveaway to drug companies and the insurance companies in the name of Medicare privatization, causing all these problems that we inherited a year ago, and all they want to do is stop the jobs bill. They voted last night—the Senator who just complained about not being able to debate voted last night not to even allow the bill on the floor, as he did on health care, as he has done on issue after issue after issue.

It is not personal to me what they are doing, but it is certainly wrong when they try to block issue after issue, bill after bill. We can disagree on what we need to do to bring this country forward. We can disagree on the jobs bill. We can disagree on the health care bill. But we ought to be able to agree we can have full debate, move forward, work on this legislation, and pass it in a reasonable time so every Senator does not talk it to death in the way of stopping it, in the way of obstructionism.

I yield the floor.

RECESS

Mr. BROWN of Ohio. Mr. President, I ask unanimous consent that the Senate now recess until 2:15 p.m., as provided for under the previous order.

There being no objection, the Senate, at 12:25 p.m., recessed until 2:15 p.m. and reassembled when called to order by the Presiding Officer (Mr. BEGICH).

COMMERCE, JUSTICE, SCIENCE, AND RELATED AGENCIES APPROPRIATIONS ACT, 2010—Continued

The PRESIDING OFFICER. The Senator from Maryland.

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

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

METRO SAFETY

Ms. MIKULSKI. Mr. President, I rise to speak about the current state of affairs in the Washington Metro and why we need to bring about change. The Washington Metro, America's subway, is in trouble. I fear for its safety. I fear for its operational reliance. I fear for the well-being of both the passengers and the workers who ride Metro.

Every morning, I am afraid to wake up and find out that there has been another accident or death on the Washington Metro. Most recently, a Metro

train carrying 345 passengers derailed underground in the heart of downtown. It was Friday when the Federal Government reopened after our big No. 2 blizzard. The train somehow managed to get on the wrong track as it was leaving the station. Thank God a safety device actually worked and pushed the train off of the wrong track to prevent it from crashing into another train. Thankfully, a near miss.

In June, there was a terrible crash of the Metro, cars upon cars upon cars. Since that time, 13 people have died on the Metro, and there have been countless injuries. That is why that terrible day after our No. 2 blizzard, many sat in the dark, scared to death. They were afraid of being crashed into, which had happened before. They were afraid of fire. They were afraid of smoke. They were afraid of being trapped and, most of all, they were afraid that Congress would fail to act.

I wish to salute the Subcommittee on Housing, Transportation, and Community Development chaired by my good colleague Senator BOB MENENDEZ, for taking a great interest in this and introducing legislation that the administration sanctions to begin to get Metro on the right track. We need to do this.

Last year, after the nine people were killed, I introduced legislation to give the Transportation Secretary the authority to establish Federal safety standards for Metro systems around the country. There had been none. It would require the Transportation Secretary to implement the National Transportation Safety Board's most wanted safety recommendations.

After accidents on subways, after accidents on our Metro, the NTSB comes in and investigates. Gee, are we glad to see them. They are the CSI meets Metro. At the end, they not only tell us what went wrong, but what we have to do to get it right. Well, guess what. We don't listen to them. After every accident, there is press—we are going to make changes—but nothing happens. So, for example, the issues they have recommended relating to crashworthiness standards for cars, emergency entry and evacuation standards, data event recorders, often go unheeded. We have to make those changes, and we need to take another step.

Today, I take another step by joining Senator MENENDEZ, Senator DODD, and Senator CARDIN on the Public Transportation Safety Program Act. This is an idea that we have worked on, along with the administration, to give the Transportation Secretary the authority to establish Federal safety standards. It also strengthens State oversight programs that inspect and regulate the Metro systems. Because Washington Metro is in two States and in the District of Columbia—Maryland, Virginia, and DC—it has the Tri-State Oversight Committee. But you know what. The Metro board doesn't have to pay any attention. In fact, we had to raise cane and pound the table to allow them to work with the safety inspectors and actually walk the tracks to try to get some action. We had to muscle our way in, just trying to get the Tri-State folks involved in safety.

Well, for me, right now, the spotlight is the Washington Metro. My obligation is here. There are other Metro systems around the country that this bill will also deal with, but right now, myself and Senator CARDIN, John Warner—MARK WARNER—John Warner in his time—JIM WEBB, and Congresswoman ELEANOR HOLMES NORTON want to work together. We want to work with the Banking Committee to pass legislation that would bring about change. We want to make sure that when we make recommendations, the FTA—the Federal Transit Authority—has the authority to implement the changes and to make sure that Metros both here and around the country implement them.

We also want to require that the implementation of the NTSB's most wanted list is absolutely done so when we say let's have crashworthy standards for our cars, it is actually implemented. Did you know we have standards for everything that is involved in transportation but not standards for the safety or the crashworthiness of these cars? These two bills are important because there are no Federal safety standards for Metro systems. Rail transit is the only transportation mode without safety standards oversight or enforcement. As I said, we have safety standards for airplanes, commuter rail systems, even buses, but Metro systems do not have standards, even though the rail transit has 14 million daily riders. Up until now, safety has been left to the States. Each State has its own safety enforcement practices, but in our case of the Washington Metro, which travels in two States and the District of Columbia, we need to make sure we have a system that is appropriately regulated.

The bill that was introduced by the Banking Committee and Senator MENENDEZ yesterday, which I support, does two things. It gives the Transportation Secretary authority to establish safety standards for Metro, light rail, and bus systems nationwide. It provides a framework for developing and enforcing those safety standards, and it will look at existing industry standards and best practices. It would also have to consider the NTSB's recommendations.

I think about those 13 people a lot. I think about the people who ride the Metro. I think about the people who work on the Metro. So when we talk about this legislation, we have to think of it not in terms of rail cars and money but in terms of people and in terms of safety.

That is why I introduced the National Metro Safety Act in July after the accident, joined by my colleague Senator CARDIN. It enables the Transportation Secretary to develop, implement, and enforce those national safety standards, and it requires DOT to implement the NTSB, the National Transportation Safety Board's, most wanted safety recommendations. They have what they call their top 10. It would have standards for the crashworthiness of cars. It would mandate evacuation standards so that people could get out of these cars in the event of an accident. It would have the black box data recording device so we could trace what happens on a car and have the lessons learned. It would also deal with the hour of service regulations for train operators. It requires that we do these actions.

So for these issues—the crashworthiness, the train cars, the emergency entry and evacuation, data—all of this has been recommended in the past by the NTSB. In 2002 they recommended data event recorders. Nothing happened. They recommended emergency evacuation standards in 2006. Nothing happened. They recommended hours of service to make sure our people were fresh and fit for duty. Nothing happened. We know what happens: accidents in which people die, are maimed, burned, or injured.

It is time we listened to the experts who advise us. It is time that we ensure the safety of the people who ride the Metro here. It is time that we take action and be able to bring this under the Federal Transit Authority. The people who count on us when they get on a subway should be able to count on us to do all we can to ensure their safety.

The PRESIDING OFFICER. The Senator from New Hampshire.

Mr. GREGG. Mr. President, I rise today to take on a cause which I know is close to the hearts of my colleagues on the other side of the aisle, which is to assert the privilege of pay-go. I have heard innumerable arguments made on the other side of the aisle about the importance of the pay-go mechanisms in this Congress: how pay-go will be used to discipline our spending as a Congress and how pay-go is the way we get to financial and fiscal responsibility as a Congress. In fact, 2 weeks ago, I believe it was, the majority leader came to the floor and offered a brandnew pay-go resolution as a matter of statute and said that this is one of the key pillars of the majority party and the President in the area of how you discipline spending and bring our spending house in order. The President has mentioned pay-go on numerous occasions also.

Why all this talk about pay-go? Because I think people are beginning to realize—certainly our constituents—that the government is spending too much money; that we are running up too much debt; that we are passing bill after bill after bill in this Congress which we are not paying for. The cost of those bills is going to our children. We are going to double the Federal debt here in 2013. We are going to triple the Federal debt in 2019 under the President's budget and the budget

passed by the Democratic leadership in this Congress. The Federal debt increases by $11 trillion over the next 9 years of this budget that is being proposed by the President—$11 trillion. We get to a point where our Nation is basically spending so much and borrowing so much that our financial house is unsustainable.

Those are not my words. Those are the words actually of the Secretary of the Treasury and the head of OMB. They both said their own budget that they sent up here was unsustainable in its present form because it spends so much more money than we have, and those bills get passed right on to our kids.

Well, in defense of their sending up a budget that spends all of this money we don't have and doubles the debt in 2013 and triples it in 2019, they said they were going to assert pay-go rules which would discipline this Senate on the issue of spending. At the time they made that assertion I said, Oh, come on, give us a break. Over the last 3 years that this Congress has been under Democratic control, under liberal control, in over 20 instances, pay-go as it presently exists in the law was waived, costing over $½ trillion in new spending. Approximately $½ trillion that should have been subject to pay-go rules was waived—simply waived—by the other side of the aisle: We are not going to pay attention to pay-go rules, we are going to spend the money and add the debt to our children's backs.

I think the American people notice this and are certainly frustrated about this, because they intuitively understand—it is called common sense—if you spend all of this money you don't have, the debt is going to come back to roost on our children's backs and it reduces their quality of life. Obviously, if you have a government that runs up deficits which exceed the capacity of our ability to repay them, it is our children who end up paying the cost of that profligate spending. It is our children who end up with these bills. Their standard of living will be reduced as a result of all of this new deficit and debt this Congress has passed and which this Congress has proposed.

So for political cover, they called up a couple of weeks ago this pay-go resolution and said we are going to assert pay-go around here on everything that comes through this Congress. We are going to make sure the financial house of this Congress is disciplined by the rule of pay-go.

Well, that is why I want to help them, because here is a new bill on the floor of the Senate.

It violates pay-go. It violates their own rules. It violates this great sanctity that they claim was going to be the cause of fiscal discipline—the pay-go rule. Just a few weeks ago, we passed a pay-go resolution here. What did we get? Within 2 weeks, we have a bill that violates the pay-go rules.

The pay-go rules, as we have them—and they are the law, the rule of the Senate today—say that pay-go will apply for any legislation that increases the deficit in the first 5-year period or in the first 10-year period. This bill has been scored by CBO as violating that rule. It increases the deficit by $12 billion, unpaid for, in the first 5-year period. This bill is, therefore, subject to a pay-go point of order.

We are going to hear a specious argument from the other side of the aisle that, well, in the year 2020 we account for all this and we get the money back. Well, I don't believe that. I don't believe the check is in the mail either. The American people don't believe that. More importantly, the rules of the Senate don't allow that. The rules of the Senate make it very clear that if it adds to the deficit in the first 5 years, it is subject to a pay-go point of order. And this is not a small amount here; $12 billion is a lot of money. I know that under the way we function here, and we talk about trillions—and the President rolled out just yesterday a new $100 billion or $200 billion package of health care, added to a $2.4 trillion package of health care—I know that billions become lost sometimes in that debate. But $1 billion is a lot of money, and this is $12 billion added to our children's backs in the way of deficit and debt. Most Americans see that as a lot of money. You could run the entire State government of New Hampshire for about 3 years on that. Yet we are going to run up the deficit by $12 billion, in violation of our own rules.

There is something even more outrageous about this bill. It is pretty outrageous that we would have all the sanctimonious discussion from the other side of the aisle about how they are going to live by pay-go 2 weeks ago and then have the first bill they bring forth violate the rules of pay-go. That is pretty outrageous in and of itself. But this bill, in an act of gamesmanship that really deserves a special award—maybe a gold medal at the Vancouver Olympics for gamesmanship in fiscal policy and how you basically pass on to your children a major new debt without telling them it is coming—certainly this bill would deserve a gold medal in that category.

On top of the pay-go violation, this bill creates $140 billion of deficit and debt. Now, even on the other side of the aisle, that has to be considered a lot of money. Maybe they don't consider $12 billion a lot of money, but $140 billion has to be big money. So $140 billion of deficit and debt is built into this bill even though the bill, on its face, states that it only spends $12 billion or $15 billion, something like that. How do they do that? How could that possibly be? Because what they have done here—and as I said, this deserves a gold medal for manipulating the financial house of the Senate and the Congress in a way that is avoiding actual accountability for the debt you are adding onto our children's shoulders—is they have put into the baseline the highway money. So the billions in highway money for this year in this bill, multiplied out over 10 years, comes to $140 billion, and then they have claimed that is all offset, all that money is offset. How do they claim it is offset? Well, it is tactical, but follow this because it is the ultimate game in double bookkeeping—something Al Capone might have done were he running the books of the Senate. There is a highway trust fund that doesn't have enough money to pay for the roads they want to build—the highway committee in this Congress, the EPW Committee. They want to build more roads than the trust fund has money coming in for, so they take money from the general fund and transfer it to the highway trust fund.

They allege that 10 years ago or so, the highway trust fund lent money to the general fund and no interest was paid on that money lent to the general fund. First off, at the time they passed the law that said no interest was to be paid on it—but it would be ridiculous to pay interest between the two funds anyway—even if you accepted that argument, you couldn't get to the numbers they are talking about. What they have done is claimed that any money that comes out of the general fund to fund the highway fund is an offset. That is an interesting concept. Therefore, it doesn't get scored against the deficit by the highway fund.

Where do we get the money we took from the general fund to fund the highway fund? The answer is pretty simple: We borrow it from China, from Saudi Arabia, from Americans, and our kids get a bill called a piece of debt that they have to pay off. This double-entry bookkeeping, in the tradition of Al Capone basically, when simplified, means that it adds $140 billion of new deficit and debt to the general fund, which has to be paid by our kids—not offset, unpaid for, simply money spent.

Do you know something. We are spending a lot of money around here that we don't have, and it is not right. I think the American people would like us to stop that. If we are going to spend this money on roads, then let's pay for it. Don't hide the fact that you are not paying for this with some gamesmanship called offsetting highway fund with general fund money. I think that is a pretty cynical act. If you don't have the courage to stand before this Congress and say publicly that we want to spend $140 billion and don't want to pay for it, then you are not fulfilling your responsibility to your constituents, because that is what you are doing. You have an obligation not to try to hide what you are doing in some sort of bookkeeping manipulation, which gets you a gold medal for bookkeeping manipulation but certainly doesn't do anything for transparency and honesty in government, on top of having a pay-go violation—$12 billion as scored by CBO.

This point of order lies. There is $140 billion of new spending proposed in this bill, which isn't paid for. It is spending

that isn't paid for, and it is authorized and going to be spent. That is pretty inexcusable because it is claimed that it is paid for, which is the real hypocrisy of what we are seeing.

My colleagues on the other side may vote against this point of order. I cannot understand how they can do that, and I cannot understand how, when the majority leader comes down here—and I am sure he will or one of his representatives will—and says pay-go should not lie here because in 2020 we are going to pay for all this, that they can claim anything other than the fact that a pay-go point of order lies. I mean, it does lie.

What is a pay-go point of order? It is the CBO telling us that we have violated our own rules, called pay-go, and we are spending money that goes to the deficit—in this case, $12 billion.

So as a very practical matter this is a pretty black-and-white situation: either you are for enforcing fiscal discipline here with a pay-go point of order or you are not. I have to say, if this pay-go point of order fails, then I think we ought to follow it up with a unanimous consent that says we are going to rid ourselves of pay-go as an enforcement mechanism because we are then saying it doesn't mean anything. Clearly, that would be the only conclusion you could reach.

A pay-go point of order makes it clear: There is $12 billion of deficit spending in the first 5-year window, which violates the pay-go rules set up by this Senate and specifically proposed and promoted by the Democratic majority as a way to give us fiscal discipline, and we are ignoring it, overruling it, and we are bypassing it with this piece of legislation if we do waive the pay-go rule.

At this point, I make a point of order that the pending amendment offered by the Senator from Nevada, Mr. REID, would increase the on-budget deficit for the sum of years 2010 to 2014. Therefore, I raise a point of order against the amendment pursuant to section 201(a) of S. Con. Res. 21, Concurrent Resolution on the Budget for Fiscal Year 2008.

Mr. CARDIN. Mr. President, I move that the point of order be waived.

Mr. GREGG. Mr. President, I ask for the yeas and nays on the motion.

The PRESIDING OFFICER. Is there a sufficient second? There is a sufficient second.

The yeas and nays were ordered.

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

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

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

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

Mr. CARDIN. Mr. President, I ask unanimous consent that my waiver of the relevant point of order that was recently entered into include all relevant points of order that were raised.

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

Mr. CARDIN. Mr. President, I ask unanimous consent to speak for up to 10 minutes as in morning business.

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

Mr. CARDIN. Mr. President, I rise today on the occasion of Black History Month to recognize the accomplishments of three leading Marylanders in American medicine. Established by Howard University historian Carter G. Woodson in 1927 as Black History Week, this now month-long celebration is an opportunity to elevate awareness of Black Americans' contributions to our Nation's history.

It is customary for American families to spend time in February learning more about famous Black Americans who helped shape our Nation, including Marylanders Harriet Ross Tubman, the ''Moses of her people,'' who ran the Underground Railroad, and Justice Thurgood Marshall, the first black Supreme Court Justice and the architect of the legal strategy leading to the 1954 landmark Brown v. Board of Education decision.

Today, I come to the Senate floor to highlight the contributions of three Marylanders who are currently at the pinnacle of the medical profession—Dr. Ben Carson, Dr. Eve Higginbotham, and Dr. Donald Wilson.

I have spoken before on the crushing burden of health disparities on our health care system and the urgent need to eliminate them. It is an issue directly affecting one out of every three Americans: 37 million African Americans, 45 million Latinos, 13 million Asians, 2.3 million Native Americans and Alaskan Natives, and 400,000 Hawaiians and Pacific Islanders in our Nation. While minorities represent one-third of our Nation's population, they are fully one-half of the uninsured. So when we enact legislation that expands access to millions of uninsured Americans, it will make a difference in minority communities, in minority health overall, and in the health of our Nation.

But providing access to comprehensive health insurance addresses only one of the factors contributing to health disparities. Research informs us that even after accounting for those who lack health insurance, minority racial and ethnic groups face inequities in access and treatment; and they have adverse health care outcomes at higher rates than whites. Even when insurance status, income, age, and severity of conditions are comparable, racial and ethnic minorities tend to receive lower quality health care. Therefore, coverage is not enough.

Despite many attempts over the years by health policymakers, providers, researchers, and others, wide disparities still persist in many facets of health care. When it comes to equitable care for minorities, low-income, geographic, cultural and language barriers, and racial bias are found to be common obstacles. These inequities carry a high cost in terms of life expectancy, quality of life, and efficiency, and they cost our Nation billions of dollars each year.

Researchers from Johns Hopkins University and the University of Maryland found that between 2003 and 2006, racial and ethnic disparities cost the Nation more than $229 billion in excess direct medical costs. Adding indirect costs reveals a staggering $1.24 trillion from lost wages and premature and preventable deaths and disabilities. By elevating the focus on health disparities, we can bring down these costs and improve the quality of care across the board.

If we are to improve the health care status of Americans, we must focus on and eliminate these disparities. One step is ensuring every community has a sufficient supply of well-trained medical professionals, and this is where our Nation's academic medical centers play an essential role. All three physicians—Drs. Carson, Higginbotham, and Wilson—shine as leaders in their medical profession and have devoted their careers to academic medicine.

First is Dr. Benjamin Carson, a world-renowned pediatric neurosurgeon who works daily to save and improve the lives of children as director of pediatric neurosurgery at Johns Hopkins. Dr. Carson's story is truly inspiring. He was born and raised in Detroit by a mother who encouraged Ben and his brother to work hard and succeed in school. Dr. Carson graduated high school with honors and was admitted to Yale University to study psychology. He attended the University of Michigan Medical School, specializing in neurosurgery. Dr. Carson completed neurosurgery residency at Johns Hopkins Hospital, where at age 33 he became the youngest physician ever to head a major division there. Dr. Carson has surgically separated several pairs of conjoined twins and has pioneered new, groundbreaking procedures to save children's lives.

Most notable among Dr. Carson's numerous accolades and honors is the Presidential Medal of Freedom, the Nation's highest civilian award, which he received in 2008. In addition to his surgical acumen, Dr. Carson is a dedicated community activist. He is president and cofounder of the Carson Scholars Fund which recognizes young people of all backgrounds for exceptional academic and humanitarian accomplishments. He is also president and cofounder of the Benevolent Endowment Network Fund, an organization that works to cover the medical expenses of pediatric neurosurgery patients with complex medical conditions.

Second, I wish to recognize Dr. Eve Higginbotham, an internationally recognized physician who was recently appointed senior vice president and executive dean for health services at Howard University. Dr. Higginbotham is

the first woman to chair a university-based ophthalmology department in the United States, and she held this position at the University of Maryland School of Medicine in Baltimore from 1994 to 2006. Her next appointment was dean and senior vice president for academic affairs at Morehouse School of Medicine in Atlanta.

Dr. Higginbotham is a frontline warrior in the fight to eliminate health disparities. As a member of the Friends of the Congressional Glaucoma Caucus Foundation, she developed a glaucoma screening training program that has been implemented in more than 40 medical schools nationwide. Through this program, medical students provide glaucoma screening to elderly residents in underserved communities, making possible early detection and treatment for the leading cause of blindness among African Americans.

Dr. Higginbotham was recently inducted into the American Academy of Arts and Sciences. She has served on the boards of the American Academy of Ophthalmology, Women in Ophthalmology, and the National Space Biomedical Research Institute. She is also a past president of the Baltimore City Medical Society and the Maryland Society of Eye Physicians and Surgeons.

Finally, I wish to recognize Dr. Donald Wilson, who was Dr. Higginbotham's immediate predecessor at Howard University. Dr. Wilson served as dean of the University of Maryland School of Medicine from 1991 to 2006. The University of Maryland's medical research funding increased nearly fivefold, from $77 million to $341 million during Dr. Wilson's leadership. His tenure at Maryland distinguished him as the Nation's first African-American dean of a nonminority medical school. While at the University of Maryland, Dr. Wilson also served as the director of the Program in Minority Health and Health Disparities Education and Research.

Dr. Wilson has also chaired Federal health committees at the NIH and the FDA, as well as serving on the advisory council of HHS's Agency for Health Care Policy and Research. He was chairman of both the Association of American Medical Colleges and the Council of Deans of U.S. Medical Schools. And he was the first African American to hold each of these positions. He is a member of several medical and research societies, including the Institute of Medicine of the National Academy of Sciences and the Association of American Physicians. He is a master of the American College of Physicians, an honor bestowed on fewer than 1 percent of its members. Dr. Wilson also cofounded the Association for Academic Minority Physicians in 1986.

Numerous honors and awards have been bestowed upon Dr. Wilson, including the Baltimore Urban League's Whitney M. Young, Jr., Humanitarian Award. In 2003, he received the prestigious Frederick Douglass Award from the University System of Maryland Board of Regents. Dr. Wilson is also the recipient of the Institutional Leadership Diversity Award from the Association of American Medical Colleges Group on Student Affairs-Minority Affairs Section.

Drs. Carson, Higginbotham, and Wilson are three living reasons why we celebrate Black History Month. Their contributions have made invaluable contributions to American medicine, but they are just the tip of the iceberg in terms of African Americans who have made a noteworthy impact upon our Nation.

I ask my colleagues to join me in recognizing the contributions of these three noteworthy physicians as this body seeks to make health care available to everyone, and join me in celebrating their accomplishments during Black History Month.

Mr. President, to clarify, my intention on my previous motion to waive was to waive the Budget Act and budget resolutions with respect to the motion to concur with an amendment and that the yeas and nays previously ordered be considered as ordered on the motion as modified. I ask unanimous consent for this request.

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

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

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

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

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

Mr. SCHUMER. Mr. President, I ask to be recognized.

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

Mr. SCHUMER. Mr. President, I rise today to speak about two issues. First, the jobs bill and the provision that Senator HATCH and I worked on that helped break the partisan logjam, and also the need for the Senate to take up and pass up to $25 billion in FMAP assistance to the States. First, the jobs portion.

During our break, I traveled all around my State from Cheektowaga to Oswego, from Syracuse to Poughkeepsie, from Long Island to New York City. In each place, I talked with people who had lost their jobs. It was heartbreaking. These are people who are looking desperately to find work.

One of the sadder points of this recession is, of course, its depth. It is deeper than all but one recession we have had since World War II. But, second, it seems to affect people at all income levels. If you are poor, if you are middle class, even if you are upper middle class, you can lose your job. Perhaps most painful of all, the amount of time that people are out of work is much longer than previous recessions. In other words, in previous recessions, you would lose your job, it would be horrible, but you would say to yourself: In 3 or 4 months, I can find a new job quite easily. That has not happened.

In fact, I met people such as a woman in Rochester who worked for a major firm in human resources. She is about 50. She does not have a family, but her job was her life. She was told she had to leave a year and a half ago. She has been looking and looking. Her salary was in the low six figures. She was a very talented person upon meeting her. No work. No job.

I met somebody who came from a blue-collar background. The family had no education. He climbed his way to the top of the tool-and-die industry. He was making a good living. He has six children and a wife who stayed home because when you have six kids, it is not easy to work. He was laid off about a year ago. Again, he has been looking and looking, first with his high skills in his industry, and then he kept looking lower and lower and lower on the pay scale, to no avail. No job. I could repeat this story over and over.

I can see why the people of Massachusetts voted the way they did. I did not agree with it, but I understand it. In my judgment, what they were saying was simple. If you look at the exit polls, about 50 percent of the people in Massachusetts supported the President's health care bill and an equal number against it. But, overwhelmingly, they were saying to us, whether they were for the bill or against it, focus on issue No. 1, jobs—jobs, the economy, helping the middle class stretch that paycheck so they can make ends meet.

That is why I think Senator REID, our majority leader, was so wise to put together the bill he did, the HIRE Act. That is why he reached out to those across the aisle, as did I. That is why I am pleased this vital legislation—hardly a panacea; it is not going to cure all our problems—looks as though it will move forward late this afternoon or this evening.

I am very proud—we are all proud—that we have bipartisan support. I believe the vote later on will be even more bipartisan than the vote to move forward on the bill yesterday. Bipartisan victories such as this have been few and far between. But this could be the start of something good. I hope the bipartisanship will not end with this afternoon's vote.

Unemployment, of course, is not simply a blue State problem or a red State problem; it is an everywhere problem. It will take more than one party's solutions to solve it. So if there is only one issue that we can find common ground on this year, let it be jobs.

We all know unemployment, which is hovering just below 10 percent, is unacceptably high. When you hear the number 10 percent, it is an abstract figure. But if you are a husband or wife, a son or daughter who is out of work, or one in your family is out of work, unemployment is 100 percent.

As the economy shows signs of life, unfortunately millions of Americans remain out of work, struggling to make ends meet with savings and unemployment benefits. There are more than 15 million unemployed Americans. That is not even counting those who have stopped looking for work. There are more than 6 million people who have been out of work for 6 or more months. Each one has a story, a life, usually a family, such as the woman from Rochester I mentioned.

When I go to sleep at night, I sometimes think of the people I talked with last week while we were on break and about their pain at losing their job and their quest to find a new one. Unfortunately, despite their efforts, most of them have not found work.

This recession is unlike anything we have seen since the 1930s. It has created immeasurable hardship and heartache for tens of millions of American families. It doesn't matter if you are in a red State or a blue State. If you are unemployed, you want a job.

Last year, Congress took bold steps to bring our economy back from the brink of collapse, and GDP growth in the last quarter was as high as 5.7 percent. The purpose of the provision Senator HATCH and I have introduced is to take that growth and translate it into jobs because while the economy grew at a very rapid clip—5.7 percent—hardly a job was created. That is a problem because we cannot continue to grow at that rate unless people start going back to work. Until the unemployment rate drops significantly, Congress must do more to help families across the country who are desperately struggling to find work, and this bill is a step in the right direction.

Last year, I believe Congress was right not to add a jobs tax credit to the stimulus package. Economists told us that with the economy shrinking and losing 700,000 jobs a month when the President took office, our focus had to be on stimulating demand. But now that the economy is beginning to grow—at the very worst is flat—a tax credit is what is needed because there are companies that have seen sales blip up and they are wondering whether to hire that additional worker. The Schumer-Hatch tax credit may push them over the edge and they may say: OK, I will hire somebody. Then, instead of the vicious cycle of downward employment we have seen, a virtuous cycle will begin. That company will hire a worker, that worker will go to the stores and buy things, those stores may hire another worker and more money circulates in the economy and we start moving upward as opposed to downward.

After reviewing the criticisms of past tax credit proposals, Senator HATCH and I set out to develop an idea that would address some of the past concerns while honing in on the problem we are trying to solve, which is persistently high and long-term unemployment. I felt we needed a solution that was simple, immediate, focused, fiscally responsible, and potentially bipartisan. That is what our proposal does.

Let me talk about each word. It is simple. Small business, we know, is the job growth engine in America. But if you tell a small businessperson they have to fill out 40 pages or even hire an accountant before they get a tax credit, they are going to say: Forget about it. But this is immediate. Again, if you tell a small businessperson: Yes, you will get a tax credit, but it will be a year from April when your tax returns come in, they are not going to do it.

Our proposal is immediate. The minute the worker is hired, the benefit begins. As I said, it is simple: All the employer must do is show that the person they are hiring has been unemployed for 60 days—and that is easy to do because they can show 60 days of unemployment benefits—and that is that.

Third, our program is fiscally responsible. It is not a big, huge bureaucracy. It is not a new government agency. The money goes directly to the small business that makes the new hire, and that is why it has bang for the buck. It is estimated that if 3 million people were hired by this credit, it would cost about $15 billion. Mr. President, $15 billion sounds like a lot of money, but compared to the stimulus—again, for a different purpose a year ago when the economy was collapsing—the cost of ours is about one-sixtieth, and dollar for dollar it will be focused on jobs.

So it meets all these criteria. It will focus like a laser on the unemployed and will create jobs right away at a reasonable cost. In this day when communication is so important, it can be explained in a single sentence. Any private sector employer that hires a worker who has been unemployed for 60 days will not have to pay payroll taxes on that worker for the rest of the year. That is it. Nothing else. It explains the whole program from start to finish. By the way, if the employer keeps that worker for at least a year, they will receive an additional $1,000 tax credit.

Our plan is good for business and good for workers. The more a business pays a worker, the bigger benefit they get. Many of the previous programs were aimed, understandably, at workers at the lower income level. But these days, when you have people in our State who make $60,000, $80,000, $100,000 or $120,000 a year and who can't find work, they will benefit by the same percentage as somebody at the lower end of the spectrum. The sooner the employer hires, the bigger the break because it lasts this year. The employer doesn't pay taxes and the benefits go immediately into the business's cashflow. Unlike other proposals, there is no waiting to receive a tax credit. The employer doesn't pay the taxes to the government in the first place.

Obviously, employers decide to hire workers when it makes business sense. If your sales are declining, no tax incentive is going to encourage you to hire somebody. But we are now finding—at this stage of this Nation's incipient and all-too-small recovery—that many businesses, large and small, are finding orders are beginning to rise, sales beginning to increase. It is those businesses that our tax credit is aimed at. This proposal may give them the push they need to add a few workers or hire them a few months sooner than they otherwise might. Either would be a good thing.

I don't wish to delude my colleagues, and I know Senator HATCH, the coauthor of this proposal, would agree, that this provision is not a panacea. There are other proposals Congress could, should, and must consider to aid job creation, but I look forward to considering those ideas in the weeks to come. In the meantime, we ought to take advantage of the bipartisan camaraderie, which I hope lasts, and move this proposal forward.

I wish to thank a number of people who helped. At the top of the list is Chairman BAUCUS. When Senator HATCH and I—both members of his committee, the Finance Committee—brought him the proposal, he thought it was a good idea and helped champion it. I wish to thank Leader REID, who jumped right at the opportunity to pass the proposal. I wish to recognize Senator CASEY and Senator GILLIBRAND, my colleague, for the hard work they put into an alternative tax credit idea, which could end up complementing, not replacing, our idea. Finally, last but certainly not least, I wish to thank my colleague, Senator HATCH, as well as Senator GRASSLEY, who worked with us on this proposal to refine it and make it possible to pass, which I believe we will do shortly.

I wish to turn the subject to another pressing issue; that is, the pressing issue of State fiscal relief. While our top priority is putting unemployed Americans back to work, nothing we do on job creation will be truly effective unless we also stop the bleeding caused by State and local budget cuts across the Nation. We cannot, with one hand, incentivize private sector employment while, on the other hand, through inaction, force State and local governments to lay off thousands of firefighters, teachers, health care providers, and other public servants.

Right now, States face the steepest ever dropoff in revenues. My State of New York and so many of the localities I have visited—from large major cities such as New York City and Buffalo, to the smaller towns and villages—are desperate for help. If they do not receive it, they are going to have to lay off thousands and thousands of workers. In the city of New York, they are talking about laying off teachers. That is hurting our seed corn. The number of police officers, at a time of crime and terrorist threats, is declining. That hurts our economy as well as our localities.

New York is not alone. From California to Arizona, to Alabama, to

Maine, and to Mississippi, State Governors have laid out proposals that will unfortunately eliminate jobs and cut critical services in the coming months. In fact, it is estimated, if there is no help, State and local governments will have to lay off 1 million workers—something we can ill afford at a time of this incipient recovery. The cuts couldn't come at a worse time for our fledgling economy. States will be forced to make massive layoffs and they will be cornered into raising taxes on hard-working, middle-class Americans at a time when families can't afford to take another hit and at a time when taking money out of the economy makes no sense at all. It oftentimes makes no sense but now more particularly.

Last week, the Nation's Governors nearly unanimously endorsed a 6-month emergency extension of FMAP, the Federal Medicaid Assistance Program, which would send up to $25 billion to the States. They know firsthand that job losses in their States would have been much more severe were it not for the significant relief Congress provided for them in last year's stimulus package, particularly through the FMAP program. I know our economy is growing, but out in the States it sure doesn't feel like a recovery yet. Cutting off this assistance now, as the stimulus expires, would be like pulling the rug from under the States just as they are maybe beginning to turn the corner.

I was an ardent supporter of the Recovery Act's FMAP aid because, plain and simple, it saves jobs, and I argued for it then. I am especially proud to have authored a provision that ensured a stream of funding that went directly to county governments. In my State, the Medicaid burden, much of it—too much of it—falls on localities. If we were just to give Albany the money—not just the Albany share but the county share—the counties and New York City might never see that money ever again. So I was able to—with the help of Leader REID and Chairman BAUCUS—write a provision into law that said the locality gets its share directly, and I am urging the Senate to include this language in a new emergency extension as well.

We cannot afford to delay any longer. This economic downturn didn't come with an end-of-the-year deadline. This critical aid to States shouldn't either. So I hope that in the next jobs bill we pass FMAP is a vital part, and I hope, just as with the provision Senator HATCH and I put together, it will get broad bipartisan support. I believe an overwhelming majority of Governors—Democratic and Republican—have already signed a letter urging that that happen, and I hope we will get people from both sides of the aisle to make sure the next jobs bill contains a healthy and robust FMAP extension. The House has already passed it. It is up to us.

We have much yet to do on the job front, but our efforts will be undermined if our Nation's Governors are forced to lay off workers and raise property taxes. We need to plug the holes in the dam so our recovery efforts are not washed away. We need to put this great Nation back on a path to prosperity by passing the tax credit Senator HATCH and I have offered and then by moving forward and making sure FMAP is extended for at least another 6 months.

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

The PRESIDING OFFICER (Mrs. GILLIBRAND). The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

The PRESIDING OFFICER (Mr. KAUFMAN). The Senator from Vermont.

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

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

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

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

RECONCILIATION

Mr. SANDERS. Mr. President, I think all across this country people are wondering about what is going on in Congress and, specifically, what is going on in the Senate. People are using the expression that government is broken and that we seem to be a dysfunctional institution.

The reason for the alarm is pretty obvious. The United States today faces the most serious set of crises we have seen since the Great Depression. Today, some 17 percent of our people are either unemployed or underemployed. This is on top of coming out of a decade where the median family income actually declined. So people by the millions are today working longer hours for lower wages. They are wondering what kind of life is going to be available for their kids. They are having a hard time affording childcare. They are having a hard time affording higher education. We have 46 million people who are uninsured. We have 45,000 people who die every single year because they can't get to a doctor. If we don't get a handle on health care, their costs are going to be doubling in the next 8 years. We recently saw Blue Cross in California asking for a 39-percent rate increase for their premiums. It is not unusual. It is going on all over the country.

People are saying, What is going on? Is the middle class going to continue to collapse? Is poverty going to continue to increase? Are you guys going to get your act together and begin to do something that benefits working families in this country?

It goes without saying that the American people want—I want, you want, we all want—bipartisan efforts to solve these problems, but, most importantly, we want to solve these issues. We have to deal with the economy. We have to deal with our friends on Wall Street whose recklessness and illegal behavior has driven this country into this terrible recession. We have to deal with it. We have to deal with health care. We don't have a choice. We have to deal with the $12 trillion national debt. We have to do it.

Unfortunately, I think what the American people are beginning to catch onto is that to have bipartisanship, you need a ''bi,'' you need two sides coming together. What we have here in the Senate is not two sides coming together but one side, our Republican friends who are saying: No, no, no. If it is good for Obama, it is bad for us. No, no, no. We have had a record-breaking number of filibusters, a record-breaking number of other obstructionist tactics. The end result is the American people are becoming very frustrated.

I do a national radio show every week and every week on that program somebody is calling me up and saying, I don't understand it. When the Republicans were in control of the Senate, they were able to bring forth sweeping proposals. They didn't have 60 votes. What is going on? You guys on your side, those who are Independents and in the Democratic caucus, you have 59 votes, why aren't you doing it? It is a good question.

I think more and more people are talking about using the reconciliation process, which is simply a parliamentary procedure which enables us to pass legislation with the end result of saving taxpayers' money and lowering the deficit. The beauty of that approach is you can go forward with 51 votes, not the 60 votes we are having a very difficult time obtaining, because we are not getting much support from the other side. Some people say, Well, this reconciliation approach is unfair. This is a radical idea. Why are you bringing it forth? The answer is that this has been done time after time after time, mostly, in fact, by Republicans. So it seems to me if this is a concept the Republicans have used year after year after year for very major pieces of legislation, it is appropriate for the Democratic caucus to do that as well.

Let me give a few examples. Many Americans will remember the Contract With America. That was Newt Gingrich's very big idea. I thought it was a very bad idea, but nonetheless it was a very comprehensive approach. The Contract With America in 1995 was passed in the Senate through reconciliation. This was a broad, comprehensive bill, and this is what President Clinton said. This is what the Washington Post reported President Clinton saying when he vetoed that legislation, and I am glad he did. This is what Clinton said:

> Today I am vetoing the biggest Medicare and Medicaid cuts in history, deep cuts in education, a rollback in environmental protection, and a tax increase on working families.

This was Clinton's veto message of the Republican Contract With America that was passed through reconciliation.

That is not the only effort the Republicans mounted through reconciliation. In 1996, Republicans passed legislation to enact welfare reform through reconciliation. In 1997, Congress used reconciliation to establish new health coverage programs or to substantially expand existing ones, including SCHIP passed through reconciliation. In 2005, Republicans pushed through reconciliation legislation that reduced spending on Medicaid and raised premiums on upper income Medicare beneficiaries. In 2003, Republicans used reconciliation to push through President Bush's 2003 tax cuts. In 2001, Republicans used reconciliation to pass President Bush's $1.35 trillion tax cut, much of it going to the wealthiest people in this country.

What is my point? My point is that it would be the utmost hypocrisy for Republicans to tell us we should not use reconciliation when they have used it time and time and time again.

Let me conclude by saying this country faces enormous problems. What has occurred over the last year, year and a half, is an unprecedented level of obstructionism and delaying tactics on the part of our Republican colleagues. The American people are hurting. They want to see this government begin the process of creating millions of decent-paying jobs. They want to see a transformation of our energy system so we can move from fossil fuel to energy efficiency and sustainable energy and jobs doing that. The American people want to see us rebuild our infrastructure which is presently crumbling and we can create jobs doing that. In the short term, the American people want us to do something about the high cost of a college education by expanding Pell grants and by also addressing the very serious problems with childcare and the needs for school construction. We can do that as well.

My point is the American people are angry. They are frustrated. They want action. If the Republicans choose, as is their right, to try to obstruct and try to use the rules to delay action, I think we should do what they have done time after time after time and that is use the reconciliation process. That is what I think we should do, and I hope we will.

Thank you very much, Madam President. I yield the floor and note the absence of a quorum.

The PRESIDING OFFICER (Mrs. HAGAN). The clerk will call the roll.

The bill clerk proceeded to call the roll.

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

The PRESIDING OFFICER (Mr. UDALL of Colorado). Without objection, it is so ordered.

Mr. CASEY. Mr. President, I ask unanimous consent that I be permitted to speak as in morning business.

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

NUCLEAR NONPROLIFERATION

Mr. CASEY. Mr. President, I rise tonight to express support for the Obama administration's efforts on nuclear nonproliferation. We know—and I believe this is a consensus in our country—that nuclear terrorism poses the most serious threat to our security, as well as the security of other nations around the world. I believe we have a solemn responsibility to do what we can to combat the threat of nuclear weapons.

The Obama administration has set forth a vision which puts American security first in pursuit of a world where terrorists cannot acquire weapons of mass destruction. The Senate also has an important leadership role to play. Our No. 1 obligation should be to protect the American people.

In Prague last April, President Obama described the steps the United States is prepared to take toward a world without nuclear weapons. In expressing this goal, the President acknowledged the necessity of maintaining our weapons complex while simultaneously working to negotiate agreements that decrease the number of nuclear weapons in the world. He said:

> Make no mistake, as long as these weapons exist, the United States will maintain a safe, secure, and effective arsenal to deter any adversary, and guarantee that defense to our allies . . . but we will begin the work of reducing our arsenal.

This January, a bipartisan group of American national security leaders came together to help guide our thinking on these important issues. Former Secretary of State George Shultz, former Secretary of Defense William Perry, former National Security Adviser and Secretary of State Henry Kissinger, and former Senator Sam Nunn all have stellar national security experience and credentials. They wrote together:

> Nuclear weapons today present tremendous dangers, but also an historic opportunity. U.S. leadership will be required to take the world to the next stage—to a solid consensus for reversing reliance on nuclear weapons globally as a vital contribution to preventing their proliferation into potentially dangerous hands, and ultimately ending them as a threat to the world.

President Obama is willing and able to provide this leadership at this critical point in history.

The administration is in the final stages of negotiating START with Russia. This treaty would reduce deployed nuclear weapons in the United States and Russia and would provide crucial verification measures that would allow a window into the Russian nuclear program.

While the Treaty has taken a little longer than expected to complete, I applaud Assistant Secretary for Verification, Compliance and Implementation, Rose Gottemoeller, for her leadership and her efforts to pursue a strong agreement as opposed to an immediate agreement.

A new START agreement is in our national security interest, especially in terms of maintaining verification and transparency measures. Once completed, this agreement can help to strengthen the U.S.-Russian relationship and potentially increase the possibility of Russian cooperation on an array of thorny international issues, including North Korea and Iran.

The START follow-on treaty is also a clear demonstration that the United States is upholding our disarmament obligation under the Nuclear Nonproliferation Treaty, one of the treaty's three pillars, in addition to nonproliferation and peaceful uses of nuclear energy. START is a necessary step in reaffirming U.S. leadership on nonproliferation issues. Without a clear commitment to our nonproliferation responsibilities through a new START agreement, it will be increasingly difficult for the United States to secure international support in addressing the urgent security threats posed by the spread of nuclear weapons.

An essential element of securing our nuclear weapons complex begins at home. Last Thursday, Vice President BIDEN spoke at the National Defense University about the administration's efforts to maintain a safe, secure, and effective nuclear arsenal.

Mr. President, I ask unanimous consent to have printed in the RECORD the Vice President's speech.

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

THE PATH TO NUCLEAR SECURITY: IMPLEMENTING THE PRESIDENT'S PRAGUE AGENDA

Ladies and gentlemen; Secretaries Gates and Chu; General Cartwright; Undersecretary Tauscher; Administrator D'Agostino; members of our armed services; students and faculty; thank you all for coming.

At its founding, Elihu Root gave this campus a mission that is the very essence of our national defense: ''Not to promote war, but to preserve peace by intelligent and adequate preparation to repel aggression.'' For more than a century, you and your predecessors have heeded that call. There are few greater contributions citizens can claim.

Many statesmen have walked these grounds, including our Administration's outstanding National Security Advisor, General Jim Jones. You taught him well. George Kennan, the scholar and diplomat, lectured at the National War College in the late 1940s. Just back from Moscow, in a small office not far from here, he developed the doctrine of Containment that guided a generation of Cold War foreign policy.

Some of the issues that arose during that time seem like distant memories. But the topic I came to discuss with you today, the challenge posed by nuclear weapons, continues to demand our urgent attention.

Last April, in Prague, President Obama laid out his vision for protecting our country from nuclear threats.

He made clear we will take concrete steps toward a world without nuclear weapons, while retaining a safe, secure, and effective arsenal as long as we still need it. We will work to strengthen the Nuclear Non-Proliferation Treaty. And we will do everything in our power to prevent the spread of nuclear weapons to terrorists and also to states that don't already possess them.

It's easy to recognize the threat posed by nuclear terrorism. But we must not underestimate how proliferation to a state could destabilize regions critical to our security and prompt neighbors to seek nuclear weapons of their own.

Our agenda is based on a clear-eyed assessment of our national interest. We have long relied on nuclear weapons to deter potential adversaries.

Now, as our technology improves, we are developing non-nuclear ways to accomplish that same objective. The Quadrennial Defense Review and Ballistic Missile Defense Review, which Secretary Gates released two weeks ago, present a plan to further strengthen our preeminent conventional forces to defend our nation and our allies.

Capabilities like an adaptive missile defense shield, conventional warheads with worldwide reach, and others that we are developing enable us to reduce the role of nuclear weapons, as other nuclear powers join us in drawing down. With these modern capabilities, even with deep nuclear reductions, we will remain undeniably strong.

As we've said many times, the spread of nuclear weapons is the greatest threat facing our country.

That is why we are working both to stop their proliferation and eventually to eliminate them. Until that day comes, though, we will do everything necessary to maintain our arsenal.

At the vanguard of this effort, alongside our military, are our nuclear weapons laboratories, national treasures that deserve our support. Their invaluable contributions range from building the world's fastest supercomputers, to developing cleaner fuels, to surveying the heavens with robotic telescopes.

But the labs are best known for the work they do to secure our country. Time and again, we have asked our labs to meet our most urgent strategic needs. And time and again, they have delivered.

In 1939, as fascism began its march across Europe, Asia, and Africa, Albert Einstein warned President Roosevelt that the Nazis were racing to build a weapon, the likes of which the world had never seen. In the Southwest Desert, under the leadership of Robert Oppenheimer, the physicists of Los Alamos won that race and changed the course of history.

Sandia was born near Albuquerque soon after the Second World War and became our premier facility for developing the non-nuclear components of our nuclear weapons program.

And a few years later the institution that became Lawrence Livermore took root in California. During the arms race that followed the Korean War, it designed and developed warheads that kept our nuclear capabilities second to none.

These examples illustrate what everyone in this room already knows—that the past century's defining conflicts were decided not just on the battlefield, but in the classroom and in the laboratory.

Air Force General Hap Arnold, an aviation pioneer whose vision helped shape the National War College, once argued that the First World War was decided by brawn and the Second by logistics. ''The Third World War will be different,'' he predicted. ''It will be won by brains.''

General Arnold got it almost right. Great minds like Kennan and Oppenheimer helped win the Cold War and prevent World War Three altogether.

During the Cold War, we tested nuclear weapons in our atmosphere, underwater and underground, to confirm that they worked before deploying them, and to evaluate more advanced concepts. But explosive testing damaged our health, disrupted our environment and set back our non-proliferation goals.

Eighteen years ago, President George H.W. Bush signed the nuclear testing moratorium enacted by Congress, which remains in place to this day.

Under the moratorium, our laboratories have maintained our arsenal through the Stockpile Stewardship Program without underground nuclear testing, using techniques that are as successful as they are cutting edge.

Today, the directors of our nuclear laboratories tell us they have a deeper understanding of our arsenal from Stockpile Stewardship than they ever had when testing was commonplace.

Let me repeat that—our labs know more about our arsenal today than when we used to explode our weapons on a regular basis. With our support, the labs can anticipate potential problems and reduce their impact on our arsenal.

Unfortunately, during the last decade, our nuclear complex and experts were neglected and underfunded.

Tight budgets forced more than 2,000 employees of Los Alamos and Lawrence Livermore from their jobs between 2006 and 2008, including highly-skilled scientists and engineers.

And some of the facilities we use to handle uranium and plutonium date back to the days when the world's great powers were led by Truman, Churchill, and Stalin. The signs of age and decay are becoming more apparent every day.

Because we recognized these dangers, in December, Secretary Chu and I met at the White House with the heads of the three nuclear weapons labs. They described the dangerous impact these budgetary pressures were having on their ability to manage our arsenal without testing. They say this situation is a threat to our security. President Obama and I agree.

That's why earlier this month we announced a new budget that reverses the last decade's dangerous decline. It devotes $7 billion to maintaining our nuclear stockpile and modernizing our nuclear infrastructure. To put that in perspective, that's $624 million more than Congress approved last year—and an increase of $5 billion over the next five years. Even in these tight fiscal times, we will commit the resources our security requires.

This investment is not only consistent with our nonproliferation agenda; it is essential to it. Guaranteeing our stockpile, coupled with broader research and development efforts, allows us to pursue deep nuclear reductions without compromising our security. As our conventional capabilities improve, we will continue to reduce our reliance on nuclear weapons.

Responsible disarmament requires versatile specialists to manage it.

The skilled technicians who look after our arsenal today are the ones who will safely dismantle it tomorrow.

And chemists who understand how plutonium ages also develop forensics to track missing nuclear material and catch those trafficking in it.

Our goal of a world without nuclear weapons has been endorsed by leading voices in both parties. These include two former Secretaries of State from Republican administrations, Henry Kissinger and George Shultz; President Clinton's Secretary of Defense Bill Perry; and my former colleague Sam Nunn, for years the Democratic Chairman of the Senate Armed Services Committee.

Together, these four statesmen called eliminating nuclear weapons ''a bold initiative consistent with America's moral heritage.''

During the 2008 Presidential campaign, both the President and Senator MCCAIN supported the same objective. We will continue to build support for this emerging bipartisan consensus like the one around containment of Soviet expansionism that George Kennan inspired.

Toward that end, we have worked tirelessly to implement the President's Prague agenda.

In September, the President chaired an historic meeting of the UN Security Council, which unanimously embraced the key elements of the President's vision.

As I speak, U.S. and Russian negotiators are completing an agreement that will reduce strategic weapons to their lowest levels in decades.

Its verification measures will provide confidence its terms are being met. These reductions will be conducted transparently and predictably. The new START treaty will promote strategic stability and bolster global efforts to prevent proliferation by showing that the world's leading nuclear powers are committed to reducing their arsenals.

And it will build momentum for collaboration with Russia on strengthening the global consensus that nations who violate their NPT obligations should be held to account.

This strategy is yielding results. We have tightened sanctions on North Korea's proliferation activities through the most restrictive UN Security Council resolution to date—and the international community is enforcing these sanctions effectively.

And we are now working with our international partners to ensure that Iran, too, faces real consequences for failing to meet its obligations.

In the meantime, we are completing a government-wide review of our nuclear posture.

Already, our budget proposal reflects some of our key priorities, including increased funding for our nuclear complex, and a commitment to sustain our heavy bombers and land and submarine-based missile capabilities, under the new START agreement.

As Congress requested and with Secretary Gates' full support, this review has been a full interagency partnership.

We believe we have developed a broad and deep consensus on the importance of the President's agenda and the steps we must take to achieve it. The results will be presented to Congress soon.

In April, the President will also host a Nuclear Security Summit to advance his goal of securing all vulnerable nuclear material within four years. We cannot wait for an act of nuclear terrorism before coming together to share best practices and raise security standards, and we will seek firm commitments from our partners to do just that.

In May, we will participate in the Non-Proliferation Treaty Review Conference. We are rallying support for stronger measures to strengthen inspections and punish cheaters.

The Treaty's basic bargain—that nuclear powers pursue disarmament and non-nuclear states do not acquire such weapons, while gaining access to civilian nuclear technology—is the cornerstone of the non-proliferation regime.

Before the treaty was negotiated, President Kennedy predicted a world with up to 20 nuclear powers by the mid-1970s. Because of the Non-Proliferation Treaty and the consensus it embodied, that didn't happen.

Now, 40 years later, that consensus is fraying. We must reinforce this consensus, and strengthen the treaty for the future.

And, while we do that, we will also continue our efforts to negotiate a ban on the production of fissile materials that can be used in nuclear weapons.

We know that completing a treaty that will ban the production of fissile material

will not be quick or easy—but the Conference on Disarmament must resume its work on this treaty as soon as possible.

The last piece of the President's agenda from Prague was the ratification of the Comprehensive Test Ban Treaty.

A decade ago, we led this effort to negotiate this treaty in order to keep emerging nuclear states from perfecting their arsenals and to prevent our rivals from pursuing ever more advanced weapons.

We are confident that all reasonable concerns raised about the treaty back then—concerns about verification and the reliability of our own arsenal—have now been addressed. The test ban treaty is as important as ever.

As President Obama said in Prague, ''we cannot succeed in this endeavor alone, but we can lead it, we can start it.''

Some friends in both parties may question aspects of our approach. Some in my own party may have trouble reconciling investments in our nuclear complex with a commitment to arms reduction. Some in the other party may worry we're relinquishing capabilities that keep our country safe.

With both groups we respectfully disagree. As both the only nation to have used nuclear weapons, and as a strong proponent of nonproliferation, the United States has long embodied a stark but inevitable contradiction. The horror of nuclear conflict may make its occurrence unlikely, but the very existence of nuclear weapons leaves the human race ever at the brink of self-destruction, particularly if the weapons fall into the wrong hands.

Many leading figures of the nuclear age grew ambivalent about aspects of this order. Kennan, whose writings gave birth to the theory of nuclear deterrence, argued passionately but futilely against the development of the hydrogen bomb. And Robert Oppenheimer famously lamented, after watching the first mushroom cloud erupt from a device he helped design, that he had become ''the destroyer of worlds.''

President Obama is determined, and I am as well, that the destroyed world Oppenheimer feared must never become our reality. That is why we are pursuing the peace and security of a world without nuclear weapons. The awesome force at our disposal must always be balanced by the weight of our shared responsibility.

Every day, many in this audience help bear that burden with professionalism, courage, and grace.

A grateful nation appreciates your service. Together, we will live up to our responsibilities. Together, we will lead the world.

Thank you.

May God bless America. May God protect our troops.

Mr. CASEY. Mr. President, the Vice President said that recent years have seen a slow but steady decline in support for our nuclear stockpile and infrastructure and for our highly trained nuclear workforce. The four national security statesmen I previously referred to agree. In January, all four of these experts wrote:

> These investments are urgently needed to undo the adverse consequences of deep reductions over the past 5 years in the laboratories' budgets for the science, technology and engineering programs that support and underwrite the Nation's nuclear deterrent.

We know that JASON, an independent defense advisory group of senior scientists, has also echoed these same concerns in a recent study. The JASON group found that the lifetimes of today's warheads could be extended for decades. That was the good news. While the weapons are in good shape, JASON is concerned that maintenance of the stockpile relies on the ''renewal of expertise and capabilities in science, technology, engineering, and production unique to the nuclear weapons program'' and that this expertise was ''threatened by lack of program stability, perceived lack of mission importance, and degradation of the work environment.''

The Obama administration's budget request reflects these concerns. The fiscal year 2011 budget request devotes $7 billion to maintaining our nuclear weapons stockpile and complex and for related efforts. Delivering on promises made in Prague and elsewhere, this administration has demonstrated a clear commitment to a nuclear nonproliferation strategy that is an integral part of our security and that of our allies.

As Under Secretary of State for Arms Control in International Security, Ellen Tauscher, a former Member of the House, said recently:

> Nuclear disarmament is not the Holy Grail. As long as we see the rise of nuclear weapons in other countries, we will maintain deterrence that is second to none.

This approach by Ellen Tauscher is smart, strategic, and measured, and it puts American security first.

As I stand in support of full funding for the administration's nuclear weapons stockpile and complex request, I believe it is very important that we stand together—all of us, Democrats, Republicans, and Independents.

Key dimensions of our nuclear stockpile are the nuclear labs and resident scientific expertise. We need to be able to continue to recruit the most highly qualified and motivated experts tasked with stockpile maintenance. Our three National Laboratories—Lawrence Livermore in California, Los Alamos in New Mexico, and Sandia in New Mexico and California—are staffed by gifted public servants who have established methods for verifying the safety, security, and reliability of our stockpile. This budget presented by the administration will help to ensure that the most talented scientists continue to be attracted to our labs and that these labs continue to be state of the art.

The administration's 2011 budget request also bolsters the case for eventual ratification of the Comprehensive Test-Ban Treaty. A full investment in our nuclear weapons infrastructure will mean the United States can continue to maintain its nuclear weapons infrastructure without testing. We have not tested a nuclear weapon since 1992 because we now have the technical means to ensure the reliability and safety of our stockpile without testing.

This is an issue of national security and preventing nuclear terrorism. By working to diminish access to fissile material, by working to ensure Russia and the United States decrease nuclear stockpiles, and by promoting a ban on nuclear testing and by ensuring our nuclear arsenal is safe and secure—all of these measures, as well as others—will help to create an international environment where a terrorist's access to fissile material is diminished.

I should mention as well the work of Senator LUGAR. Senator LUGAR has been a remarkable leader in regard to promoting the Nunn-Lugar program all these years. I agree with Senator LUGAR's efforts to secure more funding as the mandate of the program is expanded without commensurate resources. Senator LUGAR reports that the program ''has eliminated more nuclear weapons than the combined nuclear arsenals of France, China, and the United Kingdom for less than $3 billion—a striking return on investment.'' I have to agree that is a striking return, indeed.

Finally, I also express support for the administration's requested increase in funding for the International Atomic Energy Agency, which we all know by the acronym IAEA. For too the long, the IAEA's technical assistance and cooperation programs have been underfunded. International nonproliferation efforts face an uncertain future. Iran and North Korea are our primary concerns, but potential nuclear flashpoints remain between India and Pakistan, and the security of fissile material, while improving, remains a vital concern. In order for the IAEA to be best positioned to confront proliferation efforts in North Korea and Iran, as well as monitor the peaceful nuclear energy programs in countries around the world, its budget needs to reflect this growing portfolio. U.S. leadership in nonproliferation is essential. A fully funded IAEA will complement U.S. efforts to combat proliferation at this critical time.

These investments in our national security are substantial, but there is no greater threat than that of nuclear terrorism. We must remain vigilant in doing everything we can to ensure terrorists do not get their hands on weapons of mass destruction. The nonproliferation measures mentioned above all help to address this threat.

To keep America safe, Democrats, Republicans, and Independents must work together—let me say that again—must work together to promote nonproliferation and confront nuclear terror by ensuring that our existing nuclear arsenal is safe, secure, and effective.

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

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

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

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

Mr. ENSIGN. Mr. President, in a moment, I will ask unanimous consent to be able to offer an amendment, but

first I wish to talk about that amendment because I understand the other side is going to object.

Currently, there are seven States that collect no income tax from their residents. Those States are my home the State of Nevada, Florida, South Dakota, Tennessee, Texas, Washington, and Wyoming.

Under current Federal tax law, in all the States that have an income tax, individuals are allowed to deduct those income taxes from their Federal tax form. Your property taxes can also be deducted. Even when you register your car and pay your registration fee on your car, you are allowed to deduct that because that is a local tax. The tax that you are not allowed to deduct, if we don't extend current law, will be the sales tax.

My State relies more on a sales tax for its revenue sources. That is what it decided to do. Other States have chosen to set their taxes up differently. But States have the flexibility to set up their taxes in the way they feel is best for their residents. My State actually has a constitutional amendment against collecting a State income tax from its residents.

Nevadans don't want a State income tax, but they want to be treated fairly. So a few years ago, we passed a law so that Nevada and these six other States would be treated fairly; so that residents would have the option of deducting a sales tax or an income tax. It is just a matter of fairness, but it also allows people to keep more of their own income. At the end of last year, the deductibility for the sales tax expired, and I would like to be able to offer an amendment to extend it in this jobs bill.

I believe if people have more of their own money—money they can count on—they will make good decisions, and they will actually go out and spend some of that money. I believe this would actually be a good measure to put in the jobs bill. It was in the original bipartisan bill that Chairman BAUCUS and Ranking Member GRASSLEY came up with and introduced. So I am hoping the other side will not object, although I understand they are going to.

Mr. President, I ask unanimous consent that it be in order to offer an amendment to allow for the deduction of State and local sales tax.

The PRESIDING OFFICER. Is there objection?

In my capacity as a Senator from Colorado, I object.

Objection is heard.

Mr. ENSIGN. Mr. President, I knew that was going to happen because the majority party has decided to allow no amendments on this bill, which is a shame. It is the reason I voted against cloture on the bill yesterday, because I think it is only fair that we get to offer amendments on such an important and expensive bill. This is one of the amendments that I think should be allowed.

We will be making other efforts during the year to get the sales tax deductibility enacted into law because it is a question of fairness for these seven States. I know the Senators from those seven States join me in fighting for this. We fought together before, and we are going to continue to fight to try to make sure this deductibility, as a matter of fairness for our citizens, is maintained in Federal law.

I yield the floor.

Mr. GRASSLEY. Mr. President, as I stated earlier today, I had worked to put together a bipartisan package with my colleague, Finance Committee Chairman BAUCUS, to address some time-sensitive matters that need to be considered.

I was under the impression that the Senate Democratic leadership genuinely wanted to work on a bipartisan basis but, unfortunately, I was mistaken.

Although the majority leader was deeply involved in the development of our bipartisan bill, as soon as it was released he announced that he would not take it up, and he arbitrarily decided to replace it with a bill he plans to jam through the Senate.

I addressed my concerns earlier about the removal of the tax extender provisions.

Now I want to discuss another significant change between the bipartisan package Chairman BAUCUS and I put together and the Senate Democratic leadership's bill that we will be voting on this week.

A package of expired and expiring Medicare health provisions has been removed without any explanation. These bipartisan provisions are essential to the health and well-being of Medicare beneficiaries. They have been routinely supported by both sides and passed repeatedly in recent years.

So where does that leave us? We are now less than a week away from the end of February, and Medicare beneficiaries around the country will suffer from the Senate Democratic leader's decision to remove these provisions without any explanation. Medicare beneficiaries should not be held hostage to whatever partisan goals the Senate Democratic leadership envisions.

To make matters worse, they have decided to ''fill the tree,'' as the procedure is called, so there will be no opportunity to offer these essential health provisions known as ''Medicare extenders'' as amendments to his bill.

The decision to abandon a bipartisan approach is especially ironic considering the fact that later this week President Obama is hosting a bipartisan meeting with Senators and Members of the House to discuss health care reform.

It is too early to tell if that meeting will lead to a true bipartisan effort to address health care reform issues, at least in some areas where there is broad agreement on both sides. But I commend the President for his bipartisan outreach and invitation to meet and discuss these important issues. It is an approach that the Senate Democratic leadership abandoned last year.

Apparently, political games have become more important than ensuring that critical legislation is passed to protect Medicare beneficiaries' access to health care.

Many individuals, in fact, are already in jeopardy of suffering adverse consequences to their health because of the failure by the Senate Democratic leadership to ensure that these critically needed Medicare provisions would be enacted by the end of last year. These are the same provisions that had broad, bipartisan support when they were considered by the Finance Committee and included in the health care bill the committee reported last fall.

I am going to review some of these provisions and the impact they have on Medicare beneficiaries and their access to health care.

First, there is the need for a physician payment update, what we commonly refer to as the ''SGR'' or the ''doc fix.'' A 2-month extension that was passed in December is scheduled to expire on February 28, just 5 days from now. Unless a physician update is enacted by March 1, physicians, nurses, and other health care practitioners will experience severe payment cuts of 21 percent as of that date.

These payment cuts would be even more disastrous for physicians in rural States, such as Iowa, where Medicare reimbursement is already about 30 percent lower than in other areas. But payment cuts of this magnitude will severely impact physicians and health care practitioners throughout the country, and they will significantly threaten beneficiary access to care.

Should these cuts occur and continue for any length of time, they will have a truly disastrous effect on the ability of seniors to find, or keep, physicians who take Medicare patients.

I am appalled that Medicare beneficiaries' access to physicians and other needed medical care is being jeopardized because of the political games that are being played by the Senate Democratic leadership.

Let's look at beneficiaries who are already being affected by other Medicare provisions that should have been extended, as they have been in the past, but that were allowed to expire at the end of last year.

One of the most pressing is an extension of the exceptions process for therapy caps. The law puts annual payment limits or financial caps on therapy services. There are annual dollar limits on outpatient physical therapy and speech-language pathology therapy combined and on occupational therapy.

While the law provided for an exceptions process to these caps when additional therapy was medically necessary, that provision expired at the end of 2009. Medicare beneficiaries who have suffered strokes or serious debilitating injuries, such as a hip fracture,

have significant rehabilitation needs. Some of these beneficiaries have already exceeded their therapy limits for 2010.

Since the exceptions process that would have allowed these patients to receive more needed therapy has expired, beneficiaries with the greatest need for therapy will be the hardest hit. Congress must address this issue immediately.

A second issue of major concern is the need for additional payment for mental health services. A provision that expired at the end of last year provided an additional 5-percent payment for Medicare mental health services provided by psychologists and mental health counselors. This provision has been key to improving access to mental health care services for veterans and other military personnel suffering from post-traumatic stress and other disorders since TRICARE coverage is based on Medicare rates.

Significant shortages of mental health personnel have made it exceedingly difficult for Medicare beneficiaries and some of our military returning from overseas to find this critically needed help. The expiration of this provision has made it even more difficult for them to obtain these services. Congress needs to act immediately to help Medicare beneficiaries and members of the Armed Forces in need of mental health services.

A third issue concerns additional payments for ambulance services that are routinely extended, year after year. Many ambulance providers need them to survive. But those provisions also expired at the end of last year.

Another provision would ensure that Medicare beneficiaries can continue to get vital medical supplies such as diabetic test strips, canes, nebulizers, and wound care products from their local community pharmacies.

Under current law, suppliers of durable medical equipment, prosthetics, orthotics, and other supplies must get accredited to prove they comply with quality standards. Many eligible professionals, such as physicians, nurse practitioners, physical therapists, and others are specifically exempted from this requirement. This provision would exempt pharmacies from being accredited under certain circumstances. Pharmacies must have been enrolled as a Medicare supplier with a provider number for at least 2 years, have DME billings that are less than 5 percent of their total sales, be in good standing with Medicare, and meet other criteria.

Medicare beneficiaries living in rural and underserved areas are particularly at risk of losing access to these critical medical products. This provision is essential to ensure they do not.

There are also a number of expired provisions in this package that improve payment for hospitals, especially rural hospitals. These hospitals rely on these provisions to keep their doors open.

The impact of a hospital shutting its doors would be especially hard on rural and underserved areas where hospitals are the only point of access for health care.

Our country is facing record unemployment and Americans are struggling to make ends meet. The failure to extend these essential Medicare provisions immediately will make access to health care or needed medical services simply unavailable for many beneficiaries. The impact will be even worse for those in rural areas already facing health care access problems.

These examples show some of the damage that failing to extend these Medicare provisions will do to our seniors' health care.

We need to get back to work on the bipartisan package that was in the works until the Senate Democratic leadership's dramatic change in direction.

Medicare beneficiaries are counting on us to work together and get this done.

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

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

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

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

Mr. REID. Mr. President, I ask unanimous consent that when the Senate convenes Wednesday, February 24, all postcloture time be considered expired, except for any time available until 9:55 a.m., and that at 9:55 a.m. the Senate proceed to vote on a motion to waive the applicable budget points of order; further, that if the points of order are waived, without further intervening action, the second-degree amendment be withdrawn and no further amendments be in order; the Senate then proceed to vote on the Reid motion to concur in the House amendment to the Senate amendment to H.R. 2847, with amendment No. 3310; provided further that upon disposition of the House message with respect to H.R. 2847, the Senate proceed to a period of morning business, with Senators permitted to speak for up to 10 minutes each.

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

MORNING BUSINESS

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

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

GUNS ON UNIVERSITY CAMPUSES

Mr. LEVIN. Mr. President, in 2009, bills aimed at weakening the ability of universities to regulate the possession of firearms on campus were introduced in 12 State legislatures, including the Michigan State Legislature. In 2008, 17 States saw similar legislation introduced. Fortunately for the safety of students, faculty, and visitors, none of these bills passed. In fact, according to the Wall Street Journal, as of July 2009, State legislative efforts to allow firearms on college campuses had been defeated 34 straight times nationwide. However, while this statistic demonstrates a clear national consensus that guns do not belong at universities, the National Rifle Association, NRA, continues to push for weaker gun regulations.

Already in 2010, efforts have been undertaken that would weaken the ability of colleges to determine their own security needs in Arizona, Georgia, Virginia, and Colorado. These legislative efforts are part of a strategy to pressure State legislatures into passing legislation that would force colleges to allow the possession and use of firearms by students, faculty, and others on campus. According to a report from the Brady Center to Prevent Gun Violence, entitled ''No Gun Left Behind: The Gun Lobby's Campaign to Push Guns into Colleges and Schools,'' this strategy can be seen as a response to the horrific shootings at Virginia Tech in 2007. According to this strategy, the way to prevent future violence on college campuses is to have more guns on campuses.

Increasing the number of guns in university settings is likely to increase the threat of violence. Every day at colleges across the country, young people engage in risky behaviors involving alcohol and drugs. According to the U.S. Department of Health and Human Services, binge drinking and illegal drug use is highest among 18- to 24-year-olds. Furthermore, a report by the National Center on Addiction and Substance Abuse at Columbia University found that ''nearly half of America's full-time college students abuse drugs or drink on binges at least once a month.'' This behavior is dangerous enough without introducing a weapon into the environment. Additional threats to public safety stemming from firearms on campuses include the high risk of gun thefts in typically unsecure college living environments, as well as an increase in the number of accidental shootings.

Students and faculty should feel safe while on campus. Contrary to the claims of some, more guns on campus will not create a more secure campus. More guns will increase the threat of violence, and that is why legislation that would force universities to allow firearms on campus is misguided.

HONORING OUR ARMED FORCES

SPECIALIST MARC DECOTEAU

Mr. GREGG. Mr. President, I rise today to remember and honor Army SPC Marc Paul Decoteau of Waterville Valley, NH, for his service and supreme sacrifice for his country.

Specialist Decoteau demonstrated a willingness and dedication to serve and

defend his country by joining the U.S. Army. Just as many of America's heroes have taken up arms in the face of dire threats, Marc dedicated himself to the defense of our ideals, values, freedoms, and way of life. His valor and service cost him his life, but his sacrifice will help spare millions from lives under tyranny and oppression.

An exceptional student-athlete, Marc played an integral role in two Plymouth Regional High School State football championships and was also a standout lacrosse player. Marc graduated from Plymouth High School in Plymouth, NH, in 2008 and, sensing a call to duty, enlisted in the Army shortly thereafter.

Tragically, on January 29, 2010, this brave 19-year-old gave his life for this Nation while in support of combat operations in the Wardak Province of Afghanistan. At the time of this hostile action, Specialist Decoteau, a member of the 6th Psychological Operations Battalion out of Fort Bragg, NC, was serving his first tour in Afghanistan in support of Operation Enduring Freedom.

A beloved member of the Waterville Valley community, Marc was respected and admired by all those around him. As a loyal member of the U.S. Army, he continually performed above and beyond all expectations. Specialist Decoteau will live on as a decorated hero and a patriot.

Marc was recognized for his service several times, receiving the National Defense Service Medal, Afghanistan Campaign Medal with Campaign Star, Global War on Terrorism Service Medal, Army Service Ribbon, and Parachutist Badge. He was also posthumously awarded the Army Commendation Medal, Army Good Conduct Medal, and NATO Medal.

My condolences and prayers go out to Marcs parents Mark and Nancy, his brother Andrew and sister Maddie, and his family and friends. I offer them my deepest sympathies and most heartfelt thanks for their sacrifice. Marc exemplified the words of Daniel Webster who said, ''God grants liberty only to those who love it, and are always ready to guard and defend it.'' Because of his efforts, the liberty of this country is made more secure. God bless Marc Decoteau.

SELDON TECHNOLOGIES

Mr. LEAHY. Mr. President, I would like to direct the attention of the Senate to an article that was recently published in the Rutland Herald about Seldon Technologies, located in Windsor, VT.

This article describes the laudable efforts of a Vermont company taking part in the ongoing disaster relief operation in Haiti. Seldon Technologies has donated one of its state-of-the-art water filtration devices to a nonprofit organization that provides clean water to people in developing countries and those affected by natural disasters, such as Haiti. I commend Seldon for using its technology to help the many Haitians who are still desperately in need of assistance.

Mr. President, I ask unanimous consent that this article entitled ''Windsor Water Company Ships Help to Haiti'' be printed in the RECORD.

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

WINDSOR WATER COMPANY SHIPS HELP TO HAITI

(By Josh O'Gorman)

WINDSOR, VT.—A local company is doing its part to help with disaster relief in Haiti.

Seldon Technologies, which develops state-of-the-art water filtration devices, has donated one of its products to Water Missions International, a South Carolina-based nonprofit that works to provide clean water to developing countries and disaster areas such as Haiti.

Seldon Technologies donated a Seldon WaterBox Mobile Filtration System, which will help Water Missions aid workers stay healthy and provide immediate, clean, drinking water to temporary shelters.

''The Seldon staff are excited about the opportunity to utilize our new filtration products on behalf of those in need,'' said CEO Alan G. Cummings. ''Such use matches our corporate mission. Seldon's progress has been helped immeasurably by our Senator Leahy and his interest in new technology initiatives in Vermont.''

Democratic U.S. Sen. Patrick Leahy has secured several Department of Defense contracts for Seldon to develop water filtration products for civilian and military use.

The WaterBox, which retails for $2,695, can provide water to 390 people a day, based upon the World Health Organization's disaster standard of 1.9 gallons per person, said Heidi Luquer, who handles disaster and relief for Seldon Technologies.

Brad Reed, president and chief operating officer for Water Missions International, said the donation fits his organization's mission.

''It's a good example of groups trying to help each other when one approach complements the other,'' said Reed, whose organization has been working to provide clean drinking water in Haiti since 2004 and had 22 clean-water projects up and running prior to the Jan. 12 earthquake that killed more than 200,000 people and left more than 1 million homeless.

Water Missions International has increased its efforts since the earthquake, bringing in an additional 12 aid workers from Germany, Honduras and the U.S., and will have 80 water projects in place by the end of the week, Reed said.

Seldon's WaterBox is currently en route to Haiti and is expected arrive by the beginning of next week, said Reed.

To learn more about Seldon Technologies, visit www.seldontechnologies.com. For more about Water Missions International, visit www.watermissions.org.

NATIONAL EYE DONOR MONTH

Mr. ISAKSON. Mr. President, I rise today to bring to the attention of my colleagues that March is National Eye Donor Month. In 1983, President Ronald Reagan announced, ''One of the most magnificent presents that one human being can bestow upon another is the gift of sight. Incredible as it may seem, it is within the power of each of us to give this precious gift simply by making arrangements to donate our eyes after death.'' In less than 50 words, President Reagan expressed how simple and incredible it is to give the gift of sight. He declared March as National Eye Donor Month, and today his words hold no less relevance.

During National Eye Donor Month, we should take time to honor past donors and their families for the tremendous gift of sight they have given. These gifts have helped to improve the lives of over 1 million recipients since this procedure was introduced into America's health care system. Throughout the United States today, more than 40,000 corneal transplants take place yearly, over 750 each week. The Eye Bank Association of America was founded in 1961 and promulgates medical standards for eye banks throughout the world. Its initial membership of 25 member banks has grown to 85 banks in the United States and 15 international banks.

Corneal transplants can restore sight to people of all ages and all walks of life, whether it be a newborn, an adult or an aging grandparent. While success rates for corneal transplants have always been high, advancements in recent technology have increased success rates to over 95 percent. When the procedure was first performed, patients would spend upwards of 1 month in the hospital recovering from the transplant. Today, it is an outpatient procedure.

Today, we possess the knowledge and technology to give the gift of sight to thousands of individuals through the generosity of eye donation. Anyone can become an eye donor. Cataracts, poor eyesight or age do not prevent a person from being a donor. I encourage all Americans to become eye donors. It is a very simple process. All you need to do is sign up on your State's donor registry and talk to your family to ensure they understand that you wish to give the gift of sight.

Donated human eyes and corneal tissue are used for research, education and transplantation. There is no substitute for human tissue donation. Corneal transplants cannot take place without the priceless gift of corneal donation from one human to another. I encourage my colleagues to work with their local eye banks to help raise awareness within your communities and throughout our country. I am honored to recognize March as National Eye Donor Month today in the RECORD.

GETTYSBURG COIN ACT

Mr. CASEY. Mr. President, I rise today to discuss the Gettysburg Coin Act, which I was proud to introduce with Senator SPECTER. This legislation commemorates one of the most significant events in our Nation's history.

The Gettysburg Coin Act would produce a commemorative coin in 2013 recognizing the 150th anniversary of the 1863 Battle of Gettysburg and President Abraham Lincoln's Gettysburg Address. The Battle of Gettysburg

not only marked a decisive moment in the American Civil War, but proved to be the turning point in our Nation's history. More Americans perished during the Battle of Gettysburg than in any other battle in American history. It is with this understanding that we must, as President Abraham Lincoln so eloquently said in the Gettysburg Address, ''highly resolve that these dead shall not have died in vain'' in defending our Nation's freedom. This rings true today as our Nation's servicemen and women continue the long tradition of protecting our freedom and values.

Today, I would also like to recognize the important work of the Army Heritage Center Foundation, which continues the proud tradition of protecting and preserving our Nation's rich military history. Based in Carlisle, PA, the U.S. Army Heritage and Education Center works with the U.S. Army to preserve the memories of soldiers and their families, honor their service, and help educate the American public about the Army's contributions to our nation. The center's world class archives store a collection of Army memorabilia and artifacts, so we can remember how life was lived and the repercussions of war. The Army Heritage Center Foundation's support for the 150th anniversary commemorative coin is just another way they continue to fulfill their mission.

As a Pennsylvanian, I am proud of the role my State has played and continues to play in shaping our Nation's history. It is my hope that these coins will commemorate a day of great national pride and remind us of the sacrifices that generations of American soldiers and their families have made to safeguard this Nation. Therefore, I encourage my colleagues to join me in supporting this legislation to commemorate the 150th anniversary of the Battle of Gettysburg.

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

RECOGNIZING THE TRANSPORTATION TRADES DEPARTMENT, AFL–CIO

• Mr. LAUTENBERG. Mr. President, I wish to pay tribute to the Transportation Trades Department, AFL–CIO, as it marks its 20th anniversary representing our Nation's transportation workers. The TTD is a leader in the effort to ensure that our transportation needs are fully met, and they work to remind us of the critical role that workers serve in this industry.

As chairman of the Commerce Subcommittee on Surface Transportation and a member of the Transportation Appropriations Subcommittee, I have found TTD to be a trusted, valuable resource to help strengthen our infrastructure and expand our skilled, well-trained workforce. We are working together to address our ailing bridges and highways, improve our rail systems and ports, and modernize our air traffic control systems.

I am proud to have worked with TTD to guard against those who would put safety, security, and service at risk. TTD and I have fought against risky privatization schemes for Amtrak and air traffic controllers and to rein in air carriers who seek out low-cost, poorly supervised foreign repair facilities. There is absolutely no excuse for cutting corners on safety anywhere in the transportation industry.

Our work in transportation is far from done. With our economy mired in a recession and lingering unemployment crisis, we need to rebuild our infrastructure and put Americans back to work. We must do more to modernize rail, transit, and ports, improve safety on our roads, and invest in the technologies that will make air travel safer and more efficient. Transportation workers are a strong partner in these bold steps, and I look forward to continuing to work closely with TTD in pursuit of these shared goals.

Twenty years after its inception, the Transportation Trades Department, AFL–CIO, continues to be a leader in a more efficient, productive, and connected nation. I congratulate the organization on this milestone anniversary and wish it continued success in the future.•

ADDITIONAL STATEMENTS

TRIBUTE TO THE DELTA CHAPTER SIGMA CHI VETERANS

• Mr. CHAMBLISS. Mr. President, today I pay tribute to the brothers of the Delta Chapter of Sigma Chi fraternity at the University of Georgia who honorably served in our Nation's Armed Forces during the Vietnam war.

These men made tremendous sacrifices, leaving behind their loved ones and the comfort of college to serve our Nation. One of our brothers, Joe Laslie, gave his life.

This weekend, members of the Delta Chapter of the Sigma Chi fraternity will honor the brothers who served during the Vietnam war at a memorial brunch. This will be a touching event, especially for the family of Joe Laslie.

Joe made the ultimate sacrifice during the summer of 1968. Many of his close friends at school did not attend his funeral because they did not learn of his death until the following semester. This event will give us the opportunity to pay our respects.

I am truly humbled to have had the opportunity to know these men. As fraternity brothers, we competed in sports and threw parties, but we also we built strong bonds of friendship, and learned respect and honor.

I am proud of my brothers who so dutifully served our Nation. It is because of their dedication and sacrifice that we are able to live in a safe, free country.

As a tribute, I would like their names to be etched into the CONGRESSIONAL RECORD for posterity:

Kenan J. Kern
Donald G. Charlton
Lloyd G. Ewing
William E. Schley
Tom J. Jones
G. Elliott Hagan, Jr.
Warren A. Norman
Steve J. Ernest
Clyde W. Fitzgerald, Jr.
David G. Jones
William M. Riley
John S. Noell, Jr.
John A. Ewing, Jr.
William O. McDonald
John B. Thurman, III
William E. Johnston
Harris W. Sims
Emory Lee Brinson
Richard H. Warner
J. Rufus Youmans
Warren B. Taylor
R. Daniel Weigle
James F. Martin
Otha C. Dent
Richard B. Smith
James R. Klein
Joseph T. Laslie, Jr.*
Martin T. Bailey
James W. Friedewald
William W. Bell, Jr.
Otis L. Durham
John Richard Owens
Richard B. Russell, IV
Daniel H. Bull•

TRIBUTE TO TERRY LINDSEY

• Mr. CHAMBLISS. Mr. President, today I pay tribute to a local leader and a true public servant, Mr. Terry Lindsey.

Several years ago, Terry took the helm of marketing at Engineered Fabrics, one of the largest employers in the Rockmart, GA, area. At the end of March, after 33 years on the job, he will leave Engineered Fabrics better than when he started.

In addition to serving Engineered Fabrics, Terry has spent a great deal of his life promoting his community.

Over the years, Terry has sponsored and hosted several Washington fly-ins, giving the Polk County delegation the opportunity to discuss issues of importance to the community with the Georgia congressional delegation—whether it be issues impacting small businesses, banks, education, or other critical issues to Polk County.

I have had the opportunity to get to know Terry during these visits, and I can tell you he is a salt-of-the-earth kind of guy. His friends will tell you that he loves his job, wife, country and God, and is truly thankful for what he has.

Terry, a longtime member of the Polk County Chamber of Commerce, has been involved in strengthening his community through activities such as the Youth Leadership committee and hosting the Development Authority of Polk County and the Intergovernmental Committee of Polk. He has also been a member of the Rotary Club of Rockmart/Polk County, and has provided guidance and encouragement as a mentor. I have no doubt he has touched many lives throughout his career.

The leadership and public service he has provided over the years is tremendously valuable, and he should be very proud of all he has accomplished.

The entire community will miss Terry's visionary leadership.

It is my pleasure to congratulate Terry as he concludes his long and distinguished career and begins retirement.●

TRIBUTE TO RICHARD BASHAM

● Mr. KOHL. Mr. President, I want to take a brief moment to recognize and congratulate Richard Basham on his retirement as football coach of the Marquette University High School Hilltoppers.

Coach Basham led the Hilltoppers for 38 seasons. Throughout his tenure, the Hilltoppers had 4 undefeated seasons, 20 conference championships, and 9 state championships—including in Coach Basham's final season. With 340 career wins, Coach Basham has won more high school football games than any other coach in Wisconsin State history.

In addition to Coach Basham's outstanding work on the football field, he led students in the classroom as a math teacher and chair of the Marquette University High School Mathematics Department. He showed an enduring commitment to bettering the lives of his students and his players, cultivating their passion for success.

In a State that is proud to call Title Town and the great Vince Lombardi its own, Richard Basham will be remembered as the leader of another great football dynasty. In these almost four decades, Coach Basham and Marquette University High School Hilltoppers football have epitomized tradition, discipline, and success both on and off the field.

On behalf of our State, I congratulate Coach Basham on his remarkable coaching career and for his retirement. I wish him good health, happiness, and prosperity for many years to come.●

REPORT ON THE CONTINUATION OF THE NATIONAL EMERGENCY THAT WAS DECLARED WITH RESPECT TO THE GOVERNMENT OF CUBA'S DESTRUCTION OF TWO UNARMED U.S.-REGISTERED CIVILIAN AIRCRAFT—PM 46

The PRESIDING OFFICER laid before the Senate the following message from the President of the United States, together with an accompanying report; which was referred to the Committee on Banking, Housing, and Urban Affairs:

To the Congress of the United States:

Section 202(d) of the National Emergencies Act (50 U.S.C. 1622(d)) provides for the automatic termination of a national emergency unless, prior to the anniversary date of its declaration, the President publishes in the *Federal Register* and transmits to the Congress a notice stating that the emergency is to continue in effect beyond the anniversary date. In accordance with this provision, I have sent the enclosed notice to the *Federal Register* for publication, stating that the national emergency declared with respect to the Government of Cuba's destruction of two unarmed U.S.-registered civilian aircraft in international airspace north of Cuba on February 24, 1996, as amended and expanded on February 26, 2004, is to continue in effect beyond March 1, 2010.

BARACK OBAMA.

THE WHITE HOUSE, *February 23, 2010*.

MESSAGES FROM THE HOUSE

At 10:03 a.m., a message from the House of Representatives, delivered by Mrs. Cole, one of its reading clerks, announced that the House has passed the following bills, in which it requests the concurrence of the Senate:

H.R. 4238. An act to designate the facility of the United States Postal Service located at 930 39th Avenue in Greeley, Colorado, as the ''W.D. Farr Post Office Building''.

H.R. 4425. An act to designate the facility of the United States Postal Service located at 2-116th Street in North Troy, New York, as the ''Martin G. 'Marty' Mahar Post Office''.

At 11:09 a.m., a message from the House of Representatives, delivered by Mrs. Cole, one of its reading clerks, announced that the House has passed the following resolution:

H. Res. 1084. A resolution relative to the death of the Honorable John P. Murtha, a Representative from the Commonwealth of Pennsylvania.

MEASURES REFERRED

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

H.R. 4238. An act to designate the facility of the United States Postal Service located at 930 39th Avenue in Greeley, Colorado, as the ''W.D. Farr Post Office Building''; to the Committee on Homeland Security and Governmental Affairs.

H.R. 4425. An act to designate the facility of the United States Postal Service located at 2-116th Street in North Troy, New York, as the ''Martin G. 'Marty' Mahar Post Office''; to the Committee on Homeland Security and Governmental Affairs.

EXECUTIVE AND OTHER COMMUNICATIONS

The following communications were laid before the Senate, together with accompanying papers, reports, and documents, and were referred as indicated:

EC–4755. A communication from the Principal Deputy, Office of the Under Secretary of Defense (Personnel and Readiness), transmitting, pursuant to law, notification of the Department's intent to close the Defense commissary store at Naval Air Station Barbers Point; to the Committee on Armed Services.

EC–4756. A communication from the Secretary of the Navy, transmitting, pursuant to law, notification that the Program Acquisition Unit Cost metrics for the DDG 1000 Program have exceeded the critical cost growth threshold; to the Committee on Armed Services.

EC–4757. A communication from the Chief Counsel, Federal Emergency Management Agency, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled ''Suspension of Community Eligibility'' ((44 CFR Part 64) (Docket No. FEMA–2008–0020)) received during adjournment of the Senate in the Office of the President of the Senate on February 3, 2010; to the Committee on Banking, Housing, and Urban Affairs.

EC–4758. A communication from the Secretary, Division of Corporation Finance, Securities and Exchange Commission, transmitting, pursuant to law, the report of a rule entitled ''Commission Guidance Regarding Disclosure Related to Climate Change'' (17 CFR Parts 211, 231 and 241) received during adjournment of the Senate in the Office of the President of the Senate on February 3, 2010; to the Committee on Banking, Housing, and Urban Affairs.

EC–4759. A communication from the Associate General Counsel for Legislation and Regulations, Office of the General Counsel, Department of Housing and Urban Development, transmitting, pursuant to law, the report of a rule entitled ''Refinement of Income and Rent Determination Requirements in Public and Assisted Housing Programs: Implementation of the Enterprise Income Verification System; Withdrawal of Rescinded Regulatory Amendments'' (RIN2501–AD48) received during adjournment of the Senate in the Office of the President of the Senate on February 3, 2010; to the Committee on Banking, Housing, and Urban Affairs.

EC–4760. A communication from the Administrator, Energy Information Administration, Department of Energy, transmitting, pursuant to law, a report entitled ''Emissions of Greenhouse Gases in the United States 2008''; to the Committee on Energy and Natural Resources.

EC–4761. A communication from the Director of the Regulatory Management Division, Office of Policy, Economics, and Innovation, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Approval and Promulgation of Air Quality Implementation Plans; Indiana; Correction'' (FRL No. 9108–7) received in the Office of the President of the Senate on February 1, 2010; to the Committee on Environment and Public Works.

EC–4762. A communication from the Director of the Regulatory Management Division, Office of Policy, Economics, and Innovation, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Approval and Promulgation of Air Quality Implementation Plans; Albuquerque-Bernalillo County, New Mexico; Excess Emissions'' (FRL No. 9110–2) received in the Office of the President of the Senate on February 1, 2010; to the Committee on Environment and Public Works.

EC–4763. A communication from the Assistant Secretary of the Army (Civil Works), transmitting, pursuant to law, an annual report on civil works activities for fiscal year 2007; to the Committee on Environment and Public Works.

EC–4764. A communication from the Program Manager, National Institutes of Health, Department of Health and Human Services, transmitting, pursuant to law, the report of a rule entitled ''Grants for Research Projects'' (RIN0925–AA42) received during adjournment of the Senate in the Office of the President of the Senate on February 3, 2010; to the Committee on Health, Education, Labor, and Pensions.

EC–4765. A communication from the Director, Office of Communications and Legislative Affairs, Equal Employment Opportunity Commission, transmitting, pursuant to law, the Commission's Annual Sunshine Act Report for 2009; to the Committee on Homeland Security and Governmental Affairs.

EC–4766. A communication from the Chairman, Merit Systems Protection Board, transmitting, pursuant to law, a report entitled ''Fair and Equitable Treatment: Progress Made and Challenges Remaining''; to the Committee on Homeland Security and Governmental Affairs.

EC–4767. A communication from the Deputy Assistant Administrator of Diversion Control, Drug Enforcement Administration, Department of Justice, transmitting, pursuant to law, the report of a rule entitled ''Classification of Three Steroids as Schedule III Anabolic Steroids Under the Controlled Substances Act'' (Docket Number DEA–285F) received during adjournment of the Senate in the Office of the President of the Senate on February 3, 2010; to the Committee on the Judiciary.

EC–4768. A communication from the Director, Administrative Office of the United States Courts, transmitting, pursuant to law, an annual report on crime victims' rights; to the Committee on the Judiciary.

EC–4769. A communication from the Staff Director, U.S. Sentencing Commission, transmitting, pursuant to law, a report relative to the compliance of federal district courts with documentation submission requirements; to the Committee on the Judiciary.

EC–4770. A communication from the Chairman, Federal Election Commission, transmitting, pursuant to law, a report relative to its budget request for fiscal year 2011; to the Committee on Rules and Administration.

EC–4771. A communication from the Director of Regulations Management, Center for Veterans Enterprise, Department of Veterans Affairs, transmitting, pursuant to law, the report of a rule entitled ''VA-Veteran-Owned Small Business Verification Guidelines'' (RIN2900–AM78) received during adjournment of the Senate in the Office of the President of the Senate on February 16, 2010; to the Committee on Veterans' Affairs.

EC–4772. A communication from the Acting Assistant Administrator for Fisheries, Office of Sustainable Fisheries, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled ''International Fisheries; Western and Central Pacific Fisheries for Highly Migratory Species; Initial Implementation of the Western and Central Pacific Fisheries Convention'' (RIN0648–AV63) received in the Office of the President of the Senate on February 2, 2010; to the Committee on Commerce, Science, and Transportation.

EC–4773. A communication from the Acting Assistant Administrator for Fisheries, Office of Sustainable Fisheries, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled ''Fisheries in the Western Pacific; Pelagic Fisheries; Vessel Identification Requirements'' (RIN0648–AX38) received in the Office of the President of the Senate on February 2, 2010; to the Committee on Commerce, Science, and Transportation.

EC–4774. A communication from the Acting Associate General Counsel for General Law, Department of Homeland Security, transmitting, pursuant to law, a report relative to a vacancy in the position of Assistant Secretary, received in the Office of the President of the Senate on February 2, 2010; to the Committee on Commerce, Science, and Transportation.

EC–4775. A communication from the Deputy Assistant Administrator for Regulatory Programs, National Marine Fisheries Service, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled ''Fisheries Off the Exclusive Economic Zone Off Alaska, Steller Sea Lions; Correction'' (RIN0648–AY39) received during adjournment of the Senate in the Office of the President of the Senate on February 18, 2010; to the Committee on Commerce, Science, and Transportation.

EC–4776. A communication from the Deputy Assistant Administrator for Regulatory Programs, National Marine Fisheries Service, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled ''Fisheries of the Northeastern United States; Atlantic Mackerel, Squid, and Butterfish Fisheries; Specifications and Management Measures'' (RIN0648–AY13) received during adjournment of the Senate in the Office of the President of the Senate on February 18, 2010; to the Committee on Commerce, Science, and Transportation.

EC–4777. A communication from the Deputy Assistant Administrator for Regulatory Programs, National Marine Fisheries Service, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled ''Western Pacific Fisheries; Regulatory Restructuring'' (RIN0648–AU71) received during adjournment of the Senate in the Office of the President of the Senate on February 3, 2010; to the Committee on Commerce, Science, and Transportation.

EC–4778. A communication from the Acting Director of Sustainable Fisheries, National Marine Fisheries Service, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled ''Fisheries of the Exclusive Economic Zone Off Alaska; Pacific Cod in the Bering Sea and Aleutian Islands'' (RIN0648–XT42) received in the Office of the President of the Senate on February 2, 2010; to the Committee on Commerce, Science, and Transportation.

EC–4779. A communication from the Acting Director of Sustainable Fisheries, National Marine Fisheries Service, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled ''Magnuson-Stevens Fishery Conservation and Management Act Provisions; Fisheries of the Northeastern United States; Atlantic Sea Scallop Fishery; Closure of the Limited Access General Category Scallop Fishery to Individual Fishing Quota Scallop Vessels'' (RIN0648–XT87) received in the Office of the President of the Senate on February 2, 2010; to the Committee on Commerce, Science, and Transportation.

EC–4780. A communication from the Acting Director of Sustainable Fisheries, National Marine Fisheries Service, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled ''Fisheries of the Exclusive Economic Zone Off Alaska; Atka Mackerel Lottery in Areas 542 and 543'' (RIN0648–XT86) received in the Office of the President of the Senate on February 2, 2010; to the Committee on Commerce, Science, and Transportation.

EC–4781. A communication from the Acting Director of Sustainable Fisheries, National Marine Fisheries Service, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled ''Fisheries of the Caribbean, Gulf of Mexico, and South Atlantic; Coastal Migratory Pelagic Resources of the Gulf of Mexico and South Atlantic; Closure'' (RIN0648–XU01) received during adjournment of the Senate in the Office of the President of the Senate on February 3, 2010; to the Committee on Commerce, Science, and Transportation.

EC–4782. A communication from the Acting Director of Sustainable Fisheries, National Marine Fisheries Service, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled ''Fisheries of the Northeastern United States; Summer Flounder Fishery; Quota Transfer'' (RIN0648–XT61) received during adjournment of the Senate in the Office of the President of the Senate on February 3, 2010; to the Committee on Commerce, Science, and Transportation.

EC–4783. A communication from the Acting Director of Sustainable Fisheries, National Marine Fisheries Service, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled ''Fisheries of the Exclusive Economic Zone Off Alaska; Chiniak Gully Research Area for Vessels Using Trawl Gear'' (RIN0648–XT71) received during adjournment of the Senate in the Office of the President of the Senate on February 3, 2010; to the Committee on Commerce, Science, and Transportation.

EC–4784. A communication from the Acting Director of Sustainable Fisheries, National Marine Fisheries Service, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled ''Fisheries of the Exclusive Economic Zone Off Alaska; Pacific Cod by Vessels Participating in the Amendment 80 Limited Access Fishery in Bering Sea and Aleutian Islands Management Area'' (RIN0648–XT95) received during adjournment of the Senate in the Office of the President of the Senate on February 3, 2010; to the Committee on Commerce, Science, and Transportation.

EC–4785. A communication from the Acting Director of Sustainable Fisheries, National Marine Fisheries Service, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled ''Fisheries of the Exclusive Economic Zone Off Alaska; Atka Mackerel in the Bering Sea and Aleutian Islands Management Area'' (RIN0648–XT97) received during adjournment of the Senate in the Office of the President of the Senate on February 3, 2010; to the Committee on Commerce, Science, and Transportation.

EC–4786. A communication from the Acting Director of Sustainable Fisheries, National Marine Fisheries Service, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled ''Fisheries of the Northeastern United States; Spiny Dogfish Fishery; Commercial Period 2 Quota Harvested'' (RIN0648–XT98) received during adjournment of the Senate in the Office of the President of the Senate on February 3, 2010; to the Committee on Commerce, Science, and Transportation.

EC–4787. A communication from the Acting Director of Sustainable Fisheries, National Marine Fisheries Service, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled ''Atlantic Highly Migratory Species; Atlantic Commercial Shark Management Measures'' (RIN0648–AX95) received in the Office of the President of the Senate on January 12, 2010; to the Committee on Commerce, Science, and Transportation.

EC–4788. A communication from the Chief of Staff, Media Bureau, Federal Communications Commission, transmitting, pursuant to law, the report of a rule entitled ''Policies to Promote Rural Radio Service and to Streamline Allotment and Assignment Procedures'' (MB Docket No. 09–52) received in the Office of the President of the Senate on February 12, 2010; to the Committee on Commerce, Science, and Transportation.

EC–4789. A communication from the Chief of Staff, Media Bureau, Federal Communications Commission, transmitting, pursuant to law, the report of a rule entitled ''Review of the Commission's Program Access Rules and Examination of Programming Tying Arrangements'' (MB Docket No. 07–198) received in the Office of the President of the Senate on February 1, 2010; to the Committee on Commerce, Science, and Transportation.

EC–4790. A communication from the Senior Legal Advisor and Chief, Wireless Telecommunications Bureau, Federal Communications Commission, transmitting, pursuant to law, the report of a rule entitled ''MariTEL, Inc. and Mobex Network Services, LLC—Petitions for Rule Making to

Amend the Commission's Rules to Provide Additional Flexibility for AMTS and VHF Public Coast Station Licensees'' (FCC 10–6) received in the Office of the President of the Senate on February 12, 2010; to the Committee on Commerce, Science, and Transportation.

EC–4791. A communication from the Assistant Bureau Chief, Wireless Telecommunications Bureau, Federal Communications Commission, transmitting, pursuant to law, the report of a rule entitled ''Revisions to Rules Authorizing the Operation of Low Power Auxiliary Station in 698–806 MHz Band; Public Interest Spectrum Coalition, Petition for Rulemaking Regarding Low Power Auxiliary Stations, Including Wireless Microphones, and the Digital Television Transition; Amendment of Parts 15, 74 and 90'' (DA 10–92, WT Docket Nos. 08–166 and 167) received in the Office of the President of the Senate on February 4, 2010; to the Committee on Commerce, Science, and Transportation.

EC–4792. A communication from the Attorney Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled ''Safety Zone; Lower Mississippi River, USACE Revetment, Mile 869 to 303'' ((RIN1625–AA00)(Docket No. USG–2009–0561)) received in the Office of the President of the Senate on February 2, 2010; to the Committee on Commerce, Science, and Transportation.

EC–4793. A communication from the Secretary of the Commission, Bureau of Competition, Federal Trade Commission, transmitting, pursuant to law, the report of a rule entitled ''Notice Announcing 2010 Adjusted Thresholds for Clayton Act 7A'' received in the Office of the President of the Senate on February 2, 2010; to the Committee on Commerce, Science, and Transportation.

EC–4794. A communication from the Deputy Assistant Secretary for Export Administration, Bureau of Industry and Security, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled ''Addition of Certain Persons to the Entity List: Addition of Persons Acting Contrary to the National Security or Foreign Policy Interests of the United States'' (RIN0694–AE84) received during adjournment of the Senate in the Office of the President of the Senate on February 18, 2010; to the Committee on Commerce, Science, and Transportation.

EC–4795. A communication from the Deputy Assistant Secretary for Export Administration, Bureau of Industry and Security, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled ''Amendments to the Select Agents Controls in Export Control Classification Number (ECCN) 1C360 on the Commerce Control List (CCL); Correction to ECCN 1E998'' (RIN0694–AE67) received during adjournment of the Senate in the Office of the President of the Senate on February 18, 2010; to the Committee on Commerce, Science, and Transportation.

REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. ROCKEFELLER, from the Committee on Commerce, Science, and Transportation, with an amendment in the nature of a substitute:

S. 1224. A bill to reauthorize the Chesapeake Bay Office of the National Oceanic and Atmospheric Administration, and for other purposes (Rept. No. 111–126).

S. 2768. A bill to amend title 49, United States Code, to authorize appropriations for the National Transportation Safety Board for fiscal years 2010 through 2014, and for other purposes (Rept. No. 111–127).

INTRODUCTION OF BILLS AND JOINT RESOLUTIONS

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

By Mr. SPECTER (for himself, Mr. KAUFMAN, Mr. SCHUMER, and Ms. KLOBUCHAR):

S. 3017. A bill to protect State and local witnesses from tampering and retaliation, and for other purposes; to the Committee on the Judiciary.

By Mr. WYDEN (for himself and Mr. GREGG):

S. 3018. A bill to amend the Internal Revenue Code of 1986 to make the Federal income tax system simpler, fairer, and more fiscally responsible, and for other purposes; to the Committee on Finance.

By Mr. LIEBERMAN (for himself, Mr. SCHUMER, Mr. MERKLEY, and Mrs. GILLIBRAND):

S. 3019. A bill to authorize funding for, and increase accessibility to, the National Missing and Unidentified Persons System, to facilitate data sharing between such system and the National Crime Information Center database of the Federal Bureau of Investigation, to provide incentive grants to help facilitate reporting to such systems, and for other purposes; to the Committee on the Judiciary.

By Ms. SNOWE (for herself, Ms. LANDRIEU, Mr. BOND, and Mr. MERKLEY):

S. 3020. A bill to direct the Administrator of the Small Business Administration to reform and improve the HUBZone program for small business concerns, and for other purposes; to the Committee on Small Business and Entrepreneurship.

By Mr. FEINGOLD (for himself and Mr. ENSIGN):

S. 3021. A bill to amend the Public Utility Regulatory Policies Act of 1978 to authorize the Secretary of Energy to promulgate regulations to allow electric utilities to use renewable energy to comply with any Federal renewable electricity standard, and for other purposes; to the Committee on Energy and Natural Resources.

By Mr. MCCAIN (for himself, Mr. LIEBERMAN, Mr. KYL, Mr. DURBIN, Mr. BAYH, Mr. GRAHAM, Mrs. GILLIBRAND, Mr. THUNE, Mr. CASEY, Mr. CORNYN, Ms. COLLINS, Mr. KAUFMAN, Mr. VITTER, Mr. BROWNBACK, and Mr. LEVIN):

S. 3022. A bill to impose sanctions on 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, and for other purposes; to the Committee on Banking, Housing, and Urban Affairs.

By Mr. SANDERS:

S. 3023. A bill to phase out the use of private military contractors; to the Committee on Armed Services.

By Ms. SNOWE (for herself and Mr. PRYOR):

S. 3024. A bill to ensure that the creation of jobs by small businesses is considered during the Federal legislative and rulemaking process, and for other purposes; to the Committee on Homeland Security and Governmental Affairs.

By Mr. MERKLEY:

S. 3025. A bill to amend the Federal Water Pollution Control Act to provide assistance for programs and activities to protect and restore the water quality of the Columbia River Basin, and for other purposes; to the Committee on Environment and Public Works.

By Mr. BAYH (for himself and Mr. MCCAIN):

S. 3026. A bill to provide fiscal discipline through a freeze on spending and budget process reforms; to the Committee on the Budget.

By Ms. KLOBUCHAR (for herself and Mr. THUNE):

S. 3027. A bill to prevent the inadvertent disclosure of information on a computer through certain ''peer-to-peer'' file sharing programs without first providing notice and obtaining consent from an owner or authorized user of the computer; to the Committee on Commerce, Science, and Transportation.

SUBMISSION OF CONCURRENT AND SENATE RESOLUTIONS

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

By Ms. LANDRIEU (for herself, Mrs. LINCOLN, Mr. CHAMBLISS, Mrs. SHAHEEN, Ms. MURKOWSKI, Mr. BARRASSO, Mr. BYRD, and Mr. BENNETT):

S. Res. 419. A resolution supporting the goals and ideals of ''National Guard Youth Challenge Day''; to the Committee on the Judiciary.

By Mr. INHOFE (for himself and Mr. COBURN):

S. Res. 420. A resolution honoring the members of the Army National Guard and Air National Guard of the State of Oklahoma for their service and sacrifice on behalf of the United States since September 11, 2001; to the Committee on Armed Services.

ADDITIONAL COSPONSORS

S. 553

At the request of Ms. KLOBUCHAR, the name of the Senator from Minnesota (Mr. FRANKEN) was added as a cosponsor of S. 553, a bill to revise the authorized route of the North Country National Scenic Trail in northeastern Minnesota to include existing hiking trails along Lake Superior's north shore and in Superior National Forest and Chippewa National Forest, and for other purposes.

S. 686

At the request of Ms. MIKULSKI, the name of the Senator from South Dakota (Mr. JOHNSON) was added as a cosponsor of S. 686, a bill to establish the Social Work Reinvestment Commission to advise Congress and the Secretary of Health and Human Services on policy issues associated with the profession of social work, to authorize the Secretary to make grants to support recruitment for, and retention, research, and reinvestment in, the profession, and for other purposes.

S. 729

At the request of Mr. DURBIN, the name of the Senator from Rhode Island (Mr. REED) was added as a cosponsor of S. 729, a bill to amend the Illegal Immigration Reform and Immigrant Responsibility Act of 1996 to permit States to determine State residency for higher education purposes and to authorize

the cancellation of removal and adjustment of status of certain alien students who are long-term United States residents and who entered the United States as children, and for other purposes.

S. 749

At the request of Mr. COCHRAN, the name of the Senator from Maryland (Ms. MIKULSKI) was added as a cosponsor of S. 749, a bill to improve and expand geographic literacy among kindergarten through grade 12 students in the United States by improving professional development programs for kindergarten through grade 12 teachers offered through institutions of higher education.

S. 841

At the request of Mr. KERRY, the name of the Senator from Illinois (Mr. BURRIS) was added as a cosponsor of S. 841, a bill to direct the Secretary of Transportation to study and establish a motor vehicle safety standard that provides for a means of alerting blind and other pedestrians of motor vehicle operation.

S. 870

At the request of Mrs. LINCOLN, the name of the Senator from Arkansas (Mr. PRYOR) was added as a cosponsor of S. 870, a bill to amend the Internal Revenue Code of 1986 to expand the credit for renewable electricity production to include electricity produced from biomass for on-site use and to modify the credit period for certain facilities producing electricity from open-loop biomass.

S. 910

At the request of Mr. WARNER, the name of the Senator from Florida (Mr. LEMIEUX) was added as a cosponsor of S. 910, a bill to amend the Emergency Economic Stabilization Act of 2008, to provide for additional monitoring and accountability of the Troubled Asset Relief Program.

S. 941

At the request of Mr. CRAPO, the name of the Senator from Texas (Mr. CORNYN) was added as a cosponsor of S. 941, a bill to reform the Bureau of Alcohol, Tobacco, Firearms, and Explosives, modernize firearm laws and regulations, protect the community from criminals, and for other purposes.

S. 1055

At the request of Mrs. BOXER, the name of the Senator from Michigan (Ms. STABENOW) was added as a cosponsor of S. 1055, a bill to grant the congressional gold medal, collectively, to the 100th Infantry Battalion and the 442nd Regimental Combat Team, United States Army, in recognition of their dedicated service during World War II.

S. 1183

At the request of Mr. DURBIN, the name of the Senator from New Jersey (Mr. LAUTENBERG) was added as a cosponsor of S. 1183, a bill to authorize the Secretary of Agriculture to provide assistance to the Government of Haiti to end within 5 years the deforestation in Haiti and restore within 30 years the extent of tropical forest cover in existence in Haiti in 1990, and for other purposes.

S. 1269

At the request of Ms. KLOBUCHAR, the name of the Senator from Minnesota (Mr. FRANKEN) was added as a cosponsor of S. 1269, a bill to provide for enhanced foodborne illness surveillance and food safety capacity, to establish regional food safety centers of excellence, and for other purposes.

S. 1350

At the request of Mr. PRYOR, the name of the Senator from Alaska (Mr. BEGICH) was added as a cosponsor of S. 1350, a bill to encourage increased production of natural gas and liquified petroleum gas vehicles and to provide tax incentives for natural gas and liquefied petroleum gas vehicle infrastructure, and for other purposes.

S. 1492

At the request of Ms. MIKULSKI, the name of the Senator from Alaska (Mr. BEGICH) was added as a cosponsor of S. 1492, a bill to amend the Public Health Service Act to fund breakthroughs in Alzheimer's disease research while providing more help to caregivers and increasing public education about prevention.

S. 1553

At the request of Mr. GRASSLEY, the name of the Senator from Minnesota (Mr. FRANKEN) was added as a cosponsor of S. 1553, a bill to require the Secretary of the Treasury to mint coins in commemoration of the National Future Farmers of America Organization and the 85th anniversary of the founding of the National Future Farmers of America Organization.

S. 1652

At the request of Mr. HARKIN, the name of the Senator from Washington (Mrs. MURRAY) was added as a cosponsor of S. 1652, a bill to amend part B of the Individuals with Disabilities Education Act to provide full Federal funding of such part.

S. 1733

At the request of Mrs. BOXER, the name of the Senator from Maryland (Mr. CARDIN) was added as a cosponsor of S. 1733, a bill to create clean energy jobs, promote energy independence, reduce global warming pollution, and transition to a clean energy economy.

S. 1859

At the request of Mr. ROCKEFELLER, the name of the Senator from Minnesota (Ms. KLOBUCHAR) was added as a cosponsor of S. 1859, a bill to reinstate Federal matching of State spending of child support incentive payments.

S. 1931

At the request of Mr. AKAKA, the name of the Senator from West Virginia (Mr. BYRD) was added as a cosponsor of S. 1931, a bill to enhance the ability of Congress to oversee matters pertaining to nuclear nonproliferation identified in the findings and recommendations of the December 2008 Report of the Commission on the Prevention of Weapons of Mass Destruction Proliferation and Terrorism, and for other purposes.

S. 2734

At the request of Mr. FRANKEN, the name of the Senator from Indiana (Mr. BAYH) was added as a cosponsor of S. 2734, a bill to amend the Public Health Service Act with respect to the prevention of diabetes, and for other purposes.

S. 2736

At the request of Mr. FRANKEN, the name of the Senator from North Carolina (Mrs. HAGAN) was added as a cosponsor of S. 2736, a bill to reduce the rape kit backlog and for other purposes.

S. 2750

At the request of Mr. SCHUMER, the names of the Senator from North Carolina (Mrs. HAGAN) and the Senator from Louisiana (Mr. VITTER) were added as cosponsors of S. 2750, a bill to amend the Public Health Service Act to authorize the Secretary of Health and Human Services to make grants to eligible States for the purpose of reducing the student-to-school nurse ratio in public secondary schools, elementary schools, and kindergarten.

S. 2755

At the request of Mr. MENENDEZ, the name of the Senator from Alaska (Mr. BEGICH) was added as a cosponsor of S. 2755, a bill to amend the Internal Revenue Code of 1986 to provide an investment credit for equipment used to fabricate solar energy property, and for other purposes.

S. 2781

At the request of Ms. MIKULSKI, the name of the Senator from Alaska (Ms. MURKOWSKI) was added as a cosponsor of S. 2781, a bill to change references in Federal law to mental retardation to references to an intellectual disability, and to change references to a mentally retarded individual to references to an individual with an intellectual disability.

S. 2796

At the request of Mr. ENZI, the name of the Senator from Utah (Mr. BENNETT) was added as a cosponsor of S. 2796, a bill to extend the authority of the Secretary of Education to purchase guaranteed student loans for an additional year, and for other purposes.

S. 2803

At the request of Mr. CASEY, the name of the Senator from North Carolina (Mrs. HAGAN) was added as a cosponsor of S. 2803, a bill to direct the Secretary of Health and Human Services to encourage research and carry out an educational campaign with respect to pulmonary hypertension, and for other purposes.

S. 2816

At the request of Mr. BUNNING, the name of the Senator from Minnesota (Ms. KLOBUCHAR) was added as a cosponsor of S. 2816, a bill to repeal the

sunset of the Economic Growth and Tax Relief Reconciliation Act of 2001 with respect to the expansion of the adoption credit and adoption assistance programs and to allow the adoption credit to be claimed in the year expenses are incurred, regardless of when the adoption becomes final.

S. 2904

At the request of Mr. FRANKEN, the name of the Senator from Oregon (Mr. MERKLEY) was added as a cosponsor of S. 2904, a bill to amend title 10, United States Code, to require emergency contraception to be available at all military health care treatment facilities.

S. 2925

At the request of Mr. WYDEN, the name of the Senator from Oregon (Mr. MERKLEY) was added as a cosponsor of S. 2925, a bill to establish a grant program to benefit victims of sex trafficking, and for other purposes.

S. RES. 412

At the request of Mrs. GILLIBRAND, the name of the Senator from Colorado (Mr. UDALL) was added as a cosponsor of S. Res. 412, a resolution designating September 2010 as ''National Childhood Obesity Awareness Month''.

S. RES. 414

At the request of Mr. KERRY, the name of the Senator from Maryland (Mr. CARDIN) was added as a cosponsor of S. Res. 414, a resolution expressing the Sense of the Senate on the recovery, rehabilitation, and rebuilding of Haiti following the humanitarian crisis caused by the January 12, 2010, earthquake in Haiti.

STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Mr. SPECTER (for himself, Mr. KAUFMAN, Mr. SCHUMER, and Ms. KLOBUCHAR):

S. 3017. A bill to protect State and local witnesses from tampering and retaliation, and for other purposes; to the Committee on the Judiciary.

Mr. SPECTER. Mr. President, I have sought recognition to introduce legislation to make it a Federal offense to intimidate or threaten a witness in a State court proceeding.

This legislation I believe to be necessary based upon some very disastrous experiences in the criminal courts in Philadelphia, as evidenced by a lengthy series of articles in the Philadelphia Inquirer and a field hearing which the Judiciary Subcommittee on Crime and Drugs held in Philadelphia. What has occurred is that in many instances, witnesses are intimidated—even murdered—to prevent them from testifying.

The crime scenes in our big cities are atrocious. I spent eight years as the district attorney of Philadelphia. When I left that position, I didn't think the crime problem could be worse, but regrettably it is now, in many aspects. One of the aspects has been for the young thugs who are under accusation or friends of those who are under charge to go to the witnesses and terrify them and even murder them. During the course of the field hearing, we had two parents testify about how their children were brutally murdered.

It is a violation of State law to intimidate a witness, but making it a Federal offense imports a great deal more pressure, more power to the situation. People do not like the Federal presence, the initiation of a criminal case, the investigation by the FBI, and the treatment of the Federal courts is materially different—at least in Philadelphia—than it is in the State court proceedings.

I think this kind of legislation would be very salutary. If you don't have the integrity of the judicial process protected, it is a very sad day in the administration of justice. I introduced this legislation on behalf of Senator SCHUMER, Senator KLOBUCHAR, and Senator KAUFMAN.

Mr. President, I ask unanimous consent that the full text of my statement and the text of the bill be printed in the RECORD.

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

Mr. SPECTER. Mr. President, I have sought recognition to introduce the State Witness Protection Act of 2010. I am joined on this legislation by Senators Kaufman, Schumer and Klobuchar as original cosponsors.

As reported by the Philadelphia Inquirer on December 14, 2009, ''[p]rosecutors, detectives, and even some defense attorneys say witness fear has become an unspoken factor in virtually every court case involving violent crime in Philadelphia. Reluctant or terrified witnesses routinely fail to appear in court, and when they do, they often recant their earlier testimony or statement to police.''

One Philadelphia Assistant District Attorney is quoted in the article saying that at least one witness in every murder trial recants. As a result, Assistant District Attorneys learn to ''lock in'' witness testimony early with signed statements and testimony under oath, and are expert in cross-examining witnesses who ''go south.'' At times, the prosecutors are forced to lock up witnesses on material witness warrants to assure their appearance at trial.

In Philadelphia between 2006 and 2008, the District Attorney's Office filed witness intimidation charges against approximately 1,000 individuals. Their conviction rate on these charges, however, is only 28%.

Witness intimidation and violent crime are problems that I have worked on for decades, since I was an Assistant District Attorney and later District Attorney in Philadelphia, and on the Judiciary Committee, where I have served since 1981 when I was sworn in.

Criminal trials cannot proceed unless there are witnesses, and if witnesses are subject to intimidation or even worse, murdered, criminal cases cannot go forward. And unless witnesses can be assured they will be protected, the problem of witness intimidation cannot be expected to go away.

Philadelphia's witness intimidation problems are similar to those faced by many communities in our country. A recent Op-Ed in the Chicago Tribune stated that witnesses often want to cooperate with police, but the risk of retribution is too great. The article posed the following question ''What would happen if we diminished the risk and created a greater sense of assurance that the law would do its job in actually making the streets safe as well as protecting those who decide to turn killers in?''

On January 8, 2010, I chaired a field hearing in Philadelphia for the Senate Judiciary Subcommittee on Crime and Drugs on witness intimidation to explore how law enforcement can better protect witnesses. Two parents—each who lost a child to gun violence—testified. Barbara Clowden told us that her son Eric Hayes, 17 years old, was killed just two days before he was to testify in an arson trial in Philadelphia. Because Eric's life had been threatened, in January 2006 his family entered into the city's witness relocation program. Eventually the money from the program ran out and they had to relocate to Northeast Philadelphia where Eric was murdered. No one to date has been convicted of Eric's murder.

Ted Canada is a Philadelphia resident and SEPTA bus driver. In 2005, his son Lamar Canada was shot 12 times and killed by Dominick Peoples and another unidentified shooter in Philadelphia over a gambling debt. One witness to the shooting, Johnta Gravitt, 17 years old, was murdered 10 days after he testified at the preliminary hearing and identified Peoples as one of the shooters. Another witness initially cooperated but after his statement to the police was publicly posted in his neighborhood identifying him as a ''snitch,'' he recanted. Peoples, nevertheless, was convicted.

The most notorious example of witness intimidation in Philadelphia involves Kaboni Savage, a drug kingpin who was federally indicted last April on racketeering and murder charges for retaliating against his former drug associate, Eugene Coleman. Coleman had agreed to testify against Savage in a federal trial. The federal charges allege that to retaliate for this, Savage orchestrated the firebombing of Coleman's family home on the 3200 block of North 6th Street in Philadelphia during the early morning hours of October 9, 2004. Killed in the fire were Coleman's mother, Marcella Coleman (age 54); Coleman's infant son, Damir Jenkins (15 months old); Marcella Coleman's niece, Tameka Nash (age 34), and her daughter, Khadjah Nash (age 10); Marcella Coleman's grandson, Tahj Porchea (age 12); and a family friend, Sean Rodriguez (age 15). In a conversation secretly recorded by court authorized wiretaps, Savage explained how witness intimidation works, ''Without the witnesses, you don't have no case . . . No witness, no crime.''

The witness intimidation problem is exacerbated by internet sites, such as whosarat.com, which expose the identities of witnesses and government informants. Gang members and criminals are becoming more computer savvy. They use the internet to find out who may be a cooperating witness by accessing public court dockets. They also access other sites to locate these individuals. With this information obtained anonymously through the internet, gang members and other criminals can easily threaten or harm witnesses, as well as their family members.

It is imperative that we find a way to make people feel safe if they step forward and provide information to law enforcement. As Philadelphia Police Commissioner Charles H. Ramsey testified at the Subcommittee hearing, ''the only way we're going to deal with crime in communities is when the community steps forward, but they have to feel comfortable in doing so and know they have support.''

To better protect state witnesses from witness tampering and witness retaliation, I am introducing today The State Witness Protection Act of 2010, a bill that ensures that state witnesses will receive the same protections

from actions of intimidation and retaliation as federal witnesses have under federal law. Making this a federal offense and bringing in the FBI to investigate, as Commissioner Ramsey testified, ''would make a tremendous difference and make people think twice before they'' engaged in witness intimidation He explained it this way—

I just think the whole environment or atmosphere when you go into a Federal court versus a local court is just somewhat different, and they [defendants] haven't been exposed to it that often. I just think it has an impact in the feedback I've gotten from people on both sides, whether it's another law enforcement agency or from a person who's been in the criminal justice system. They do not want to go into Federal court. (Tr. At 16).

The bill, which tracks the language of 18 U.S.C. §§1512 and 1513, provides the same penalties as now provided in federal court for witness tampering in state court proceedings. For state court proceedings, the bill makes it a federal offense to kill, physically harm, threaten to physically harm, harass, or intimidate, or offer anything of value to, a state court witness or victim if done—

with the intent to influence another person's testimony;

with the intent to induce another to withhold testimony or records, alter or destroy evidence, evade legal process, or be absent from a state proceeding if that person has been summoned by legal process;

with the intent to hinder or prevent a person from providing information to law enforcement; or

with the intent to retaliate against anyone for being a witness or providing testimony or information to law enforcement.

Federal jurisdiction is established by prosecuting only cases where there are communications in furtherance of the offense by mail, interstate or foreign commerce by any means, including computer, interstate or foreign travel in furtherance of the commission of the offense, or the use of weapons which have been shipped or transported across state lines. Any attempt or conspiracy to commit these same offenses is also illegal and subject to the same penalties. And finally, the bill provides for specific guideline enhancements for all obstruction offenses.

The message must be sent loud and clear that serious penalties will be imposed on those who dare to attempt to obstruct justice in our country. The ''State Witness Protection Act of 2010'' is a strong means of delivering that necessary message.

S. 3017

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 ''State Witness Protection Act of 2010''.

SEC. 2. PROTECTION OF STATE AND LOCAL WITNESSES.

(a) IN GENERAL.—Chapter 73 of title 18, United States Code, is amended by adding at the end the following:

''§1522. State and local witness tampering and retaliation

''(a) DEFINITIONS.—In this section—

''(1) the term 'State official proceeding' means a proceeding before a judge or court of a State or political subdivision thereof; and

''(2) the term 'physical force' has the meaning given the term in section 1515.

''(b) TAMPERING AND RETALIATION.—It shall be unlawful, in a circumstance described in subsection (c), for a person to kill, attempt to kill, use physical force or the threat of physical force against, harass, intimidate or attempt to intimidate, or offer anything of value to, another individual, with the intent to—

''(1) influence, delay, or prevent the testimony or attendance of any person in a State official proceeding;

''(2) prevent the production of a record, document, or other object, in a State official proceeding;

''(3) cause or induce any person to—

''(A) withhold testimony, or withhold a record, document, or other object from a State official proceeding;

''(B) alter, destroy, mutilate, or conceal an object with intent to impair the integrity or availability of the object for use in a State official proceeding;

''(C) evade legal process summoning that person to appear as a witness, or to produce a record, document or other object in a State official proceeding; or

''(D) be absent from a State official proceeding to which that person has been summoned by legal process;

''(4) hinder, delay, or prevent the communication by any person to a law enforcement officer or judge of a State, or political subdivision thereof, of information relating to the violation or possible violation of a law of a State or political subdivision thereof, or a violation of conditions of probation, parole, or release pending judicial proceedings; or

''(5) retaliate against any person for—

''(A) the attendance of a witness or party at a State official proceeding, or any testimony given or any record, document, or other object produced by a witness in a State official proceeding; or

''(B) providing to a law enforcement officer any information relating to the violation or possible violation of a law of a State or political subdivision thereof, or a violation of conditions of probation, supervised release, parole, or release pending judicial proceedings.

''(c) CIRCUMSTANCES.—A circumstance described in this subsection is that—

''(1) any communication involved in or made in furtherance of the offense is communicated or transported by the mail, or in interstate or foreign commerce by any means, including by computer, or any means or instrumentality of interstate or foreign commerce is otherwise used in committing or in furtherance of the commission of the offense;

''(2) any person travels or is transported in interstate or foreign commerce in the course of the commission of or in furtherance of the commission of the offense; or

''(3) any weapon, including a firearm, shipped or transported across State lines or in interstate or foreign commerce is used in committing or in furtherance of the commission of the offense.

''(d) PENALTIES.—

''(1) IN GENERAL.—Any person that violates this section—

''(A) in the case of a killing, shall be punished as provided under sections 1111 and 1112;

''(B) in the case of an attempt to murder, or the use or attempted use of physical force against any person, shall be fined under this title, or imprisoned for not more than 30 years, or both; and

''(C) in the case of any other violation of this section, shall be fined under this title, imprisoned for not more than 20 years, or both.

''(2) EXCEPTION.—If the offense under this section occurs in connection with a trial of a criminal case, the maximum term of imprisonment that may be imposed for the offense shall be the higher of—

''(A) the penalty described in paragraph (1); or

''(B) the maximum term that could have been imposed for any offense charged in the criminal case.

''(3) ATTEMPT AND CONSPIRACY.—Any person who attempts or conspires to commit any offense under this section shall be subject to the same penalties as those prescribed for the offense, the commission of which was the object of the attempt or conspiracy.

''(e) AFFIRMATIVE DEFENSE.—It is an affirmative defense to a prosecution under this section, which the defendant shall prove by a preponderance of the evidence, that the conduct committed by the defendant—

''(1) consisted solely of lawful conduct; and

''(2) that the sole intention of the defendant was to encourage, induce, or cause the other person to testify truthfully.

''(f) PENDING PROCEEDING; EVIDENTIARY VALUE.—For the purposes of this section—

''(1) a State official proceeding need not be pending or about to be instituted at the time of the offense; and

''(2) the testimony, or the record, document, or other object obstructed, tampered, or retaliated against by the defendant need not be admissible in evidence or free of a claim of privilege.

''(g) INTENT.—In a prosecution for an offense under this section, the state of mind need not be proved with respect to—

''(1) a State official proceeding before a judge, court, magistrate judge, or grand jury being before a judge or court of a State or political subdivision thereof;

''(2) a judge being a judge of a State or political subdivision thereof; or

''(3) a law enforcement officer being an officer or employee of the State or political subdivision thereof.

''(h) VENUE.—A prosecution brought under this section may be brought—

''(1) in the district in which the State official proceeding (whether or not pending or about to be instituted) was intended to be affected; or

''(2) in the district which the conduct constituting the alleged offense occurred.''.

(b) TECHNICAL AND CONFORMING AMENDMENT.—The table of contents for chapter 73 of title 18, United States Code, is amended by adding at the end the following:

''1522. State and local witness tampering and retaliation.''.

SEC. 3. SENTENCING GUIDELINES ENHANCEMENT.

Pursuant to its authority under section 994 of title 28, United States Code, and in accordance with this section, the United States Sentencing Commission shall amend the Federal Sentencing Guidelines to increase the guideline range for Obstruction of Justice, §2J1.2, as follows—

(1) by 2 levels if the defendant threatened or harmed 1 or more individuals on more than 1 occasion;

(2) by 2 levels if the defendant accepted or paid a bribe or payoff as part of a scheme to obstruct justice;

(3) by 2 levels if the defendant destroyed or caused the destruction of documents on a computer; and

(4) by 6 levels if the offense resulted in substantial interference with the administration of justice.

By Mr. LIEBERMAN (for himself, Mr. SCHUMER, Mr. MERKLEY, and Mrs. GILLIBRAND):

S. 3019. A bill to authorize funding for, and increase accessibility to, the National Missing and Unidentified Persons System, to facilitate data sharing between such system and the National Crime Information Center database of

the Federal Bureau of Investigation, to provide incentive grants to help facilitate reporting to such systems, and for other purposes; to the Committee on the Judiciary.

Mr. LIEBERMAN. Mr. President, I rise to speak about the Help Find the Missing Act, otherwise known as Billy's Law, which I am introducing today along with my colleagues, Senators SCHUMER, GILLIBRAND and MERKLEY.

I was introduced to the issues Billy's Law addresses by two of my constituents, Jan and Bill Smolinski, who have lived through a parent's worst nightmare: the disappearance of their son.

On the afternoon of August 24, 2004, then-31-year-old Billy Smolinski disappeared without a trace. He left behind a dog he loved and his brandnew house; a truck with his keys and wallet still inside; and parents who have spent every day since searching for him and praying for his return. One moment he was there, asking his neighbors to look after his dog for a few days, and the next he was gone without explanation.

Jan and Bill Smolinski have spent countless hours working with law enforcement to try to find Billy. Through that experience, they discovered that we do a poor job managing data about missing adults. The bill we are introducing today will help correct those shortcomings so that families in similar situations can focus only on their missing loved ones and not have to worry that their agony will be prolonged simply because we fail to keep track of—and share—critical identifying data.

Billy's Law does three things: It facilitates the sharing of data about missing people between agencies; it requires law enforcement to compile and track missing persons data that is not currently being collected consistently; and it provides funding to improve, monitor, and maintain that data.

It is my hope that no parent will ever have to experience what Jan and Bill Smolinski are going through, and, as a parent, my heart truly goes out to them. Passing Billy's Law will help give families of missing adults confidence that we are doing everything we can to carefully track the information necessary to locate their loved ones.

By Ms. SNOWE (for herself, Ms. LANDRIEU, Mr. BOND, and Mr. MERKLEY):

S. 3020. A bill to direct the Administrator of the Small Business Administration to reform and improve the HUBZone program for small business concerns, and for other purposes; to the Committee on Small Business and Entrepreneurship.

Ms. SNOWE. Mr. President, I rise today, along with Senators LANDRIEU, BOND, and MERKLEY to introduce the Historically Underutilized Business Zone, HUBZone, Improvement Act of 2010. This vital piece of bipartisan legislation is similar to that which I introduced in the 110th Congress, S. 3699. The purpose of the bill is to help ensure that only eligible firms participate in the critical HUBZone program by requiring that the Small Business Administration, SBA, implement Government Accountability Office, GAO, recommendations for improving the management, oversight and evaluation of the program.

As former Chair and now Ranking Member of the Senate Committee on Small Business and Entrepreneurship, I have long championed critical small business programs such as the HUBZone program, which provides Federal contracting opportunities to small firms located in economically distressed areas.

The program is devised to help stimulate economic development and job creation. In these troubled economic times, a properly functioning HUBZone program is essential for nation-wide economic recovery. According to the SBA, as of October 2009, 21,222 certified businesses have participated in the HUBZone program since its inception in 1997. In fiscal year 2008, HUBZone firms were awarded approximately $10.1 billion in Federal contracts. And let there be no doubt—with the Federal Government contracting for over $500 billion in goods and services in fiscal year 2009 alone—we must have a robust and trustworthy HUBZone program for small businesses to continue generating jobs in our nation's most economically distressed communities.

The GAO has issued multiple reports detailing fraud and abuses within the HUBZone program. Alarmingly, the GAO found that the mechanisms the SBA uses to certify and monitor HUBZone firms provide limited assurance that only eligible firms participate in the program. The GAO specifically stated that the ''SBA's control weaknesses exposed the government to fraud and abuse.'' The GAO also had concerns that the SBA had no mechanisms to adequately assess program results.

The legislation I am introducing today would take immediate steps to rectify the serious issues that GAO found. The bill requires the SBA to implement the GAO recommendations resulting from the study and audits. These include maintaining an accurate, correct and up-to-date map; implementing policies that ensure that only eligible firms participate in the program; employing appropriate technology to control costs and maximize other benefits, such as uniformity, completeness, simplification and efficiency; notifying the Congressional Small Business Committees of any backlogs in applications and recertifications with plans and timetables for eliminating the backlogs; and implementing plans to assess the effectiveness of the HUBZone program.

Moreover, the Federal Government must strive to continue to provide maximum practicable contracting opportunities to those who are legitimate HUBZone firms. I am dismayed by the myriad ways that government departments and agencies have time and again egregiously failed to meet most of their statutory small business contracting goals. I am alarmed that only one Federal small business contracting program—the Small Disadvantaged Business program—has met its statutory goal, and that the three other small business goaling programs have all fallen drastically short. In fiscal year 2008, the Federal Government met only 2.34 percent of its 3 percent government-wide goal for the HUBZone program. Even worse, the Federal Government missed meeting its overall goal for small business contracting by almost 2 percent, depriving small businesses of over $10 billion.

I am confident that this legislation will require the changes necessary to eliminate fraud while paving the way for the Federal Government to maximize the use of this contracting vehicle. In turn, qualified HUBZone firms will provide the essential job creation and economic development necessary in their respective communities. The HUBZone program is a tremendous tool for replacing lost jobs across all industry sectors in distressed geographic areas, and clearly, this program should be better utilized.

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

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

S. 3020

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 ''HUBZone Improvement Act of 2010''.

SEC. 2. DEFINITIONS.

In this Act—

(1) the terms ''Administration'' and ''Administrator'' mean the Small Business Administration and the Administrator thereof, respectively;

(2) the terms ''HUBZone'' and ''HUBZone small business concern'' and ''HUBZone map'' have the meanings given those terms in section 3(p) of the Small Business Act (15 U.S.C. 632(p)), as amended by this Act; and

(3) the term ''recertification'' means a determination by the Administrator that a business concern that was previously determined to be a qualified HUBZone small business concern is a qualified HUBZone small business concern under section 3(p)(5) of the Small Business Act (15 U.S.C. 632(p)(5)).

SEC. 3. PURPOSE; FINDINGS.

(a) PURPOSE.—The purpose of this Act is to reform and improve the HUBZone program of the Administration.

(b) FINDINGS.—Congress finds that—

(1) the HUBZone program was established under the HUBZone Act of 1997 (Public Law 105–135; 111 Stat. 2627) to stimulate economic development through increased employment and capital investment by providing Federal contracting preferences to small business concerns in those areas, including inner cities and rural counties, that have low household incomes, high unemployment, and suffered from a lack of investment; and

(2) according to the Government Accountability Office, the weakness in the oversight

of the HUBZone program by the Administration has exposed the Government to fraud and abuse.

SEC. 4. HUBZONE IMPROVEMENTS.

The Administrator shall—

(1) ensure the HUBZone map—

(A) is accurate and up-to date; and

(B) revised as new data is made available to maintain the accuracy and currency of the HUBZone map;

(2) implement policies for ensuring that only HUBZone small business concerns determined to be qualified under section 3(p)(5) of the Small Business Act (15 U.S.C. 632(p)(5)) are participating in the HUBZone program, including through the appropriate use of technology to control costs and maximize, among other benefits, uniformity, completeness, simplicity, and efficiency;

(3) submit to the Committee on Small Business and Entrepreneurship of the Senate and the Committee on Small Business of the House of Representatives a report regarding any application to be designated as a HUBZone small business concern or for recertification for which the Administrator has not made a determination as of the date that is 60 days after the date on which the application was submitted or initiated, which shall include a plan and timetable for ensuring the timely processing of the applications; and

(4) develop measures and implement plans to assess the effectiveness of the HUBZone program that—

(A) require the identification of a baseline point in time to allow the assessment of economic development under the HUBZone program, including creating additional jobs; and

(B) take into account—

(i) the economic characteristics of the HUBZone; and

(ii) contracts being counted under multiple socioeconomic subcategories.

SEC. 5. EMPLOYMENT PERCENTAGE.

Section 3(p) of the Small Business Act (15 U.S.C. 632(p)) is amended—

(1) in paragraph (5), by adding at the end the following:

''(E) EMPLOYMENT PERCENTAGE DURING INTERIM PERIOD.—

''(i) DEFINITION.—In this subparagraph, the term 'interim period' means the period beginning on the date on which the Administrator determines that a HUBZone small business concern is qualified under subparagraph (A) and ending on the day before the date on which a contract under the HUBZone program for which the HUBZone small business concern submits a bid is awarded.

''(ii) INTERIM PERIOD.—During the interim period, the Administrator may not determine that the HUBZone small business is not qualified under subparagraph (A) based on a failure to meet the applicable employment percentage under subparagraph (A)(i)(I), unless the HUBZone small business concern—

''(I) has not attempted to maintain the applicable employment percentage under subparagraph (A)(i)(I); or

''(II) does not meet the applicable employment percentage—

''(aa) on the date on which the HUBZone small business concern submits a bid for a contract under the HUBZone program; or

''(bb) on the date on which the HUBZone small business concern is awarded a contract under the HUBZone program.''; and

(2) by adding at the end the following:

''(8) HUBZONE PROGRAM.—The term 'HUBZone program' means the program established under section 31.

''(9) HUBZONE MAP.—The term 'HUBZone map' means the map used by the Administration to identify HUBZones.''.

SEC. 6. REDESIGNATED AREAS.

Section 3(p)(4)(C)(i) of the Small Business Act (15 U.S.C. 632(p)(4)(C)(i)) is amended to read as follows:

''(i) 3 years after the first date on which the Administrator publishes a HUBZone map that is based on the results from the 2010 decennial census; or''.

By Mr. FEINGOLD (for himself and Mr. ENSIGN):

S. 3021. A bill to amend the Public Utility Regulatory Policies Act of 1978 to authorize the Secretary of Energy to promulgate regulations to allow electric utilities to use renewable energy to comply with any Federal renewable electricity standard, and for other purposes; to the Committee on Energy and Natural Resources.

Mr. FEINGOLD. Mr. President, today I am introducing the Support Renewable Energy Act of 2010 with my colleague, Senator ENSIGN. This bill would modify the Renewable Electricity Standard currently drafted in the American Clean Energy Leadership Act to ensure that all forms of renewable energy qualify.

I am pleased that the Senate is again considering the implementation of a Renewable Electricity Standard that will encourage the development and deployment of new and existing renewable energy technologies. However, as the proposed Renewable Electricity Standard is currently drafted, only electricity-producing renewable technologies would qualify. This would exclude direct use renewable energy technologies that displace the need for electricity, rather than produce electricity.

Our legislation would modify the definition of renewable energy as it applies to the draft Renewable Electricity Standard to include customer-sited renewable energy equipment. Specific examples of these direct use technologies are solar water heating, solar space heating and cooling, solar daylight and light-pipe technology, biogas, and ground source geothermal heat pumps. These technologies can be used in homes and businesses to provide light, heating, and cooling directly—without the need for electricity from the grid. This legislation will allow utilities to generate renewable energy credits equal to the electricity or thermal energy displaced by direct use renewable energy technologies in order to meet a Renewable Electricity Standard.

In addition to the reduced stress on our overburdened electricity transmission grid, the incentivized production and installation of these renewable technologies would spur the growth of green, sustainable jobs. One example of the potential for job creation was provided to me by Orion Energy Systems in my home State of Wisconsin. Orion manufactures light-pipes, which captures natural light on a roof and transfers that light through a pipe to a ceiling, where it is diffused to light a room, like a traditional light bulb. Because light pipes uses solar energy directly to produce light, rather than generate electricity, this innovative technology would not qualify as renewable energy under the draft Renewable Electricity Standard.

Orion has already retrofitted approximately 5,000 facilities with improved lighting technology nationwide. With about 400 lighting fixtures on average, if these same facilities decided to upgrade to the light-pipe technology it would take between 6 million and 10 million man-hours to install. These would be jobs for roofers and carpenters at a time when the construction industry is badly in need of work.

Direct use renewable energy technologies have significant environmental benefits. The energy savings from retrofitting these facilities with the light-pipe would amount to a savings of between 915 and 1,934 gigawatts of electricity per year, which amounts to the energy equivalent of 343 to 725 million tons of coal that would not have to be burned, avoiding the release of between 0.6 and 1.28 million tons of carbon dioxide from entering the atmosphere. In addition, the users of this technology will save money on their electric bill, which could then be used for other things, like hiring new employees or increasing salaries.

This is just one company and one of the many technologies that would qualify for the expanded Renewable Electricity Standard under our legislation. This is clearly a win-win-win situation for jobs, the facilities that install the technologies and save on energy costs, and for the environment.

Direct use renewable energy technology is cost-effective, can be deployed locally, requires no new transmission infrastructure, and can be utilized in areas throughout the country that cannot sustain a commercial-scale power generation facility from other renewable energy sources. Furthermore, it will create much needed American jobs in both manufacturing and construction. I encourage my colleagues to support the Support Renewable Energy Act of 2010.

By Mr. MCCAIN (for himself, Mr. LIEBERMAN, Mr. KYL, Mr. DURBIN, Mr. BAYH, Mr. GRAHAM, Mrs. GILLIBRAND, Mr. THUNE, Mr. CASEY, Mr. CORNYN, Ms. COLLINS, Mr. KAUFMAN, Mr. VITTER, Mr. BROWNBACK, and Mr. LEVIN):

S. 3022. A bill to impose sanctions on 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, and for other purposes; to the Committee on Banking, Housing, and Urban Affairs.

Mr. MCCAIN. Mr. President, February 11, 2010, was the 31st anniversary of the Islamic Republic of Iran. For most Iranians, the Islamic Republic is the only government they have ever known, and unfortunately, it is a record that many would rather forget—

31 years of economic potential lost and the resources of a great and proud nation stolen by a corrupt ruling elite; 31 years of a regime that puts its own selfish interests and those of foreign terrorist groups ahead of the needs of the Iranian people; 31 years of justice denied, freedom curtailed, and dignity trampled.

In recent months, the world has watched in awe as hundreds of thousands of Iranians have said ''enough,'' and demanded better for themselves. They have taken to the streets and the Internet, risking the violent reprisal of a regime without conscience, in order to insist on their universal human rights. In television news clips and YouTube videos, in Twitter updates and countless online exchanges, the world has seen the naked oppression of the Iranian regime and its masked agents.

We have watched as peaceful Iranian demonstrators for human rights have been beaten, and shot—even murdered—in the streets of cities across Iran.

We have watched as Iranian men and women—many not more than young boys and girls—have been rounded up in their homes and dormitories, and hauled away unlawfully to face torture and other abuses in the darkest corners of the country, where the eyes of the international community struggle to see.

Just a few months ago, we watched as a young woman named Neda was shot in broad daylight by agents of the Iranian government. And as that young woman bled to death in the street, it became clear to me and many others that this was the beginning of the end of the Islamic Republic. After 31 years, that day cannot come soon enough, but how and when it does is up to the Iranian people.

This struggle continues in Iran. On February 11, many Iranians took to the streets again to demonstrate peacefully for freedom and justice. Again, many were beaten. Again, many were detained unlawfully. Again, many were no doubt tortured—and worse. The world has watched these abuses long enough. Now the world must act. It is long past time for democratic, law-abiding nations to stand up together, to speak with one voice, and to show these courageous Iranian human rights advocates that the free world is on their side. The recent statement between the U.S. and the European Union supporting human rights in Iran is a welcome development, and I hope to see more and more such joint actions.

It is also long past time for the U.N. Security Council to impose the crippling sanctions on the Iranian government that have been promised for so long. As that negotiation drags on, individual countries should not refrain from taking their own individual actions to impose pressure on the rulers of Iran for failing to abide by their own international agreements, both security agreements and human rights agreements. In that vein, I was pleased to see the White House recently announce a new set of sanctions against four Iranian entities and one individual active in Iran's nuclear program. I hope there is a lot more where that came from.

I do not wish, however, to confine our sanctions effort only to those persons in Iran who threaten our security and that of our allies, either through their support for terrorism or Iran's weapons programs. I also want to bring the full force of America's economic power to bear against those in Iran who threaten that country's peaceful human rights and democracy activists. That is why, just a few weeks ago, I sought to introduce an amendment to the Comprehensive Iran Sanctions, Accountability, and Divestment Act, which would impose targeted sanctions on persons in Iran who violate the human rights of their fellow citizens.

Building on that earlier effort, today I am introducing, together with my good friend and colleague Senator JOE LIEBERMAN, the Iran Human Rights Sanctions Act, which is co-sponsored by a broad bipartisan group of U.S. Senators.

This bill has two parts.

First, it would require the President to compile a public list of individuals in Iran who, starting with the presidential election last June, are complicit in human rights violations against Iranian citizens and their families, no matter where in the world those abuses occur. I want to stress: This would be a public list, posted for all the world to see on the websites of the State and Treasury Departments. We will shine a light on the names of Iran's human rights abusers, and we will make them famous for their crimes.

Second, this bill would then ban these Iranian individuals from receiving U.S. visas, and impose on them the full battery of sanctions under the International Emergency Economic Powers Act. That means, freezing any assets and blocking any property they hold under U.S. jurisdiction, and ending all their financial transactions with U.S. banks and other entities. If passed into law, this would be the first time the U.S. Government has ever imposed punitive measures against persons in Iran because of their human rights violations.

In short, under this bill, Iranian human rights abusers would be completely cut off from the global reach of the U.S. financial system, and that would send a powerful signal to every country, company, and bank in the world that they should think twice about doing business with the oppressors of the Iranian people.

Over the past year, the President has made every effort to extend a hand to the Iranian government—to seek to overcome 31 years of painful history, and to search for common ground on matters of common interest. Unfortunately, the President's generosity has been met defiantly, again and again, with the clenched fist of Iran's rulers—a fist that is increasingly stained with the blood of the Iranian people. It should now be clear that the Iranian regime has no desire to meet its international responsibilities and every desire to use all the tools of violence and repression at its disposal to crush the peaceful aspirations of Iran's citizens.

Faced with this disturbing reality, America must lead an international effort to support the human rights of the Iranian people, and to put that effort at the center of our policy toward Iran. We must encourage our international partners, especially our European allies, to do the same, and to impose their own targeted sanctions on Iran's human rights abusers. This is not about picking winners in an internal Iranian matter. It is about standing up for the universal values we hold dear, and championing the cause of all who seek to secure those values for themselves.

The Iran Human Rights Sanctions Act is an important start of this effort, and I encourage my colleagues in Congress to move quickly and pass it into law.

By Ms. SNOWE (for herself and Mr. PRYOR):

S. 3024. A bill to ensure that the creation of jobs by small businesses is considered during the Federal legislative and rulemaking process, and for other purposes; to the Committee on Homeland Security and Governmental Affairs.

Ms. SNOWE. Mr. President, I rise today, with my colleague Senator PRYOR, to introduce the Job Impact Analysis Act of 2010, a bipartisan measure that will help ensure that the Federal Government—both Congress and agencies of the executive branch—fully considers small business job creation in the bills we pass here in Congress and in the rules and regulations that agencies promulgate.

As the former Chair and now Ranking member of the Senate Committee on Small Business and Entrepreneurship, I believe there is no more urgent imperative than job creation in our country. With 25,000 additional unemployed in my State of Maine alone, since the recession began in 2007, and twenty-three million Americans unemployed or underemployed, it is more paramount than ever that everything we do must focus like a laser on jumpstarting our economy. Furthermore, the fastest route to recovery runs through Main Street small businesses, which over the past 15 years have generated 64 percent of all net new jobs in this country, and so we must foster an entrepreneurial environment where small businesses can take risks and invest in the future to preserve and create more jobs.

The legislation we are introducing today would help make sure that in whatever measure we are debating—whether it be health care reform, a jobs

bill, or financial services overhaul—that we strive to discern whether it contributes to creating a climate in which our smallest enterprises and entrepreneurs cannot only survive, but thrive. It would amend the Congressional Budget and Impoundment Control Act of 1974 to direct the Congressional Budget Office, CBO, to the extent practicable, to estimate in a ''job impact statement'' the potential job creation or job loss attributable to each bill or joint resolution reported by a congressional committee that exceeds $5 billion in costs. For years we have had environmental impact statements, and so in 2010, I do not think it is too much to ask, where are the job impact statements?

As our Nation continues to reel from the worst set of economic circumstances since World War II, Congress must focus on job creation, and we must begin by ensuring all economic factors—including potential small business job creation and job loss—are fully considered in debate of every bill that we consider in the Senate. It is clear that Washington has ignored the will of the people for far too long. At a time when the Nation is struggling to dig out of the deepest recession since the Great Depression, we must ensure that our country once again brings to bear the kind of ingenuity, creativity, and innovation that made America and our free-market economy the greatest and most powerful on earth. I believe that a job impact statement attached to every bill with costs over $5 billion would provide a powerful incentive for Congress to focus its efforts where they belong and help Congress focus on what matters to the American people these days—job creation.

In addition, onerous regulations are crushing the entrepreneurial spirit of America's small businesses. In 2009, there were close to 70,000 pages in the Federal Register, which chronicles new regulations by the government. Furthermore, according to research by the Small Business Administration's, SBA's, Office of Advocacy, the annual cost of Federal regulations totals $1.1 trillion, and small firms bear a disproportionate burden, paying approximately 45 percent more per employee in annual regulatory compliance costs than larger firms. Small firms also spend twice as much on tax compliance than their larger counterparts.

So our legislation includes several targeted regulatory reforms that would help to ensure that Federal agencies fully consider small business implications during the rulemaking process. The reforms in our bill are based on what we introduced in the Regulatory Flexibility Reform Act in the 109th Congress and the Independent Office of Advocacy and Small Business Regulatory Reform Act of 2008, from the 110th Congress. Most of these reforms have been supported by a host of small business stakeholders, including the U.S. Chamber of Commerce, the National Federation of Independent Business, the National Small Business Association, the National Association for the Self-Employed, Women Impacting Public Policy, the National Black Chamber of Commerce, Small Business Legislative Council, and the U.S. Hispanic Chamber of Commerce.

Our measure would amend the Regulatory Flexibility Act, RFA, the seminal legislation, enacted in 1980, which requires agencies to consider the impact of their regulatory proposals on small businesses, to analyze effective alternatives that minimize small business impact, and to make their analyses available for public comment. The RFA requires federal agencies to conduct a small business analysis any time a proposed Federal rule would impose a ''significant impact on a substantial number of small businesses.'' Unfortunately, there remain a number of loopholes in the RFA that undermine its effectiveness in reducing these regulatory burdens.

Our legislation would close loopholes in this process, while also ensuring that Federal agencies consider potential job creation and job loss during the rulemaking process. In far too many cases, Federal agencies promulgate rules and regulations without adequately addressing the economic impact on small businesses. Under our legislation agencies must consider the ''indirect'' effects of an ''economic impact.'' Rules with indirect effects are currently exempt from RFA coverage according to well-established case law. This has serious consequences for small businesses. It means that Federal agencies can avoid the various analyses required under the RFA by either requiring the states to regulate small entities or regulating an industry so rigorously that it has a negative trickle down impact on other industries. For example, rules can regulate a handful of large manufacturers in the same industry. Yet, a foreseeable, indirect effect of these rules—not presently considered under RFA analyses—is that small distributors would no longer have the right to sell the product produced by the larger manufacturers.

The RFA has already saved billions of dollars for small businesses by forcing government regulators to be sensitive to their direct impact on small firms. If billions of dollars can be filtered out of direct regulatory mandates upon small business while improving workplace safety and environmental conditions, even more can be saved by filtering out unnecessary or duplicative costs to those small businesses indirectly impacted by regulation. Those dollars would be better spent by the businesses hiring more employees or providing existing employees with greater benefits, and would also help to prevent unintended job loss through regulatory requirements.

Our legislation also requires Federal agencies to consider comments provided by the SBA's Office of Advocacy, which has historically not received the public attention it deserves. In case after case, it has been the last, best hope for small businesses faced with burdensome, duplicative and nonsensical Federal regulations. Our legislation would also amend the RFA to include a provision for agencies to specifically respond to comments filed by the Chief Counsel for Advocacy. Codifying this necessary change would ensure that agencies give the proper deference to the Office of Advocacy, and to the comments and concerns of small businesses. This is a straightforward and simple reform that could have major benefits.

In addition, our measure would also clarify the circumstances for when ''periodic review'' under the RFA is required. Many questions have arisen as a result of ambiguous language in the RFA that has caused some confusion as to what rules require periodic review, and when. Under our bill, periodic review, with a focus on potential job creation or job loss, would be required for all final rules that would impose a significant impact on a substantial number of small businesses. Agencies would be required to review all 10-year-old rules every year to avoid confusion over which rules to review. In addition, agencies would be required to review rules every 10 years and not just the first 10 years.

Finally, our bill would ensure the statutory and budgetary independence of the SBA Office of Advocacy, a key office that is intended to be the independent voice for small business within the Federal Government. It is charged with the duty of representing the views and interests of small businesses before other Federal agencies, and developing proposals for changing government policies to help small businesses. These roles can sometimes come into conflict.

Our bill would resolve such conflicts in favor of the small businesses that rely on the Chief Counsel and the Office of Advocacy to be a fully independent advocate within the Executive Branch. The bill would help to reinforce a clear mandate that the Office of Advocacy must fight on behalf of small businesses, regardless of the position taken on critical issues by the administration. Funding for the Office of Advocacy currently comes from the ''Salaries and Expense Account'' of the SBA's budget. Staffing is allocated by the SBA Administrator to the Office of Advocacy from the overall staff allocation for the Agency. In 1990, there were 70 full-time employees working on behalf of small businesses in the Office of Advocacy. Today, there are fewer than 50. The independence and effectiveness of the Office is potentially diminished when the Office of Advocacy staff is reduced, at the discretion of the administrator.

To address this problem, our legislation would build a firewall to minimize political intrusion into the management of day-to-day operations of the

Office of Advocacy similar to the one that protects Inspectors General in other agencies. The bill would require the Federal budget to include a separate account for the Office of Advocacy drawn directly from the General Fund of the Treasury. No longer would its funds come from the general operating account of the SBA. This will free the Chief Counsel for Advocacy from having to seek approval from the SBA Administrator to hire staff for the Office of Advocacy.

Our bill would leave unchanged current law that allows the Chief Counsel to hire individuals critical to the mission of the Office of Advocacy without going through the normal competitive procedures directed by Federal law and the Office of Personnel Management. This long-standing special hiring authority, which is limited only to employees within the Office of Advocacy, is beneficial because it allows the Chief Counsel to hire quickly those persons who can best assist the Office in responding to changing issues and problems confronting small businesses.

This non-controversial, bipartisan legislation is absolutely necessary. I urge my colleagues to support my bill so we can ensure that our Nation's small businesses and their employees are provided with much needed relief.

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

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

S. 3024

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

SECTION 1. SHORT TITLE; TABLE OF CONTENTS.

(a) SHORT TITLE.—This Act may be cited as the ''Job Impact Analysis Act of 2010''.

(b) TABLE OF CONTENTS.—The table of contents of this Act is as follows:

Sec. 1. Short title; table of contents.
Sec. 2. Findings.
Sec. 3. Job impact statement for reported bills and joint resolutions.
Sec. 4. Clarification and expansion of rules covered by the Regulatory Flexibility Act.
Sec. 5. Requirements providing for more detailed analyses.
Sec. 6. Periodic review of rules.
Sec. 7. Office of Advocacy.
Sec. 8. Clerical amendments.

SEC. 2. FINDINGS.

Congress finds the following:

(1) A vibrant and growing small business sector is critical to the recovery of the economy of the United States.

(2) Regulations designed for application to large-scale entities have been applied uniformly to small businesses and other small entities, sometimes inhibiting the ability of small entities to create new jobs.

(3) Uniform Federal regulatory and reporting requirements in many instances have imposed on small businesses and other small entities unnecessary and disproportionately burdensome demands, including legal, accounting, and consulting costs, thereby threatening the viability of small entities and the ability of small entities to compete and create new jobs in a global marketplace.

(4) Since 1980, Federal agencies have been required to recognize and take account of the differences in the scale and resources of regulated entities, but in many instances have failed to do so.

(5) In 2009, there were nearly 70,000 pages in the Federal Register, and, according to research by the Office of Advocacy of the Small Business Administration, the annual cost of Federal regulations totals $1,100,000,000,000. Small firms bear a disproportionate burden, paying approximately 45 percent, or $7,647, more per employee than larger firms in annual regulatory compliance costs.

(6) The Federal Government should fully consider the costs, including indirect economic impacts and the potential for job creation and job loss, of proposed rules.

(7) It is the intention of Congress to amend chapter 6 of title 5, United States Code, to ensure that all impacts, including foreseeable indirect effects, of proposed and final rules are considered by agencies during the rulemaking process and that the agencies assess a full range of alternatives that will limit adverse economic consequences, enhance economic benefits, and fully address potential job creation or job loss.

(8) To the maximum extent practicable, the Director of the Congressional Budget Office should, in certain estimates the Director prepares with respect to bills or joint resolutions reported by congressional committees, estimate the potential job creation or job loss attributable to the bills or joint resolutions.

SEC. 3. JOB IMPACT STATEMENT FOR REPORTED BILLS AND JOINT RESOLUTIONS.

Section 424 of the Congressional Budget and Impoundment Control Act of 1974 (2 U.S.C. 658c) is amended—

(1) in subsection (a)(2)—

(A) in subparagraph (B), by striking ''and'' at the end;

(B) in subparagraph (C), by striking the period at the end and inserting ''; and''; and

(C) by adding at the end the following:

''(D) if the Director estimates that the total amount of direct costs of all Federal intergovernmental mandates in the bill or joint resolution will equal or exceed $5,000,000,000 (adjusted annually for inflation), to the extent practicable, the potential job creation or job loss in State, local, and tribal governments as a result of the mandates.''; and

(2) in subsection (b)(2)—

(A) in subparagraph (A), by striking ''and'' at the end;

(B) in subparagraph (B), by striking the period at the end and inserting ''; and''; and

(C) by adding at the end the following:

''(C) if the Director estimates that the total amount of direct costs of all Federal private sector mandates in the bill or joint resolution will equal or exceed $5,000,000,000 (adjusted annually for inflation), to the extent practicable, the potential job creation or job loss in the private sector as a result of the mandates.''.

SEC. 4. CLARIFICATION AND EXPANSION OF RULES COVERED BY THE REGULATORY FLEXIBILITY ACT.

Section 601 of title 5, United States Code, is amended—

(1) in paragraph (6), by striking ''and'' at the end;

(2) in paragraph (7)(B), by striking the period at the end and inserting a semicolon;

(3) in paragraph (8)—

(A) by striking ''RECORDKEEPING REQUIREMENT.—The'' and inserting ''the''; and

(B) by striking the period at the end and inserting ''; and''; and

(4) by adding at the end the following:

''(9) the term 'economic impact' means, with respect to a proposed or final rule—

''(A) any direct economic effect of the rule on small entities; and

''(B) any indirect economic effect on small entities, including potential job creation or job loss, that is reasonably foreseeable and that results from the rule, without regard to whether small entities are directly regulated by the rule.''.

SEC. 5. REQUIREMENTS PROVIDING FOR MORE DETAILED ANALYSES.

(a) INITIAL REGULATORY FLEXIBILITY ANALYSIS.—Section 603 of title 5, United States Code, is amended—

(1) by striking subsection (b) and inserting the following:

''(b) Each initial regulatory flexibility analysis required under this section shall contain a detailed statement—

''(1) describing the reasons why action by the agency is being considered;

''(2) describing the objectives of, and legal basis for, the proposed rule;

''(3) estimating the number and type of small entities to which the proposed rule will apply;

''(4) describing the projected reporting, recordkeeping, and other compliance requirements of the proposed rule, including an estimate of the classes of small entities which will be subject to the requirement and the type of professional skills necessary for preparation of the report and record;

''(5) describing all relevant Federal rules which may duplicate, overlap, or conflict with the proposed rule, or the reasons why such a description could not be provided; and

''(6) estimating the additional cumulative economic impact of the proposed rule on small entities, including job creation and employment by small entities, beyond that already imposed on the class of small entities by the agency, or the reasons why such an estimate is not available.''; and

(2) by adding at the end the following:

''(d) An agency shall notify the Chief Counsel for Advocacy of the Small Business Administration of any draft rules that may have a significant economic impact on a substantial number of small entities either—

''(1) when the agency submits a draft rule to the Office of Information and Regulatory Affairs at the Office of Management and Budget under Executive Order 12866, if that order requires such submission; or

''(2) if no submission to the Office of Information and Regulatory Affairs is so required, at a reasonable time prior to publication of the rule by the agency.''.

(b) FINAL REGULATORY FLEXIBILITY ANALYSIS.—

(1) IN GENERAL.—Section 604(a) of title 5, United States Code, is amended—

(A) by inserting ''detailed'' before ''description'' each place it appears;

(B) in paragraph (1), by striking ''succinct'';

(C) in paragraph (2)—

(i) by striking ''summary'' each place it appears and inserting ''statement''; and

(ii) by inserting ''(or certification of the proposed rule under section 605(b))'' after ''initial regulatory flexibility analysis'';

(D) in paragraph (3), by striking ''an explanation'' and inserting ''a detailed explanation'';

(E) by redesignating paragraphs (3), (4), and (5) as paragraphs (4), (5), and (6), respectively; and

(F) by inserting after paragraph (2) the following:

''(3) the response of the agency to any comments filed by the Chief Counsel for Advocacy of the Small Business Administration in response to the proposed rule, and a detailed statement of any change made to the proposed rule in the final rule as a result of the comments;''.

(2) PUBLICATION OF ANALYSIS ON WEB SITE, ETC.—Section 604(b) of title 5, United States Code, is amended to read as follows:

''(b) The agency shall—

''(1) make copies of the final regulatory flexibility analysis available to the public, including by publishing the entire final regulatory flexibility analysis on the Web site of the agency; and

''(2) publish in the Federal Register the final regulatory flexibility analysis, or a summary of the analysis that includes the telephone number, mailing address, and address of the Web site where the complete final regulatory flexibility analysis may be obtained.''.

(c) CROSS-REFERENCES TO OTHER ANALYSES.—Section 605(a) of title 5, United States Code, is amended to read as follows:

''(a) A Federal agency shall be deemed to have satisfied a requirement regarding the content of a regulatory flexibility agenda or regulatory flexibility analysis under section 602, 603, or 604, if the Federal agency provides in the agenda or regulatory flexibility analysis a cross-reference to the specific portion of an agenda or analysis that is required by another law and that satisfies the requirement.''.

(d) CERTIFICATIONS.—The second sentence of section 605(b) of title 5, United States Code, is amended by striking ''statement providing the factual'' and inserting ''detailed statement providing the factual and legal''.

(e) QUANTIFICATION REQUIREMENTS.—Section 607 of title 5, United States Code, is amended to read as follows:

''§ 607. Quantification requirements

''In complying with sections 603 and 604, an agency shall provide—

''(1) a quantifiable or numerical description of the effects of the proposed or final rule, including an estimate of the potential for job creation or job loss, and alternatives to the proposed or final rule; or

''(2) a more general descriptive statement and a detailed statement explaining why quantification is not practicable or reliable.''.

SEC. 6. PERIODIC REVIEW OF RULES.

Section 610 of title 5, United States Code, is amended to read as follows:

''§ 610. Periodic review of rules

''(a) Not later than 180 days after the enactment of the Job Impact Analysis Act of 2010, each agency shall publish in the Federal Register and place on its Web site a plan for the periodic review of rules issued by the agency that the head of the agency determines has a significant economic impact on a substantial number of small entities. Such determination shall be made without regard to whether the agency performed an analysis under section 604. The purpose of the review shall be to determine whether such rules should be continued without change, or should be amended or rescinded, consistent with the stated objectives of applicable statutes, to minimize any significant adverse economic impacts on a substantial number of small entities (including an estimate of any adverse impacts on job creation and employment by small entities). Such plan may be amended by the agency at any time by publishing the revision in the Federal Register and subsequently placing the amended plan on the Web site of the agency.

''(b) The plan shall provide for the review of all such agency rules existing on the date of the enactment of the Job Impact Analysis Act of 2010 within 10 years after the date of publication of the plan in the Federal Register and every 10 years thereafter and for review of rules adopted after the date of enactment of the Job Impact Analysis Act of 2010 within 10 years after the publication of the final rule in the Federal Register and every 10 years thereafter. If the head of the agency determines that completion of the review of existing rules is not feasible by the established date, the head of the agency shall so certify in a statement published in the Federal Register and may extend the review for not longer than 2 years after publication of notice of extension in the Federal Register. Such certification and notice shall be sent to the Chief Counsel for Advocacy and Congress.

''(c) Each agency shall annually submit a report regarding the results of its review pursuant to such plan to Congress and, in the case of agencies other than independent regulatory agencies (as defined in section 3502(5) of title 44, United States Code), to the Administrator of the Office of Information and Regulatory Affairs of the Office of Management and Budget. Such report shall include the identification of any rule with respect to which the head of the agency made a determination of infeasibility under paragraph (5) or (6) of subsection (d) and a detailed explanation of the reasons for such determination.

''(d) In reviewing rules under such plan, the agency shall consider—

''(1) the continued need for the rule;

''(2) the nature of complaints received by the agency from small entities concerning the rule;

''(3) comments by the Regulatory Enforcement Ombudsman and the Chief Counsel for Advocacy;

''(4) the complexity of the rule;

''(5) the extent to which the rule overlaps, duplicates, or conflicts with other Federal rules and, unless the head of the agency determines it to be infeasible, State and local rules;

''(6) the contribution of the rule to the cumulative economic impact of all Federal rules on the class of small entities affected by the rule, unless the head of the agency determines that such calculations cannot be made and reports that determination in the annual report required under subsection (c);

''(7) the length of time since the rule has been evaluated, or the degree to which technology, economic conditions, or other factors have changed in the area affected by the rule; and

''(8) the current impact of the rule, including—

''(A) the estimated number of small entities to which the rule will apply;

''(B) the estimated number of small business jobs that will be lost or created by the rule; and

''(C) the projected reporting, recordkeeping and other compliance requirements of the proposed rule, including—

''(i) an estimate of the classes of small entities that will be subject to the requirement; and

''(ii) the type of professional skills necessary for preparation of the report or record.

''(e) The agency shall publish in the Federal Register and on the Web site of the agency a list of rules to be reviewed pursuant to such plan. Such publication shall include a brief description of the rule, the reason why the agency determined that it has a significant economic impact on a substantial number of small entities (without regard to whether the agency had prepared a final regulatory flexibility analysis for the rule), and request comments from the public, the Chief Counsel for Advocacy, and the Regulatory Enforcement Ombudsman concerning the enforcement of the rule.''.

SEC. 7. OFFICE OF ADVOCACY.

(a) IN GENERAL.—Section 203 of Public Law 94–305 (15 U.S.C. 634c) is amended—

(1) in paragraph (4), by striking ''and'' at the end;

(2) in paragraph (5), by striking the period and inserting ''; and''; and

(3) by adding at the end the following:

''(6) carry out the responsibilities of the Office of Advocacy under chapter 6 of title 5, United States Code.''.

(b) BUDGETARY LINE ITEM AND AUTHORIZATION OF APPROPRIATIONS.—Title II of Public Law 94–305 (15 U.S.C. 634a et seq.) is amended by striking section 207 and inserting the following:

''SEC. 207. BUDGETARY LINE ITEM AND AUTHORIZATION OF APPROPRIATIONS.

''(a) APPROPRIATION REQUESTS.—Each budget of the United States Government submitted by the President under section 1105 of title 31, United States Code, shall include a separate statement of the amount of appropriations requested for the Office of Advocacy of the Small Business Administration, which shall be designated in a separate account in the General Fund of the Treasury.

''(b) ADMINISTRATIVE OPERATIONS.—The Administrator of the Small Business Administration shall provide the Office of Advocacy with appropriate and adequate office space at central and field office locations, together with such equipment, operating budget, and communications facilities and services as may be necessary, and shall provide necessary maintenance services for such offices and the equipment and facilities located in such offices.

''(c) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated such sums as are necessary to carry out this title. Any amount appropriated under this subsection shall remain available, without fiscal year limitation, until expended.''.

SEC. 8. CLERICAL AMENDMENTS.

(a) HEADING.—The heading of section 605 of title 5, United States Code, is amended to read as follows:

''§ 605. Incorporations by reference and certifications''.

(b) TABLE OF SECTIONS.—The table of sections for chapter 6 of title 5, United States Code, is amended—

(1) by striking the item relating to section 605 and inserting the following:

''605. Incorporations by reference and certifications.''; and

(2) by striking the item relating to section 607 and inserting the following:

''607. Quantification requirements.''.

By Mr. MERKLEY:

S. 3025. A bill to amend the Federal Water Pollution Control Act to provide assistance for programs and activities to protect and restore the water quality of the Columbia River Basin, and for other purposes; to the Committee on Environment and Public Works.

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

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

S. 3025

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 ''Columbia River Restoration Act of 2010''.

SEC. 2. FINDINGS.

Congress finds the following:

(1) The Columbia River is the largest river in the Pacific Northwest and the fourth largest river in the United States by volume. The river is 1,243 miles long, and its drainage basin includes 259,000 square miles, extending into 7 States and British Columbia, Canada, and including all or part of 5 national parks,

the Columbia River Gorge National Scenic Area, and the Hells Canyon National Recreation Area.

(2) The Columbia River Basin and its tributaries provide significant ecological and economic benefits to the Pacific Northwest and the entire United States. Traditionally, the Columbia River Basin and its tributaries were the largest salmon producing river system in the world, with annual returns peaking at as many as 30 million fish. The Columbia River drainage basin includes more than 6 million acres of irrigated agricultural land, and its 14 hydroelectric dams, combined with additional dams on its tributaries, produce more hydroelectric power than any other North American river.

(3) The Lower Columbia River Estuary stretches 146 miles from the Bonneville Dam to the mouth of the Pacific Ocean, and much of this area is degraded. Polychlorinated biphenyls (PCBs) in salmon tissue and polycyclic aromatic hydrocarbons (PAHs) in salmon prey exceed estimated thresholds for delayed mortality, increased disease susceptibility, and reduced growth. Legacy contaminants (DDT and PCBs) banned in the 1970s are still detected in river water, sediments, and juvenile Chinook salmon. Several pesticides have been detected, including atrazine and simazine, which can affect salmon behavior or act as hormone disruptors. Emerging contaminants, such as hormone disruptors from pharmaceutical and personal care products, have been found in river water and juvenile male salmon. These contaminants may impair salmon growth, health, and reproduction.

(4) The Middle and Upper Columbia River Basin includes 1,050 miles of the mainstem Columbia River upstream of the Bonneville Dam, including the 1,040 miles of its largest tributary, the Snake River, and all of the tributaries to both rivers. The Environmental Protection Agency's (EPA's) Columbia River Basin Fish Contaminant Survey detected the presence of 92 priority pollutants, including PCBs, dioxins, furans, arsenic, mercury, and DDE (a breakdown product of DDT), in fish that are consumed by the Confederated Tribes of the Warm Springs, the Confederated Tribes and Bands of the Yakama Nation, the Confederated Tribes of the Umatilla Indian Reservation, and the Nez Perce Tribe, as well as by other people consuming fish throughout the Columbia River Basin. A fish consumption survey by the Columbia River Intertribal Fish Commission showed that tribal members were eating 6 to 11 times more fish than EPA's estimated national average. The nuclear and toxic contamination at the Hanford Nuclear Reservation presents an ongoing risk of contamination in the Middle Columbia Basin. Sampling of sediments by the EPA in 2004 documented widespread presence of toxic flame retardants known as polyrominated diphenyl ethers.

(5) Contamination of the Middle and Upper Columbia River Basin has a direct impact on water quality and habitat quality in the Lower Columbia River Estuary. Investments in habitat restoration and toxics reduction in the Middle and Upper Columbia River Basin can have significant benefits for fish and wildlife throughout the entire basin.

(6) Together with the Governors of Oregon and Washington, the EPA created the Lower Columbia River Estuary Partnership (Estuary Partnership) in 1995 to provide regional coordination to focus on the lower river, to advance the science of the ecosystem, and to deliver environmental results. The Estuary Partnership was formed within the National Estuary Program and provides a structure for organization and collaboration to implement Federal priorities. The Estuary Partnership includes all key Federal agencies as part of its management and governing structure, including the EPA, the United States Geological Survey (USGS), the National Oceanic and Atmospheric Administration (NOAA), the Army Corps of Engineers, the Forest Service, and tribal, State, and local governments.

(7) The Columbia River Basin was designated by the EPA as an ''Estuary of National Significance'' in 1995 and a ''Large Aquatic Ecosystem'' in 2006.

(8) The Estuary Partnership has developed an unparalleled 2-State, public and private partnership, including unprecedented collaborative efforts among key Federal partners, including the EPA, the NOAA, the USGS, and the Army Corps of Engineers to advance Federal goals, and the Estuary Partnership and its partners have gathered scientific information and compiled data, and have made significant gains in habitat protection and environmental education.

(9) Despite these advances, further degradation exists and contaminants persist in the Columbia River Basin and are impairing the health of fish, wildlife, and humans. Degraded conditions in the river exacerbate the challenges already faced by the 13 species of salmon and steelhead in the Columbia River Basin listed as threatened or endangered under the Endangered Species Act of 1973.

(10) The ''Estuary Partnership Comprehensive Conservation and Management Plan'' (1999), the ''Northwest Power and Conservation Council Lower Columbia Province Plan'' (2004, amended 2008), the draft ''NOAA Columbia River Estuary Recovery Module for Salmon and Steelhead'' (2010), the States of Oregon, Idaho, and Washington Recovery Plans, the ''Biological Opinion for the Federal Columbia River Power System (FCRPS)'' (2000, 2004, 2008), and the ''EPA Columbia Basin State of the River Report for Toxics'' (2009) consistently identify habitat loss and toxic contamination as threats to fish and wildlife.

SEC. 3. COLUMBIA RIVER.

Title I of the Federal Water Pollution Control Act (33 U.S.C. 1251 et seq.) is amended by adding at the end the following:

"SEC. 123. COLUMBIA RIVER.

''(a) DEFINITIONS.—In this section, the following definitions apply:

''(1) ACTION PLAN.—The term 'Action Plan' means the 'Columbia River Basin Toxics Reduction Action Plan' developed by the Environmental Protection Agency and the Columbia River Toxics Reduction Working Group in 2010, including any amendments thereto.

''(2) COMPREHENSIVE PLAN.—The term 'Comprehensive Plan' means the 'Estuary Partnership Comprehensive Conservation and Management Plan' adopted by the Environmental Protection Agency and the Governors of Oregon and Washington on October 20, 1999, under section 320, including any amendments thereto.

''(3) ESTUARY PARTNERSHIP.—The term 'Estuary Partnership' means the Lower Columbia River Estuary Partnership, an entity created by the States of Oregon and Washington and the Environmental Protection Agency under section 320.

''(4) LOWER COLUMBIA RIVER AND ESTUARY.—The term 'Lower Columbia River and Estuary' means the region consisting of the lower 146 miles of the Columbia River Basin from the Bonneville Dam to the Pacific Ocean.

''(5) MIDDLE AND UPPER COLUMBIA RIVER BASIN.—The term 'Middle and Upper Columbia River Basin' means the region consisting of the United States portion of the Columbia River Basin above Bonneville Dam, including the Snake River (and its tributaries) and other tributaries of the Columbia River.

''(6) TEAM LEADER.—The term 'Team Leader' means the Team Leader appointed under subsection (b).

''(b) PROGRAM TEAM.—

''(1) ESTABLISHMENT.—The Administrator shall establish in the Environmental Protection Agency a Columbia River Program Team. The Team shall be located within the Oregon Operations Office for Region 10 of the Environmental Protection Agency.

''(2) APPOINTMENT OF TEAM LEADER.—The Administrator shall appoint a Team Leader, who, by reason of management experience and technical expertise relating to the Columbia River Basin, shall be highly qualified to support the development and implementation of projects, programs, and studies necessary to implement the Action Plan.

''(3) DELEGATION OF AUTHORITY; STAFFING.—The Administrator shall delegate to the Team Leader such authority and provide such additional staff as may be necessary to carry out this section.

''(c) DUTIES.—

''(1) IN GENERAL.—In carrying out this section, the Administrator, acting through the Team Leader, shall—

''(A) assist and support the implementation of the Action Plan and the Comprehensive Plan;

''(B) coordinate the implementation of the Action Plan and the Comprehensive Plan, and the development of any updates to those plans, with programs and projects in the Middle and Upper Columbia River Basin;

''(C) make such other updates to the Action Plan and the Comprehensive Plan as the Administrator, in consultation with appropriate Federal agencies, the States of Oregon, Washington, and Idaho, tribal governments, local governments, and other public and private interests in the Columbia River Basin, considers appropriate;

''(D) provide funding and make grants for implementation of the Action Plan and the Comprehensive Plan and projects, programs, and studies consistent with the priorities of the Action Plan and the Comprehensive Plan;

''(E) promote innovative methodologies and technologies that are cost effective and consistent with the identified goals and objectives of the Action Plan and the Comprehensive Plan and the permitting processes of the Environmental Protection Agency;

''(F) coordinate the major functions of the Federal Government related to the implementation of the Action Plan and the Comprehensive Plan, including projects, programs, and studies for—

''(i) water quality improvements;

''(ii) toxics reduction and monitoring;

''(iii) wetland, riverine, and estuary restoration and protection;

''(iv) nearshore and endangered species recovery; and

''(v) stewardship and environmental education;

''(G) coordinate the research and planning projects authorized under this section with Federal agencies, State agencies, tribal governments, universities, and the Estuary Partnership, including conducting or commissioning studies considered necessary for strengthened implementation of the Action Plan and the Comprehensive Plan;

''(H) track progress toward meeting the identified goals and objectives of the Action Plan and the Comprehensive Plan by—

''(i) implementing and supporting a project, program, and monitoring system consistent with performance-based ecosystem standards and management; and

''(ii) coordinating, managing, and reporting environmental data related to the Action Plan and the Comprehensive Plan in a manner consistent with methodologies utilized

by the Estuary Partnership, including making such data and reports on such data available to the public, including on the Internet, in a timely fashion; and

''(I) collect and make available to the public, including on the Internet, publications and other forms of information relating to the environmental quality of the Lower Columbia River and Estuary.

''(2) IMPLEMENTATION METHODS.—The Administrator, acting through the Team Leader, may enter into interagency agreements, make intergovernmental personnel appointments, provide funding, make grants, and utilize other available methods in carrying out the duties under this subsection.

''(d) REPORT.—Not later than one year after the date of enactment of this section, and biennially thereafter, the Administrator shall submit to Congress a report that—

''(1) summarizes the progress made in implementing the Action Plan and the Comprehensive Plan and the progress made toward achieving the identified goals and objectives described in such plans;

''(2) summarizes any modifications to the Action Plan and the Comprehensive Plan made in the period immediately preceding the report;

''(3) incorporates specific recommendations concerning the implementation of the Action Plan and the Comprehensive Plan; and

''(4) summarizes the roles and progress of each Federal agency that has jurisdiction in the Columbia River Basin toward meeting the identified goals and objectives of the Action Plan and the Comprehensive Plan.

''(e) IMPLEMENTATION OF ACTION PLAN AND COMPREHENSIVE PLAN.—

''(1) IN GENERAL.—The Administrator, acting through the Team Leader and in consultation with the Estuary Partnership, shall carry out projects, programs, and studies to implement the Action Plan and the Comprehensive Plan.

''(2) PRIORITY PROJECTS, PROGRAMS, AND STUDIES.—The Administrator may give special emphasis to projects, programs, and studies that are identified as priorities by the Estuary Partnership in the Action Plan and the Comprehensive Plan.

''(3) GRANTS.—

''(A) IN GENERAL.—The Administrator, acting through the Team Leader, is authorized to make grants for projects, programs, and studies to implement the Action Plan and the Comprehensive Plan.

''(B) ALLOCATIONS.—In making grants using funds appropriated to carry out this paragraph for a fiscal year, the Administrator, acting through the Team Leader, shall use—

''(i) not less than 40 percent of the funds to make a comprehensive grant to the Estuary Partnership to manage implementation of the Comprehensive Plan;

''(ii) not less than 50 percent of the funds to make grants, as allocated by the Team Leader, for projects, programs and studies prioritized in the Action Plan throughout the Columbia River Basin, and for other coordinated projects, programs, and studies in the Middle and Upper Columbia River Basin; and

''(iii) not more than 5 percent of the funds for project management, administration, and reporting.

''(4) FEDERAL SHARE.—The Federal share of the costs for which a grant is made under this section shall be 75 percent, except that the Administrator may increase the Federal share in such circumstances as the Administrator determines appropriate.

''(f) ANNUAL BUDGET PLAN.—The President, as part of the President's annual budget submission to Congress under section 1105(a) of title 31, United States Code, shall submit information regarding each Federal agency involved in protection and restoration of the Columbia River Basin, including—

''(1) an interagency crosscut budget that displays for each Federal agency—

''(A) the amounts obligated in the preceding fiscal year for protection and restoration projects, programs, and studies relating to the Columbia River Basin;

''(B) the estimated budget for the current fiscal year for protection and restoration projects, programs, and studies relating to the Columbia River Basin; and

''(C) the proposed budget for protection and restoration projects, programs, and studies relating to the Columbia River Basin; and

''(2) a description and assessment of the Federal role in the development and implementation of the Action Plan and the Comprehensive Plan and the specific role of each Federal agency involved in protection and restoration of the Columbia River Basin, including specific projects, programs, and studies conducted or planned to achieve the identified goals and objectives of the Action Plan and the Comprehensive Plan.

''(g) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to the Administrator to carry out this section $40,000,000 for each of fiscal years 2011 through 2016. Such sums shall remain available until expended.''.

SUBMITTED RESOLUTIONS

SENATE RESOLUTION 419—SUPPORTING THE GOALS AND IDEALS OF ''NATIONAL GUARD YOUTH CHALLENGE DAY''

Ms. LANDRIEU (for herself, Mrs. LINCOLN, Mr. CHAMBLISS, Mrs. SHAHEEN, Ms. MURKOWSKI, Mr. BARRASSO, Mr. BYRD, and Mr. BENNETT) submitted the following resolution; which was referred to the Committee on the Judiciary:

S. RES. 419

Whereas ''National Guard Youth Challenge Day'' will be celebrated on February 24, 2010;

Whereas high school dropouts need guidance, encouragement, and avenues toward self-sufficiency and success;

Whereas over 1,300,000 students drop out of high school each year, costing this Nation more than $335,000,000,000 in lost wages, revenues, and productivity over the lifetimes of these individuals;

Whereas the life expectancy for a high school dropout is 9 years less than that of a high school graduate, and a high school dropout can expect to earn about $19,000 each year, compared to approximately $28,000 for a high school graduate;

Whereas 54 percent of high school dropouts were jobless during an average month in 2008, with 40 percent having no job for the entire year;

Whereas each annual class of high school dropouts cost this Nation over $17,000,000,000 in publicly subsidized health care over the course of their lives;

Whereas approximately 90 percent of individuals in prisons throughout the United States are high school dropouts;

Whereas the goal of the National Guard Youth Foundation, a non-profit 501(c)(3) organization, is to improve the education, life skills, and employment potential of high school dropouts in the United States through public awareness, scholarships, higher education assistance, and job development programs;

Whereas the National Guard Youth Challenge Program provides military-based training, supervised work experience, assistance in obtaining a high school diploma or equivalent degree, and development of leadership qualities, as well as promotion of citizenship, fellowship, service to their community, life skills training, health and physical education, positive relationships with adults and peers, and career planning;

Whereas the National Guard Youth Challenge Program represents a successful joint effort between States and the Federal Government;

Whereas since 1993, the National Guard Youth Challenge Program has developed 32 programs in 27 States and Puerto Rico;

Whereas since 1993, over 92,850 young individuals have successfully graduated from the program, with 80 percent earning their high school diploma or GED certificate, 24 percent going to college, 18 percent joining the military, and 57 percent entering the workforce with career jobs;

Whereas the National Guard Youth Challenge Program has successfully helped high school dropouts in this Nation; and

Whereas the National Guard Youth Challenge Program can play a larger role in providing assistance to the youth of the United States: Now, therefore, be it

Resolved, That the Senate—

(1) supports the goals and ideals of ''National Guard Youth Challenge Day''; and

(2) calls upon the people of the United States to observe ''National Guard Youth Challenge Day'' on February 24, 2010, with appropriate ceremonies and respect.

Ms. LANDRIEU. Mr. President, on behalf of myself and my colleagues Senator LINCOLN, Senator CHAMBLISS, Senator SHAHEEN, Senator MURKOWSKI, Senator BARRASSO and Senator BYRD, I rise today to submit a resolution in support of the goals and ideals of National Guard Youth Challenge Day and in support of the Youth ChalleNGe program.

Few programs have been as effective in combating the high rate of high school dropouts as the Youth ChalleNGe program.

Established by the National Guard in 1993 to help at-risk youth aged 16–18 who have dropped out or been expelled from school, the National Guard Youth ChalleNGe program includes a 5-month residential program and 12-month mentoring program where participants learn life-skills, gain real-life work experience, receive on-the-job training, participate in community service and have the opportunity to earn a high school diploma or GED.

Everyone knows that high school dropouts face much greater challenges than their peers who finish school. Dropouts have an unemployment rate of 40 percent, as compared to the national average of 10 percent. Fifty-four percent of high school dropouts were jobless in an average month during 2008 alone.

One in every three teen mothers is a dropout and one in four babies is born to a high school dropout. Dropouts have a life expectancy that is nine years less than a high school graduate.

While looking for programs that keep students in school, we must also focus on programs that offer our high school dropouts a road back, and the National Guard Youth ChalleNGe Program is one such program.

The National Guard Youth ChalleNGe program has graduated more than 92,850 former high school dropouts from the program to date, with 99 percent of them going on to pursue higher education, a career in the military or employment, according to a recent audit.

The annual cost of graduating one child from the Youth ChalleNGe program is $14,000. Contrasted with the $40,000 it costs to incarcerate that same youth, it is no surprise the program has earned the enthusiastic bipartisan support of governors nationwide.

The program currently operates only 32 programs across 27 states and Puerto Rico. Last year alone, of the 18,701 dropouts who applied to this voluntary program, more than 40 percent were turned away due to lack of funding.

Unfortunately, America has one of the highest dropout rates in the world among developed nations. Nationally, an estimated one-third of high school freshmen do not graduate from high school in four years; in the 50 largest U.S. cities, the dropout rate may be closer to 50 percent. That totals 1.2 million high school dropouts each year.

The soaring dropout rate is a national crisis that costs our economy billions of dollars each year to support dropouts who are more likely to be unemployed or underemployed, incarcerated, on public welfare, or teen parents.

The median income of a high school dropout is $18,000, versus $25,000 for a high school graduate, and the annual unemployment rate for dropouts is 40 percent compared with the nationwide rate of 10 percent.

This means that each dropout, over the course of his or her lifetime, contributes $60,000 less in taxes that an individual with a high school degree.

Each class of dropouts costs States $17 billion in publicly subsidized health care costs over the course of their lives.

Individuals lacking a high school education also make up 90 percent of our nation's prison population accounting for $45 billion of the $50 billion spent annually on incarceration.

The economic cost in lost productivity and earnings over the course of a high school dropout's lifetime is $329 billion, according to the Alliance for Excellent Education.

Over the next decade, if current dropout rates persist, the economic loss to our nation will total more than $3 trillion.

Eleven States have requested funding to start a program. Unlike most programs, the Youth ChalleNGe program requires States to match 25 percent of the program's cost with the Federal Government providing 75 percent, and three States with existing programs are seeking funding for additional programs.

The National Guard Youth ChalleNGe Program changes more than just the cadet; it transforms entire families and communities.

According to the parent of a recent ChalleNGe graduate in Louisiana: ''I had struggled for several years trying to give [my son] what he needed in the way of direction. He had no ambition, no direction, no goals for the future, no interest whatsoever in school, and appeared to have no grasp of how poorly his future looked if he continued on the road he was on. The successes the Youth ChalleNGe program provided gave him a self-confidence I've never seen in him before. He realizes he can achieve anything he wants in life if he is willing to put forth the effort. Thank you for giving me my son back.''

Our nation can no longer afford to lose ground educationally if we are to compete in a global, knowledge-based society. As President Obama noted in his speech, ''In this country, the success of our children cannot depend more on where they live than on their potential.'' In order to make that sentiment a reality, we must not only address needed reforms to put our failing schools back on track, but also expand programs that reach out to those youth who dropped out of high school to ensure that they have every chance to succeed. The future of our youth—and our economy—depends on it.

Do not just take my word for it. Tomorrow morning I am hosting a panel and discussion about the Youth ChalleNGe Program in the Russell Building, Room 485 from 10:30 to 11:45. I invite all of my colleagues to meet some of these remarkable young men and women who have made the choice to turn their lives around.

Again, I ask my colleagues to join with me to pass this resolution which shines a much needed light on a program that is truly making a difference in the lives of our greatest natural resource—our children.

This is a happy subject, and one for which I think the Presiding Officer shares my enthusiasm, and that is our support of the National Guard Youth ChalleNGe Program. Tonight we are celebrating at the fifth gala that supports this program, and tomorrow I will be hosting, along with many of our colleagues, a panel about the success of the National Guard Youth ChalleNGe Program.

The Presiding Officer was a Governor before she became a Senator, so she knows very well the challenges of workforce development, moving our young people through high school so they graduate on time with the requisite skills to allow them to be ready to go to college or ready to go to work. Unfortunately, that is not the case in America today with too many of our young people. So we are struggling here in Congress; Governors are looking for programs all over the country; educators are searching for what works.

I am here to tell my colleagues that there is a program that works, and I thank the Presiding Officer for her support. I also wish to thank Senator LINCOLN, Senator CHAMBLISS, Senator SHAHEEN, Senator MURKOWSKI, Senator BARRASSO and Senator BYRD for cosponsoring this resolution and for calling attention to the fact that tomorrow is National Guard Youth ChalleNGe Day. But more than joining in this resolution, I hope this Congress, as this appropriations process starts for this year, when looking to find a wise way to spend a dollar, will look to the National Guard Youth ChalleNGe Program.

This program reaches out in 27 States and Puerto Rico with over 32 programs to kids between the ages of 16 and 18 who have given up on themselves and whose families have given up on them. They haven't been arrested yet. They haven't been incarcerated yet. They haven't gotten into trouble with drugs yet, but they are on the road in that dangerous direction. This program offers them an opportunity to take a different road. It offers them an opportunity to change. I am proud to say that since this program was started here in Congress and in partnership with Governors and nonprofits around the country, we have graduated thousands of children from this program with an almost 95-percent success rate, which with this group is almost unheard of. This is a 17-month program including 5 months of residential schooling followed by 12 months of mentorship. So in 17 months, kids who were headed in the wrong direction are literally turned around and headed in the right direction. That is because it is a combination of all of the best practices: getting them out of their environment and introducing them to a new set of disciplines and rules and regulations. It is not a boot camp. There are not wires around these facilities. These young people can leave any day. It is completely voluntary. But they stay because they know they need the discipline. They know they need the focus. They know our men and women of the National Guard care not just about our country as a whole but about the individual citizens who make up the country. Through our National Guard, men and women give of their time in terms of teaching and training. It is a phenomenal program.

I don't know if the Presiding Officer has attended some of the graduations, but I have, and I think perhaps she has, and many of our colleagues have. They share with me their stories. They say, Senator, I have given speeches at many of my college graduations and at many wonderful, prominent, large high schools, but the graduations that have touched me the most have been the graduations of the Youth ChalleNGe cadets. Sometimes a program will graduate 100 cadets; sometimes smaller programs will graduate 50; but there are always lots of tears of joy in those auditoriums around the country when these cadets graduate.

I will never, ever forget standing in Alexandria, actually Camp Beauregard, right outside of Alexandria, a central Louisiana city. I had given my speech.

I thought it was pretty good, but it wasn't spectacular. It was very good. I heard a grown man behind me sobbing. I thought to myself, I hope I haven't said anything inappropriate in my remarks. He came up to me with these huge arms and hugged me from the back and said, Senator, I have never known my government to do anything good for me—I don't know if I agree with that—but, he said, Today, you have given me my son back. I will never forget that as long as I live. That is what this program means to parents. It is giving them their children back, which is the greatest gift a parent, as the Presiding Officer knows, having four children, can have. These kids are floundering in the regular high schools, not making any sense to them, because we haven't done I think what we should be doing in all cases with them in high school. This program works. Not only does it work for the individual, but it works for our economy.

I wish to read into the RECORD a few of the statistics about what it means to our country when we save one person from dropping out of high school. These are the statistics. One in every three teen mothers is a dropout from high school. One in four babies born is born to a high school dropout. The National Guard program has graduated more than 92,850 former high school dropouts with 99 percent of them going on to either pursue higher education, a career in the military, or employment, according to a recent audit. The annual cost of graduating one child from this program is $14,000. Contrast that with the $40,000 it costs annually for incarceration of someone who failed to graduate, got on the wrong road, got involved in drugs or in a life of crime. For a $14,000 investment, leveraging the strength of the National Guard, leveraging the hopes and prayers of parents who want so much for their children to turn around, leveraging the power of the individual child knowing something is wrong and wanting to make it right, I couldn't think of a better program than this.

I have spoken personally to Secretary Arne Duncan about this. I have spoken personally on every occasion I can to members of the White House leadership team and the education team and the members of the Defense Appropriations team. So I am hoping we recognize the soaring dropout rate as a national crisis that costs our economy billions of dollars. There are programs that work. Not every program that government invents or frames fails. So for people who say we can't spend any more money, let's spend it on programs such as this. Let's move the money from some programs that aren't working as well to programs such as this and leverage the investments our country is making, whether it is through the National Guard or through other programs.

The median income of a high school dropout is $18,000 versus $25,000 for a high school graduate. Over a lifetime, that amounts to literally millions of dollars in lost employment opportunities.

There are any number of reasons. I think I have explained them fairly well. I will submit a longer statement for the RECORD. But again, today, we wish to recognize our National Guard Youth ChalleNGe Program. We wish to thank the National Guard. Not only are they on the front lines in Iraq and in Afghanistan and everywhere around the world, but they are on the front lines right here, helping us educate future military members, future executives, future workforce leaders, and we are very proud of the leadership of the National Guard.

I wish to thank the Presiding Officer again for her support and for the support of many of our colleagues for this very worthwhile and meritorious program.

SENATE RESOLUTION 420—HONORING THE MEMBERS OF THE ARMY NATIONAL GUARD AND AIR NATIONAL GUARD OF THE STATE OF OKLAHOMA FOR THEIR SERVICE AND SACRIFICE ON BEHALF OF THE UNITED STATES SINCE SEPTEMBER 11, 2001

Mr. INHOFE (for himself and Mr. COBURN) submitted the following resolution; which was referred to the Committee on Armed Services:

S. RES. 420

Whereas members of the Army National Guard and Air National Guard of the State of Oklahoma reside throughout the State and come from various communities, backgrounds, and professions;

Whereas the Army National Guard and Air National Guard of the State of Oklahoma are composed of several units, including the Joint Forces Headquarters, the 45th Infantry Brigade Combat Team, the 45th Fires Brigade, the 90th Troop Command, the 189th Regional Training Institute, Camp Gruber Joint Maneuver Training Center, the 137th Air Refueling Wing, the 138th Fighter Wing, the 205th Engineering Installation Squadron, and the 219th Engineering Installation Squadron;

Whereas, since September 11, 2001, units and members of the Army National Guard and the Air National Guard of the State of Oklahoma have been deployed, and are continuously being deployed, in support of United States military operations at home and abroad;

Whereas the 45th Infantry Brigade mobilized in 2003 for Operation Enduring Freedom and deployed more than 700 soldiers to Afghanistan to provide training to Afghan Security Forces;

Whereas the 45th Infantry Brigade Combat Team mobilized in 2007 for Operation Iraqi Freedom and deployed more than 2,700 soldiers to provide command and control and conduct security force and detainee operations, representing the largest single deployment for the Oklahoma Army National Guard since the Korean War;

Whereas the 45th Fires Brigade mobilized in 2008 for Operation Iraqi Freedom and deployed more than 1,000 soldiers to provide command and control and conduct security force operations;

Whereas 90th Troop Command units mobilized for Operation Iraqi Freedom and Operation Enduring Freedom and deployed more than 2,600 soldiers to conduct combat support and combat service support missions;

Whereas the 189th Regional Training Institute and Camp Gruber Joint Maneuver Training Center have provided professional training to military and nonmilitary personnel to enhance domestic security and prepare units for deployments abroad;

Whereas the Oklahoma Army National Guard mobilized in 2005 and deployed more than 2,500 soldiers to support relief operations in response to Hurricanes Katrina and Rita, including assisting law enforcement agencies with traffic control and security, transporting and distributing food, water, and ice, conducting search and rescue and ground and air evacuations, providing generator support, and performing other missions to protect life and property;

Whereas the 137th Airlift Wing mobilized in 2003 for Operation Iraqi Freedom and deployed to the Kingdom of Saudi Arabia as part of the largest C–130 wing assembled in history, transporting troops, food, supplies, and equipment to United States forces in Iraq;

Whereas the 137th Airlift Wing mobilized in 2003 for Operation Enduring Freedom and deployed to Uzbekistan, providing critical airlift and logistical support for United States forces in Afghanistan;

Whereas between 2003 and 2006, the 137th Airlift Wing transported 39,368 troops and 11,170 tons of critical cargo to United States forces in Iraq and Afghanistan;

Whereas the 137th Airlift Wing mobilized in 2005 and deployed one of the first C–130 units to support relief operations in response to Hurricane Katrina, including evacuating hospital and nursing home residents to safety by air, providing critical logistical support, and airlifting 2,500 members of the Oklahoma Army National Guard to population centers to provide aid to hurricane victims;

Whereas the 138th Fighter Wing mobilized in 2005, 2007, and 2008 for Operation Iraqi Freedom and deployed to Iraq to provide close air support and engage in combat missions, during which the 138th Fighter Wing expended 109,000 pounds of combat ordnance and successfully destroyed numerous targets; and

Whereas, since September 11, 2001, the 138th Fighter Wing has flown numerous Air Sovereignty Alert missions in the United States, protecting high value domestic targets against attack and contributing to homeland defense, and in 2008 the 138th Fighter Wing was recognized as the most active alert facility in the United States: Now, therefore, be it

Resolved, That the Senate—

(1) expresses its gratitude to the members of the Army National Guard and Air National Guard of the State of Oklahoma and their families for their service and sacrifice on behalf of the United States since September 11, 2001; and

(2) recognizes the citizen-soldiers and airmen of the Oklahoma National Guard as invaluable to the national security of the United States, vital to defending against threats both foreign and domestic, and essential for responding to State and national emergencies.

AMENDMENTS SUBMITTED AND PROPOSED

SA 3324. Ms. LANDRIEU submitted an amendment intended to be proposed to amendment SA 3310 proposed by Mr. REID to the bill H.R. 2847, making appropriations for the Departments of Commerce and Justice, and Science, and Related Agencies for the

fiscal year ending September 30, 2010, and for other purposes; which was ordered to lie on the table.

SA 3325. Mr. REID (for Mr. ROCKEFELLER) proposed an amendment to the bill S. 30, to amend the Communications Act of 1934 to prohibit manipulation of caller identification information.

TEXT OF AMENDMENTS

SA 3324. Ms. LANDRIEU submitted an amendment intended to be proposed to amendment SA 3310 proposed by Mr. REID to the bill H.R. 2847, making appropriations for the Departments of Commerce and Justice, and Science, and Related Agencies for the fiscal year ending September 30, 2010, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. _____. WORK OPPORTUNITY TAX CREDIT WITH RESPECT TO CERTAIN INDIVIDUALS AFFECTED BY HURRICANE KATRINA FOR EMPLOYERS INSIDE DISASTER AREAS.

(a) IN GENERAL.—Paragraph (1) of section 201(b) of the Katrina Emergency Tax Relief Act of 2005 is amended by striking ''4-year'' and inserting ''5-year''.

(b) EFFECTIVE DATE.—The amendment made by subsection (a) shall apply to individuals hired after August 27, 2009.

SEC. _____. EXTENSION OF LOW-INCOME HOUSING CREDIT RULES FOR BUILDINGS IN GO ZONES.

Section 1400N(c)(5) of the Internal Revenue Code of 1986 is amended by striking ''January 1, 2011'' and inserting ''January 1, 2013''.

SA 3325. Mr. REID (for Mr. ROCKEFELLER) proposed an amendment to the bill S. 30, to amend the Communications Act of 1934 to prohibit manipulation of caller identification information; as follows:

On page 3, beginning with line 23, strike through line 7 on page 4.

On page 8, between lines 17 and 18, insert the following:

''(7) EFFECT ON OTHER LAWS.—This subsection does not prohibit any lawfully authorized investigative, protective, or intelligence activity of a law enforcement agency of the United States, a State, or a political subdivision of a State, or of an intelligence agency of the United States.

On page 8, line 18, strike ''(7)'' and insert ''(8)''.

On page 9, line 18, strike ''(8)'' and insert ''(9)''.

NOTICE OF HEARING

COMMITTEE ON ENERGY AND NATURAL RESOURCES

Mr. BINGAMAN. Mr. President, I would like to announce for the information of the Senate and the public that a business meeting scheduled before Committee on Energy and Natural Resources, previously announced for February 10th, has been rescheduled and will now be held on Wednesday, March 3, 2010, at 10 a.m., immediately preceding the full committee hearing, in room SD–366 of the Dirksen Senate Office Building.

The purpose of the business meeting is to consider pending nominations.

For further information, please contact Sam Fowler at (202) 224–7571 or Amanda Kelly at (202) 224–6836.

AUTHORITY FOR COMMITTEES TO MEET

COMMITTEE ON ARMED SERVICES

Mr. CARDIN. Mr. President, I ask unanimous consent that the Committee on Armed Services be authorized to meet during the session of the Senate on February 23, 2010, at 9:30 a.m.

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

COMMITTEE ON COMMERCE, SCIENCE, AND TRANSPORTATION

Mr. CARDIN. Mr. President, I ask unanimous consent that the Committee on Commerce, Science, and Transportation be authorized to meet during the session of the Senate on February 23, 2010, at 2:30 p.m., in room 253 of the Russell Senate Office Building.

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

COMMITTEE ON ENVIRONMENT AND PUBLIC WORKS

Mr. CARDIN. Mr. President, I ask unanimous consent that the Committee on Environment and Public Works be authorized to meet during the session of the Senate on February 23, 2010, at 10 a.m. in room 406 of the Dirksen Office Building.

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

COMMITTEE ON FINANCE

Mr. CARDIN. Mr. President, I ask unanimous consent that the Committee on Finance be authorized to meet during the session of the Senate on February 23, 2010, at 10 a.m., in room 215 of the Dirksen Office Building, to conduct a hearing entitled ''Trade and Tax Issues Relating to Small Business Job Creation.''

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

COMMITTEE ON THE JUDICIARY

Mr. CARDIN. Mr. President, I ask unanimous consent that the Committee on the Judiciary be authorized to meet during the session of the Senate, on February 23, 2010, at 10 a.m., in room SD–226 of the Dirksen Senate Office Building, to conduct a hearing entitled ''Are Foreign Libel Lawsuits Chilling Americans' First Amendment Rights?''

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

AFRICAN AFFAIRS SUBCOMMITTEE

Mr. CARDIN. Mr. President, I ask unanimous consent that the Committee on Foreign Relations be authorized to meet during the session of the Senate on February 23, 2010, at 10:15 a.m., to hold a African Affairs subcommittee hearing entitled ''Exploring the Nigeria–U.S. Bilateral Relationship.''

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

SELECT COMMITTEE ON INTELLIGENCE

Mr. CARDIN. Mr. President, I ask unanimous consent that the Committee on Intelligence be authorized to meet during the session of the Senate on February 23, 2010, at 2:30 p.m.

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

SUBCOMMITTEE ON COMMUNICATIONS, TECHNOLOGY, AND THE INTERNET

Mr. CARDIN. Mr. President, I ask unanimous consent that the Committee on Communications, Technology, and the Internet of the Committee on Commerce, Science, and Transportation be authorized to meet during the session of the Senate on February 23, 2010, at 10 a.m., in room 253 of the Russell Office Building.

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

SUBCOMMITTEE ON FEDERAL FINANCIAL MANAGEMENT, GOVERNMENT INFORMATION, FEDERAL SERVICES, AND INTERNATIONAL SECURITY

Mr. CARDIN. Mr. President, I ask unanimous consent that the Committee on Homeland Security and Governmental Affairs' Subcommittee on Federal Financial Management, Government Information, Federal Services, and International Security be authorized to meet during the session of the Senate on February 23, 2010 at 2:30 p.m. to conduct a hearing entitled, ''Countdown to Census Day: Progress Report on the Census Bureau's Preparedness for the Enumeration.''

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

SUBCOMMITTEE ON INTERNATIONAL OPERATIONS AND ORGANIZATIONS, HUMAN RIGHTS, DEMOCRACY, AND GLOBAL WOMEN'S ISSUES AND SUBCOMMITTEE ON NEAR EASTERN AND SOUTH AND CENTRAL ASIAN AFFAIRS

Mr. CARDIN. Mr. President, I ask unanimous consent that the Committee on Foreign Relations be authorized to meet during the session of the Senate on February 23, 2010, at 3 p.m., to hold a joint International Operations and Organizations, Democracy and Human Rights and Near Eastern and South and Central Asian Affairs subcommittee hearing entitled ''Afghan Women and Girls: Building the Future of Afghanistan.''

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

DEPLORING THE RAPE AND ASSAULT OF WOMEN IN GUINEA AND THE KILLING OF POLITICAL PROTESTERS

On Monday, February 22, 2010, the Senate agreed to S. Res. 345, as amended, as follows:

S. RES. 345

Whereas, on December 23, 2008, a group of military officers calling itself the National Council for Democracy and Development (referred to in this preamble as the ''CNDD'') seized power in a coup in Guinea, installed as interim President Captain Moussa Dadis Camara, and promised to hold elections;

Whereas, on September 28, 2009, authorities of the Government of Guinea opened fire on a crowd of thousands of unarmed opposition protesters who were gathered in and around an outdoor stadium to protest statements made by Captain Camara that he may run

for president, after he said that he would not;

Whereas, on September 29, 2009, the United States Department of State condemned the brazen and inappropriate use of force by the military against civilians in Guinea, and demanded the immediate release of opposition leaders and a return to civilian rule as soon as possible;

Whereas according to the United Nations Security Council Report of the International Commission of Inquiry Mandated to Establish the Facts and Circumstances of the Events of 28 September 2009 in Guinea, 156 people were killed or disappeared and at least 109 women and girls ''were subjected to rape and other sexual violence, including sexual mutilation and sexual slavery'';

Whereas according to Human Rights Watch, these killings and assaults were part of a ''premeditated massacre'' in which the ''level, frequency, and brutality of sexual violence that took place at and after the protests strongly suggests that it was part of a systematic attempt to terrorize and humiliate the opposition, not just random acts by rogue soldiers'';

Whereas the United Nations High Commissioner for Human Rights characterized the events as a ''blood bath'' and stated that they ''must not become part of the fabric of impunity that has enveloped Guinea for decades'';

Whereas according to the humanitarian organization CARE, ''What happened in Guinea is an outrage—and a stark reminder of a larger epidemic of violence against women and girls around the world.'';

Whereas Amnesty International reports that violence against women knows few bounds, and that ''in armed conflicts, countless women and girls are raped and sexually abused by security forces and opposition groups as an act of war, and often face additional violence in refugee camps. Government sponsored violence also exists in peacetime, with women assaulted while in police custody, in prison, and at the hands of any number of state actors.'' and that ''violence against women is a violation of human rights that cannot be justified by any political, religious, or cultural claim'';

Whereas the International Commission of Inquiry of the United Nations concluded that ''the crimes perpetrated on 28 September 2009 and in the immediate aftermath can be described as crimes against humanity'' and that there is sufficient evidence that Captain Camara ''incurred individual criminal liability and command responsibility for the events that occurred during the attack and related events in their immediate aftermath'';

Whereas, on January 15, 2010, General Sekouba Konate and Captain Camara of the Republic of Guinea and President Blaise Compaoré of Burkina Faso signed the Joint Declaration of Ouagadougou pledging to form a transitional government of national unity in Guinea, to hold elections within six months without the participation of candidates from the military junta, and to permit the entry of an international observer mission from the Economic Community of West African States; and

Whereas, in accordance with the Joint Declaration of Ouagadougou, a prime minister from the coalition of opposition forces, Forces Vives, has been named to the transitional government: Now, therefore, be it

Resolved, That the Senate—

(1) deplores the rape and assault of women and the killing of political protestors in Guinea;

(2) urges the prosecution, by the appropriate authorities, of those responsible for orchestrating or carrying out the violence in Guinea;

(3) urges the President, in coordination with leaders from the European Union and the African Union, to continue to consider punitive measures that could be taken against senior officials in Guinea found to be complicit in the violence, and in particular, the atrocities perpetrated against women and other gross human rights violations;

(4) encourages the President to remain actively engaged in the political situation in Guinea, and to continue to convey that the blatant abuse of women will not be tolerated;

(5) calls on President Blaise Compaoré of Burkina Faso to ensure that Captain Camara does not return to Guinea in order to allow a peaceful transition to civilian rule;

(6) notes that the first steps set forth in the Joint Declaration of Ouagadougou have been initiated with the naming of a prime minister and urges all parties to continue to adhere to the agreement to see the process through free, fair, and timely elections; and

(7) recognizes the importance of the multilateral observer mission to help ensure peace and security in Guinea during the period of transition.

TRUTH IN CALLER ID ACT OF 2009

Mr. REID. I ask unanimous consent that the Senate proceed to the immediate consideration of Calendar No. 194, S. 30.

The PRESIDING OFFICER. The clerk will report the bill by title.

The legislative clerk read as follows:

A bill (S. 30) to amend the Communications Act of 1934 to prohibit manipulation of caller identification information.

There being no objection, the Senate proceeded to consider the bill.

Mr. REID. Mr. President, I ask unanimous consent that the Rockefeller amendment which is at the desk be agreed to, the bill as amended be read a third time and passed, the motion to reconsider be laid on the table, with no intervening action or debate, and any statements be printed in the RECORD.

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

The amendment (No. 3325) was agreed to, as follows:

(Purpose: To revise the provision relating to the effect of the new subsection on other laws)

On page 3, beginning with line 23, strike through line 7 on page 4.

On page 8, between lines 17 and 18, insert the following:

''(7) EFFECT ON OTHER LAWS.—This subsection does not prohibit any lawfully authorized investigative, protective, or intelligence activity of a law enforcement agency of the United States, a State, or a political subdivision of a State, or of an intelligence agency of the United States.

On page 8, line 18, strike ''(7)'' and insert ''(8)''.

On page 9, line 18, strike ''(8)'' and insert ''(9)''.

The bill, as amended, was ordered to be engrossed for a third reading, was read the third time, and passed, as follows:

S. 30

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 ''Truth in Caller ID Act of 2009''.

SEC. 2. PROHIBITION REGARDING MANIPULATION OF CALLER IDENTIFICATION INFORMATION.

Section 227 of the Communications Act of 1934 (47 U.S.C. 227) is amended—

(1) by redesignating subsections (e), (f), and (g) as subsections (f), (g), and (h), respectively; and

(2) by inserting after subsection (d) the following new subsection:

''(e) PROHIBITION ON PROVISION OF INACCURATE CALLER IDENTIFICATION INFORMATION.—

''(1) IN GENERAL.—It shall be unlawful for any person within the United States, in connection with any telecommunications service or IP-enabled voice service, to cause any caller identification service to knowingly transmit misleading or inaccurate caller identification information with the intent to defraud, cause harm, or wrongfully obtain anything of value, unless such transmission is exempted pursuant to paragraph (3)(B).

''(2) PROTECTION FOR BLOCKING CALLER IDENTIFICATION INFORMATION.—Nothing in this subsection may be construed to prevent or restrict any person from blocking the capability of any caller identification service to transmit caller identification information.

''(3) REGULATIONS.—

''(A) IN GENERAL.—Not later than 6 months after the date of enactment of the Truth in Caller ID Act of 2009, the Commission shall prescribe regulations to implement this subsection.

''(B) CONTENT OF REGULATIONS.—

''(i) IN GENERAL.—The regulations required under subparagraph (A) shall include such exemptions from the prohibition under paragraph (1) as the Commission determines is appropriate.

''(ii) SPECIFIC EXEMPTION FOR LAW ENFORCEMENT AGENCIES OR COURT ORDERS.—The regulations required under subparagraph (A) shall exempt from the prohibition under paragraph (1) transmissions in connection with—

''(I) any authorized activity of a law enforcement agency; or

''(II) a court order that specifically authorizes the use of caller identification manipulation.

''(4) REPORT.—Not later than 6 months after the enactment of the Truth in Caller ID Act of 2009, the Commission shall report to Congress whether additional legislation is necessary to prohibit the provision of inaccurate caller identification information in technologies that are successor or replacement technologies to telecommunications service or IP-enabled voice service.

''(5) PENALTIES.—

''(A) CIVIL FORFEITURE.—

''(i) IN GENERAL.—Any person that is determined by the Commission, in accordance with paragraphs (3) and (4) of section 503(b), to have violated this subsection shall be liable to the United States for a forfeiture penalty. A forfeiture penalty under this paragraph shall be in addition to any other penalty provided for by this Act. The amount of the forfeiture penalty determined under this paragraph shall not exceed $10,000 for each violation, or 3 times that amount for each day of a continuing violation, except that the amount assessed for any continuing violation shall not exceed a total of $1,000,000 for any single act or failure to act.

''(ii) RECOVERY.—Any forfeiture penalty determined under clause (i) shall be recoverable pursuant to section 504(a).

''(iii) PROCEDURE.—No forfeiture liability shall be determined under clause (i) against any person unless such person receives the notice required by section 503(b)(3) or section 503(b)(4).

''(iv) 2-YEAR STATUTE OF LIMITATIONS.—No forfeiture penalty shall be determined or imposed against any person under clause (i) if the violation charged occurred more than 2 years prior to the date of issuance of the required notice or notice or apparent liability.

''(B) CRIMINAL FINE.—Any person who willfully and knowingly violates this subsection shall upon conviction thereof be fined not more than $10,000 for each violation, or 3 times that amount for each day of a continuing violation, in lieu of the fine provided by section 501 for such a violation. This subparagraph does not supersede the provisions of section 501 relating to imprisonment or the imposition of a penalty of both fine and imprisonment.

''(6) ENFORCEMENT BY STATES.—

''(A) IN GENERAL.—The chief legal officer of a State, or any other State officer authorized by law to bring actions on behalf of the residents of a State, may bring a civil action, as parens patriae, on behalf of the residents of that State in an appropriate district court of the United States to enforce this subsection or to impose the civil penalties for violation of this subsection, whenever the chief legal officer or other State officer has reason to believe that the interests of the residents of the State have been or are being threatened or adversely affected by a violation of this subsection or a regulation under this subsection.

''(B) NOTICE.—The chief legal officer or other State officer shall serve written notice on the Commission of any civil action under subparagraph (A) prior to initiating such civil action. The notice shall include a copy of the complaint to be filed to initiate such civil action, except that if it is not feasible for the State to provide such prior notice, the State shall provide such notice immediately upon instituting such civil action.

''(C) AUTHORITY TO INTERVENE.—Upon receiving the notice required by subparagraph (B), the Commission shall have the right—

''(i) to intervene in the action;

''(ii) upon so intervening, to be heard on all matters arising therein; and

''(iii) to file petitions for appeal.

''(D) CONSTRUCTION.—For purposes of bringing any civil action under subparagraph (A), nothing in this paragraph shall prevent the chief legal officer or other State officer from exercising the powers conferred on that officer by the laws of such State to conduct investigations or to administer oaths or affirmations or to compel the attendance of witnesses or the production of documentary and other evidence.

''(E) VENUE; SERVICE OR PROCESS.—

''(i) VENUE.—An action brought under subparagraph (A) shall be brought in a district court of the United States that meets applicable requirements relating to venue under section 1391 of title 28, United States Code.

''(ii) SERVICE OF PROCESS.—In an action brought under subparagraph (A)—

''(I) process may be served without regard to the territorial limits of the district or of the State in which the action is instituted; and

''(II) a person who participated in an alleged violation that is being litigated in the civil action may be joined in the civil action without regard to the residence of the person.

''(7) EFFECT ON OTHER LAWS.—This subsection does not prohibit any lawfully authorized investigative, protective, or intelligence activity of a law enforcement agency of the United States, a State, or a political subdivision of a State, or of an intelligence agency of the United States.

''(8) DEFINITIONS.—For purposes of this subsection:

''(A) CALLER IDENTIFICATION INFORMATION.—The term 'caller identification information' means information provided by a caller identification service regarding the telephone number of, or other information regarding the origination of, a call made using a telecommunications service or IP-enabled voice service.

''(B) CALLER IDENTIFICATION SERVICE.—The term 'caller identification service' means any service or device designed to provide the user of the service or device with the telephone number of, or other information regarding the origination of, a call made using a telecommunications service or IP-enabled voice service. Such term includes automatic number identification services.

''(C) IP-ENABLED VOICE SERVICE.—The term 'IP-enabled voice service' has the meaning given that term by section 9.3 of the Commission's regulations (47 C.F.R. 9.3), as those regulations may be amended by the Commission from time to time.

''(9) LIMITATION.—Notwithstanding any other provision of this section, subsection (f) shall not apply to this subsection or to the regulations under this subsection.''.

EARLY CANCER DETECTION MONTH

Mr. REID. I ask unanimous consent that the Health, Education, Labor, and Pensions Committee be discharged from further consideration of H. Con. Res. 158 and the Senate proceed to the consideration of that matter.

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

The clerk will report the concurrent resolution by title.

The legislative clerk read as follows:

A concurrent resolution (H. Con. Res. 158) expressing support for the designation of an Early Detection Month for breast cancer and all forms of cancer.

There being no objection, the Senate proceeded to consider the concurrent resolution.

Mrs. HAGAN. Mr. President, I rise in support of Senate passage of H. Con. Res. 158, the House companion to a resolution I introduced last August to highlight greater awareness of breast and other cancers by designating an early cancer detection month. This House resolution is sponsored by my good friend and colleague from North Carolina, Congressman BOB ETHERIDGE.

Almost every person has been touched by cancer, either personally or through a family member or friend who has suffered from some form of the disease. Sadly, every year, more than 2 million new cases of cancer are diagnosed in the United States.

The most common forms of cancer diagnosed in Americans are skin cancer, breast cancer in women, prostate cancer in men, lung cancer, and colorectal cancers. And it is estimated that in 2009, over half a million Americans died from all types of cancer.

Last year, in North Carolina, there were an estimated 42,270 new cases of cancer and more than 18,000 deaths due to cancer. Of those lost, 1,300 deaths were from breast cancer in women and 860 deaths from prostate cancer.

Current cancer treatments include surgery, radiation, chemotherapy, hormone therapy, biological therapy, and targeted therapy; however, there is no cure. Many oncologists and breast cancer researchers believe that a cure for breast cancer will not be discovered until well into the future.

However, we cannot sit idly by while we wait for a cure. Instead, we must continue to support organizations, health care providers, and even our friends who work so hard to raise awareness about cancer, particularly cancer prevention and early detection. Fortunately, many forms of cancer can be prevented altogether, such as skin cancer and lung cancer. In addition, at least half of all new cancer cases can be prevented or detected earlier by screening, and if detected early enough, more than 75 percent of all people could be saved when cancer is most treatable.

For breast cancer, early detection has been proven to reduce mortality. This is encouraging, due to the fact that 1 in 8 women in the United States will develop breast cancer in her lifetime.

In 2008 alone, the overall cost of cancer in the United States was estimated at $228.1 billion. Greater awareness and early detection of all cancers will not only save tens of thousands of lives, but also greatly reduce the financial strain on the government and private health care services by detecting cancer before it requires very expensive treatment.

Cancer has taken an enormous toll on our society's health and economy. But this disease, in all its forms, is often detectible at early stages. By designating a month to focus on early detection for breast cancer and all other forms of cancer, we will address some of the principle challenges that inhibit screening and prolong detection. Enhanced awareness and screening are the keys to reducing morbidity and mortality from cancer and reducing the financial and emotional stress that this disease places on Americans.

I want to thank Senator RICHARD DURBIN for joining me in cosponsoring the Senate resolution. I also would like to thank Representative ETHERIDGE for sponsoring the House companion, which passed on January 21. I am extremely pleased that both Chambers have been supportive of this issue and that the Senate is adopting this concurrent resolution today.

Mr. REID. I ask unanimous consent that the concurrent resolution be agreed to, the preamble be agreed to, the motions to reconsider be laid on the table, that there be no intervening action or debate, and any statements relating to this matter be printed in the RECORD.

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

The concurrent resolution (H. Con. Res. 158) was agreed to.

The preamble was agreed to.

RECOGNIZING THE AMERICAN KENNEL CLUB

Mr. REID. I ask unanimous consent that the Judiciary Committee be discharged from further consideration of

S. Res. 393, and we now proceed to its consideration.

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

The clerk will report the resolution by title.

The legislative clerk read as follows:

A resolution (S. Res. 393) recognizing the contributions of the American Kennel Club.

There being no objection, the Senate proceeded to consider the resolution.

Mr. REID. I ask unanimous consent the resolution be agreed to, the preamble be agreed to, the motions to reconsider be laid on the table, there be no intervening action or debate, and any statements relating to this matter be printed in the RECORD.

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

The resolution (S. Res. 393) was agreed to.

The preamble was agreed to.

The resolution, with its preamble, reads as follows:

S. RES. 393

Whereas the American Kennel Club (AKC), headquartered in New York City, with an operations center in Raleigh, North Carolina, was founded in 1884, operates the world's largest registry of purebred dogs and is the Nation's leading not-for-profit organization devoted to the advancement, study, responsible breeding, care, and ownership of dogs;

Whereas the American Kennel Club approves, sanctions, and regulates the events of its 609 member clubs and monitors more than 4,000 licensed and sanctioned clubs throughout the United States who hold events under American Kennel Club rules and regulations;

Whereas in 2008, the American Kennel Club sanctioned or regulated 22,630 sporting events that included breed conformation, agility, obedience, earthdog, herding, field trial, retrieving, pointing, tracking, and coonhound events;

Whereas the American Kennel Club honors the canine-human bond, advocates for the purebred dog as a family companion, advances canine health and well-being, works to protect the rights of all dog owners, and promotes responsible dog ownership;

Whereas the American Kennel Club promotes responsible dog ownership and breeding practices and supports thousands of volunteers and teachers from affiliated clubs across the country who teach responsible dog ownership and safety around dogs;

Whereas the American Kennel Club founded and supports the AKC Humane Fund, which promotes the joy and value of responsible pet ownership by supporting breed rescue activities, educating adults and children about responsible dog ownership, and assisting human-services organizations that permit domestic abuse victims access to shelters with their pets;

Whereas the American Kennel Club trains and employs kennel inspectors and conducts over 5,200 kennel inspections each year;

Whereas the American Kennel Club promotes responsible dog ownership, care, and handling of dogs to over 21,000 youths ages 9 to 18 years old enrolled in its National Junior Organization;

Whereas the American Kennel Club is the largest purebred dog registry in the world and the only registry that incorporates health screening results into its permanent dog records;

Whereas the American Kennel Club offers the largest and most comprehensive set of DNA programs for the purposes of parentage verification and genetic identity to ensure reliable registration records;

Whereas the American Kennel Club created and supports the Canine Health Foundation (CHF), which funds research projects focusing on the genetics of disease, the canine genome map, and clinical studies, and has donated over $22,000,000 to the CHF since 1995;

Whereas the American Kennel Club created and operates DOGNY: America's Tribute to Search and Rescue Dogs, which supports canine search and rescue organizations across the United States;

Whereas the American Kennel Club annually awards $170,000 in scholarships to veterinary and veterinary technical students;

Whereas the American Kennel Club has reunited more than 340,000 lost pets and their owners through the AKC Companion Animal Recovery (CAR) program;

Whereas the American Kennel Club established the AKC Canine Good Citizen program, which certifies dogs with good manners at home and in the community;

Whereas the American Kennel Club maintains the world's largest dog library and the Museum of the Dog in St. Louis, which houses one of the world's largest collections of dog-related fine art and artifacts, both of which are open to the public; and

Whereas the American Kennel Club celebrates its 125th anniversary this year: Now, therefore, be it

Resolved, That the Senate honors the American Kennel Club for its service to dog owners and the United States public.

SUPPORTING THE GOALS OF NATIONAL ENGINEERS WEEK

Mr. REID. I ask unanimous consent that the Commerce Committee be discharged from consideration of S. Res. 417 and we now move to that matter.

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

The clerk will report the resolution by title.

The legislative clerk read as follows:

A resolution (S. Res. 417) supporting the goals and ideals of National Engineers Week, and for other purposes.

There being no objection, the Senate proceeded to consider the resolution.

Mr. REID. I ask unanimous consent that the resolution be agreed to, the preamble be agreed to, the motions to reconsider be laid on the table, there be no intervening action or debate, and any statements relating to this matter be printed in the RECORD.

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

The resolution (S. Res. 417) was agreed to.

The preamble was agreed to.

The resolution, with its preamble, reads as follows:

S. RES. 417

Whereas engineers use their professional, scientific, and technical knowledge and skills in creative and innovative ways to fulfill the needs of society;

Whereas engineers have helped to address the major technological and infrastructural challenges of our time, including providing water, defending the Nation, and developing clean energy technologies that are needed to power the American people into the future;

Whereas engineers are a crucial link in research, development, and the transformation of scientific discoveries into useful products and jobs, as the people of the United States look more than ever to engineers and their imagination, knowledge, and analytical skills to meet the challenges of the future;

Whereas engineers play a crucial role in developing the consensus engineering standards that promote global collaboration and support reliable infrastructures;

Whereas the sponsors of National Engineers Week are working together to transform the engineering workforce through greater inclusion of women and underrepresented minorities;

Whereas the 2009 National Academy of Engineering and National Research Council report entitled ''Engineering in K-12 Education'' highlighted the potential role for engineering in primary and secondary education as a method to improve learning and achievement in science and mathematics, increase awareness of engineering and the work of engineers, help students understand and engage in engineering design, build interest in pursuing engineering as a career, and increase technological literacy;

Whereas an increasing number of the approximately 1,500,000 engineers in the United States are nearing retirement;

Whereas National Engineers Week has developed into a formal coalition of more than 100 professional societies, major corporations, and government agencies that are dedicated to ensuring a diverse and well-educated engineering workforce, promoting literacy in science, technology, engineering, and math, and raising public awareness and appreciation of the contributions of engineers to society;

Whereas National Engineers Week is celebrated during the week of George Washington's birthday to honor the contributions that the first President, who was both a military engineer and a land surveyor, made to engineering; and

Whereas, February 14, 2010, to February 20, 2010, has been designated as National Engineers Week by the National Engineers Week Foundation and its coalition members: Now, therefore, be it

Resolved, That the Senate—

(1) supports the goals and ideals of National Engineers Week to increase understanding of and interest in engineering careers and to promote technological literacy and engineering education; and

(2) continues to work with the engineering community to ensure that the creativity and contributions made by engineers can be expressed through research, development, standardization, and innovation.

ORDERS FOR WEDNESDAY, FEBRUARY 24, 2010

Mr. REID. Mr. President, I now ask unanimous consent that when the Senate completes its business today, it adjourn until 9:30 a.m., Wednesday, February 24; that following the prayer and pledge, the Journal of proceedings be approved to date, the morning hour be deemed expired, the time for the two leaders be reserved for their use later in the day, and the Senate resume consideration of the House message with respect to H.R. 2847, with the time until 9:55 a.m. equally divided and controlled between the two leaders or their designees.

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

PROGRAM

Mr. REID. Mr. President, at 9:55 a.m. tomorrow, the Senate will proceed to a

series of two rollcall votes. The first vote will be on the motion to waive the Gregg budget point of order with respect to the Reid jobs amendment. If the motion is successful, there will be another vote on the motion to concur with respect to H.R. 2847.

ADJOURNMENT UNTIL 9:30 A.M. TOMORROW

Mr. REID. Mr. President, if there is no further business to come before the Senate, I ask unanimous consent that it adjourn under the previous order.

There being no objection, the Senate, at 7:18 p.m., adjourned until Wednesday, February 24, 2010, at 9:30 a.m.

EXTENSIONS OF REMARKS

IN HONOR OF WALTER SHORENSTEIN'S 95TH BIRTHDAY

HON. NANCY PELOSI

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 23, 2010

Ms. PELOSI. Madam Speaker, I rise today to pay tribute to Walter Shorenstein—a prominent San Franciscan, a great American and a dear friend. He is a man of extraordinary vision and leadership, of generosity and wise counsel. And today, it is my distinct honor and privilege to mark his 95th birthday on the floor of the House of Representatives.

Along with his late wife, Phyllis, Walter used the tools of philanthropy and civic activism to build a better San Francisco. Their gifts to the Bay Area's academic and cultural institutions have been an example to all who wish to leave a mark on our city's future. Their willingness to give—to donate their time, hospitality, and passion to others—has touched and influenced many lives.

One of San Francisco's most distinguished business leaders, Walter Shorenstein is a true pioneer, a visionary who helped shape our city's magnificent skyline and who worked to make San Francisco into the global economic and commercial center it is today. His leadership has been recognized by presidents and other world leaders, as well as the people of San Francisco.

After serving in World War II, Walter arrived in San Francisco in 1946 and began work in commercial real estate with the brokerage firm Milton Meyer & Company. By 1960, he had become President and sole owner of Milton Meyer, renamed it the Shorenstein Company, and transformed it into the largest owner and operator of commercial real estate in San Francisco and one of the largest privately owned real estate firms in the nation.

As firm believers in the power and promise of a strong education—and in memory of their beloved daughter Joan—Walter and Phyllis founded the Joan Shorenstein Center on Press, Politics and Public Policy at Harvard's Kennedy School of Government. He also sponsors the Shorenstein Initiative at Stanford University's Asia/Pacific Research Center, as well as programs at UC Berkeley's Institute of East Asian Studies. He is the single largest donor in the U.S. to the United Way.

For Giants fans, Walter was a leader in keeping our beloved baseball team in San Francisco, galvanizing investors, local businesses, and the team's faithful fans to take action and preserve our national pastime in our city.

Walter and Phyllis proudly and lovingly raised three children: Joan, Carole and Doug. Doug Shorenstein became Chairman and CEO of the Shorenstein Company in 1995. Carole Shorenstein Hays is a Tony Award-winning Broadway producer and President of SHN, a theatrical entertainment company in San Francisco. Joan, a political journalist and producer at CBS News, died in 1985.

I join Walter's children Doug and Carole, his grandchildren Brandon, Sandra, Danielle, Wally, and Grace, and family, friends and colleagues in wishing Walter a happy 95th birthday.

RECOGNIZING BLACK HISTORY MONTH

SPEECH OF

HON. SANFORD D. BISHOP, JR.

OF GEORGIA

IN THE HOUSE OF REPRESENTATIVES

Monday, February 22, 2010

Mr. BISHOP of Georgia. Madam Speaker, I am pleased to join my distinguished colleague AL GREEN in co-sponsoring H. Res. 1046, which recognizes the significance of Black History Month.

This year, Black History Month marks Abraham Lincoln's 201st birthday, as well as our nation's first anniversary of the inauguration of an African-American president. This remarkable fact truly shows the capacity of our society to transform. Since 1926, February has been dedicated to giving Americans of every ethnicity and race the opportunity to reflect on the struggles of the past and look forward to an even brighter future as we continue working to ensure equality for all Americans. Black History Month is also a reminder that there will still be challenges ahead, and we must stay united as freedom-loving Americans to overcome them.

One sign of this progress is the United States Department of Agriculture's recent announcement of a settlement in the Pigford Case—a lawsuit brought by plaintiffs who were black farmers who sued for compensation for the harm they suffered as a result of unlawful actions of USDA government agents regarding loan applications.

Many African-Americans still struggle with disparities in their workplace, in their educational opportunities, and in their health care. We still have a long way to go before the dream of Dr. Martin Luther King, Jr. and his brethren in the Civil Rights Movement becomes a reality. Let us reeducate ourselves this year as we do every February, to making our country a better, fairer, and kinder place for all Americans.

PERSONAL EXPLANATION

HON. STEVE KING

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 23, 2010

Mr. KING of Iowa. Madam Speaker, on rollcall No. 19 I was unable to vote because my arrival in Washington from Iowa was delayed by severe winter weather.

Had I been present, I would have voted "yes."

SUPPORTING THE HAWAII FESTIVAL OF RELIGIOUS FREEDOM

HON. NEIL ABERCROMBIE

OF HAWAII

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 23, 2010

Mr. ABERCROMBIE. Madam Speaker, I rise today to commend the Hawaii Festival of Religious Freedom.

This festival, which shared with the community many presentations on religious liberty by experts from various faiths, aimed to build public awareness and support for religious liberty; bring civic, political, and faith leaders together to foster greater mutual understanding, respect, and cooperation; and promote the aloha spirit of religious freedom internationally.

In anticipation of the festival, the Hawaii State Legislature proposed legislation including H.R. No. 74 and H.C.R. No. 92 to recognize July as Religious Freedom Month in Hawaii.

Organized by Alan Reinach, held by the Hawaii Conference of Seventh-Day Adventists, and cosponsored by Liberty Magazine, North American Religious Liberty Association, and the International Religious Liberty Association, I would like to commend Earl Stuckey, Jr., Hawaii Conference President of the Hawaii Festival of Religious Freedom, for his great work to coordinate the festival's musical program. In "orchestrating" this festival, I am pleased to know that people of all religious faiths gathered in Hawaii to share their inspiration and music, individually and collectively. It reflects the Aloha State's reputation as the "melting pot of the Pacific."

HONORING MR. MICHAEL DOVE

HON. BRIAN HIGGINS

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 23, 2010

Mr. HIGGINS. Madam Speaker, I rise today to pay tribute to the years of service given to the people of Chautauqua County by Mr. Michael Dove. Mr. Dove served his constituency faithfully and justly during his tenure as a member of the Carroll Town Council.

Public service is a difficult and fulfilling career. Any person with a dream may enter, but only a few are able to reach the end. Mr. Dove served his term with his head held high and a smile on his face the entire way. I have no doubt that his kind demeanor left a lasting impression on the people of Chautauqua County.

We are truly blessed to have such strong individuals with a desire to make this county the wonderful place that we all know it can be. Mr. Dove is one of those people and that is why, Madam Speaker, I rise to pay tribute to him today.

IN HONOR OF CAPTAIN DANIEL P. MACK

HON. JOE SESTAK

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 23, 2010

Mr. SESTAK. Madam Speaker, I would like to honor a man who has dedicated his life to courageous and exemplary service to our Nation, Captain Daniel P. Mack of the United States Navy.

Through his 27-year career, Captain Mack consistently demonstrated his dedication, diligence, and commitment to our great Nation. The son of John Francis Mack, a World War II veteran, and Helen Marie Conboy Mack, he was born February 18, 1960. He graduated from the Naval Academy in 1982. After being commissioned, Captain Mack attended Nuclear Power School and Naval Submarine School and reported aboard the USS *John Adams*. After completing six deterrent patrols over a period of three years, he joined the staff of the Naval Academy, serving as 24th Company Officer and Executive Assistant to the Commandant of Midshipmen. In 1990, he reported to the USS *Puffer*, which completed Pacific and Arctic patrols during his time aboard, and he was awarded the Meritorious Unit Commendation.

In 1995, Captain Mack graduated with the highest distinction from the College of Command and Staff at the Naval War College. After earning his Master's Degree in International Relations and National Security Affairs, he was assigned to Executive Officer duty aboard the USS *Phoenix*. He completed *Phoenix's* final deployment, during which she earned the 1996 Fleet Silver Anchor Award and a Meritorious Unit Commendation. Captain Mack then returned to the Naval Submarine School, where he served as Prospective Executive Officer instructor.

In January 2000, Captain Mack assumed command of USS *Houston*. Under his guidance, the boat earned the CINCPACFLT Retention Award, for outstanding personnel development and the highest retention rate in the Pacific.

After completing his tour as Commanding Officer, Captain Mack served as Deputy Commander of Submarine Squadron 11. He then served on the Joint Staff in the Strategic Plans and Policy Division. Captain Mack also served as Nuclear Policy Division Chief and as the Nuclear Weapons Council advisor to the Vice Chairman of the Joint Chiefs of Staff. He also reported to the Navy Staff where he held several vital positions.

In 2007, Captain Mack assumed command of Submarine Squadrons Sixteen and Twenty where he oversaw the development and training of sixteen separate submarine crews.

Even by the military's high standards, Captain Mack's record of achievement stands out. His personal awards include the Defense Superior Service Medal, awarded for ''superior meritorious service in a position of significant responsibility'', the Legion of Merit, awarded for ''exceptionally meritorious conduct in the performance of outstanding services,'' as well as multiple awards of the Meritorious Service Medal, Navy and Marine Corps Commendation Medal, and Navy and Marine Corps Achievement Medal.

While the Navy is losing one of its finest officers after his retirement this month, Captain Mack's legacy will continue to benefit the United States Navy for years to come. Whether as a Company Officer at the Naval Academy, Prospective Executive Officer instructor at Naval Submarine School, or as Commander of Submarine Squadrons Sixteen and Twenty, Captain Mack's career has deeply and positively affected the lives of countless Shipmates—improving their futures as Sailors and citizens.

I salute his committed service to our Nation. Moreover, I wish him and his three magnificent children Maggie, Daniel and Timothy great happiness as they embark on this new chapter in their lives. I am certain that Captain Mack will remain successful and productive in every future endeavor.

CELEBRATING THE 100TH ANNIVERSARY OF THE RICHMOND BRANCH OF THE FREE LIBRARY OF PHILADELPHIA

HON. ALLYSON Y. SCHWARTZ

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 23, 2010

Ms. SCHWARTZ. Madam Speaker, I rise today to honor and congratulate the Richmond Branch of the Free Library of Philadelphia on its momentous 100th Anniversary. The Richmond Branch is located in the Port Richmond section of Northeast Philadelphia which was once home to the busiest port along the Atlantic seaboard.

While the Richmond Library officially opened on March 15, 1910, the library's inception dates back to 1897 when a ''Traveling Library'' that was open two nights each week was established in a flour and feed store located in the heart of the Port Richmond neighborhood. In that same year a group of Protestant ministers rallied the community to establish a neighborhood library which featured expanded hours. The library was moved to the Mutual Hall Association at Richmond Street and Neff Street, which is now Indiana Avenue. This neighborhood library was named the Port Richmond Branch and housed 3000 books.

In 1908, the cornerstone of the current branch was laid through the generosity of both Andrew Carnegie, who endowed the Free Library of Philadelphia with a financial gift to construct library buildings, and Anne W. Penfield, who was considered the wealthiest woman in America at the time, who donated the land at 2987 Almond Street for the library. The building was renovated in 1994 as part of the city's ''Changing Lives'' campaign, which brought Internet service to this library as well as other libraries across Philadelphia.

Madam Speaker, I ask that my colleagues join me in celebrating the Richmond Library's 100th anniversary milestone and wish the friends, staff, and patrons many more years of community enrichment and service.

CONGRESSIONAL BLACK CAUCUS

SPEECH OF

HON. PETER J. VISCLOSKY

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Monday, February 22, 2010

Mr. VISCLOSKY. Madam Speaker, it is with great respect and sincere admiration that I rise to celebrate Black History Month and its 2010 theme—The History of Black Economic Empowerment. With the current economic struggles facing our nation, it is fitting that this year's theme focuses on honoring those individuals and organizations that have had an immense impact on society during our most difficult times. Throughout our nation's history, time and time again, African American communities have found strength and purpose in coming together to rise above unfortunate circumstances, and I rise today to pay tribute to those who have demonstrated such remarkable leadership.

The theme for this year's Black History Month, The History of Black Economic Empowerment, is a reminder that in striving for a greater society, we must examine the past. Few organizations can match the impact that the National Urban League has had on promoting economic empowerment in our nation's urban communities. The National Urban League has been a cornerstone of communities across America in carrying out its mission, to enable African Americans to secure economic self-reliance, parity, power and civil rights. As the National Urban League celebrates a remarkable milestone, its 100th anniversary, we take this time to remember the outstanding contributions of those visionaries who sought to bring about hope during the bleakest of times and to recognize those who have carried on their work.

As the Representative for the First Congressional District of Indiana, I have had the pleasure of representing the Urban League of Northwest Indiana and the honor of knowing one of the organization's most influential members, Ms. Eloise Gentry. Ms. Gentry passed away on August 20, 2009, after leading the Urban League of Northwest Indiana for more than thirty years. While Ms. Gentry is missed by all of Northwest Indiana, the impact she has had on her community, not only as the president and chief executive officer of the Urban League but also as an educator in the Gary Community School Corporation and in her many other community service undertakings, will continue to resonate for generations to come. As an educator, activist, and community leader, Ms. Gentry has touched thousands of lives.

As her obituary read, ''First and foremost, Eloise Gentry was an EDUCATOR.'' I cannot think of a more fitting one-word description. From those she taught in the classroom to those she worked closely with at the Urban League to those whose lives she improved through her work, everyone who had the pleasure of knowing Ms. Gentry learned from her, if not by her words then by her example.

While we have lost a pillar of our community, Eloise Gentry's lasting impression and the efforts of the Urban League of Northwest Indiana continue on today. Under the leadership of newly appointed president and chief executive officer, Vanessa Allen, the Urban League of Northwest Indiana, along with the more than one hundred local affiliates across America, continues to strive to provide economic empowerment and educational opportunities for African Americans while seeking to ensure their civil rights.

It is the efforts of organizations like the National Urban League and its affiliates that allow us to reflect on what makes the United States of America so special. While the United States is made up of people from so many different racial, religious, social, and ideological

backgrounds, it is the vision and leadership of people like Eloise Gentry, who have sought to improve the quality of life for all Americans, that has made America what it is.

Madam Speaker, I ask that you and my distinguished colleagues join me in recognizing the tireless dedication of the members of organizations such as the National Urban League, who continue their selfless work today, and I ask that you join me in remembering a true hero, Ms. Eloise Gentry, one of Northwest Indiana's finest citizens.

NATIONAL JOB CRISIS

HON. BARBARA LEE

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 23, 2010

Ms. LEE of California. Madam Speaker, I submit the following letter:

FEBRUARY 19, 2010.

Hon. NANCY PELOSI,
Speaker of the House, House of Representatives, Washington, DC.
Hon. HARRY REID,
Majority Leader, U.S. Senate, Washington, DC.

DEAR SPEAKER PELOSI AND MAJORITY LEADER REID:We write on behalf of the broad civil rights and human rights communities to urge swift action on a national crisis that is affecting us all. Unless we resolve our national job crisis, all of our other priorities—from reforming health care and fixing our broken immigration system to expanding economic opportunity for all Americans—are in real jeopardy. In our neighborhoods and communities, people are calling for bold action to rebuild the economy.

A recovery plan is needed that rescues Americans from job losses and foreclosures, and that lays the foundation for a more prosperous future for all. The lack of decent jobs, the fear of losing the family home to foreclosure, and the particular impact of both of these problems on minority, tribal, and poor neighborhoods are pushing people to the breaking point. In addition, people with disabilities, who have had historic high levels of unemployment, need relief. The economic and health care crises are inextricably linked as job loss causes the loss of health insurance coverage, leaving families one medical crisis away from bankruptcy and foreclosure.

Wall Street received the helping hand it needed, but the American people are still waiting. It is time to require Wall Street to do its fair share to rescue, restore and rebuild our cities and neighborhoods. Main Street is hurting, and the banks and the federal government must do their part to help turn the economy around in ways that all families can see and feel.

The House has passed a jobs bill that is awaiting action in the Senate. In his State of the Union address, President Obama urged the Senate to act quickly on it. We join the President's call to Congress, and strongly urge the House and Senate to enact bold legislation that provides immediate relief to people who are out of work and employers that are unable to maintain their workforces. As included in the House legislation, it is critical that substantial fiscal relief be made available to help stabilize State and local governments, and to preserve essential services and safety net programs in our communities and the jobs of tens of thousands of workers around the country. Similarly, and again as included in the House legislation, the extension and improvements to our Unemployment Insurance program and help with COBRA premiums as enacted in the ARRA must be extended at least through the end of 2010.

Of equal importance, and as urged by the Congressional Black Caucus, among others, the final legislation must provide tools for ensuring that stimulus funds go to the places and people most in need, especially those regions where homeowners were targeted by unscrupulous mortgage lenders and where job loss has been higher than average. Accordingly, we urge Congress to adopt legislation that provides for:

(1) FAST TRACK CREATION OF JOBS IN THE PUBLIC SECTOR THAT SERVE COMMUNITY-LEVEL NEEDS

Appropriate $40 billion a year for two years to create employment opportunities for unemployed and underemployed residents of distressed communities. Under this proposal, the Department of Labor would administer grants to states, local governments, and Indian tribes. Five percent of funds would be reserved for Indian tribes and discretionary grants, 30 percent would be allocated to states to be re-granted to small localities, and the remaining funds allocated to metropolitan cities and counties under the Community Block Grant formula. Implementation would occur in two phases. The first phase would fast-track job creation for nine months in public service-oriented work projects. The second would provide job creation on projects that serve areas with the greatest economic need, integrate education and job training, coordinate with apprenticeship and pre-apprenticeship programs, and provide job opportunities in sectors that offer high growth and the prospect of long term employment. These initiatives must be designed so that they maintain existing wage and benefit standards and do not displace existing jobs or simply exchange one group of unemployed workers for another. A number of models for public employment have been proposed, including H.R. 4268, the Put America to Work Act of 2009, sponsored by Rep. Keith Ellison (D–MN).

Invest $1 billion to hire workers to maintain and rehabilitate abandoned and foreclosed properties in neighborhoods by appropriating a second round of funds for the Neighborhood Stabilization Program (NSP). Under this proposal, at least 30 percent of new NSP jobs would be required to go to economically disadvantaged job-seekers, prioritizing hiring workers with low-income and low levels of education, and those not currently receiving UI. At least 30 percent of hires would be required to be low-income residents from the areas in which projects are funded.

Provide a work sharing tax credit, as proposed by Rep. John Conyers (D–MI) in H.R. 4179, the ''Shortening Hours and Retaining Employees (SHARE) Credit Act of 2009,'' which would minimize layoffs and incentivize new hiring. The tax credits would be used to pay firms to shorten the typical workweek or work year, while keeping pay constant. This would lead employers to hire additional workers to make up for the fewer hours worked by their incumbent work force. A rough estimate is that this tax credit would create a net total of 1.3 to 2.7 million jobs. Funding work sharing would be cost-effective and efficient, and would very quickly make a big dent in the unemployment rate.

Extend through FY2011 the time during which states and localities are allowed to use existing TANF Emergency Contingency Funds, which can be used to create subsidized jobs, as well as to improve access to cash assistance and other one-time assistance for low-income families. These funds were authorized in the ARRA, and under current law, all funds must be spent by the end of FY2010. In addition, as proposed in the President's budget, additional funds, at least $2.5 billion, should be made available in FY2011.

(2) IMMEDIATE INVESTMENT IN THE INFRASTRUCTURE OF SCHOOLS AND PUBLIC TRANSIT

Provide $20 billion for school maintenance and repair, with funds allocated in accordance with the ESEA Title I formulas. According to the Economic Policy Institute, this could generate 250,000 skilled maintenance and repair jobs. In addition, provide $50 billion in capital funds for the lowest-income school districts.

Prioritize investments in public transportation, including regional systems that connect housing, jobs, and local services to improve access to healthy foods, medical care, and other basic services. Create clear guidelines to ensure that communities with high unemployment and poverty rates are served, and expand on language in the ARRA by creating strong accountability and enforcement measures tied to achieving equitable economic benefits.

Both programs should include safeguards to ensure that job creation results in widespread impact for all workers. For example, contractors receiving federal dollars should ensure that at least 15–30 percent of project work-hours are worked by local residents who are lower income, people of color, women, or who are otherwise underrepresented in the construction industry. Where joint apprenticeship programs are located near a project, contractors should have to maximize the use of registered apprentices who receive quality training. One percent of all dollars for infrastructure investment should be dedicated to creating a pipeline of workers ready to step into apprenticeship programs and construction careers. The Secretary of Labor should be authorized to ensure that public agencies and contractors receiving federal funds utilize Community Workforce Agreements.

(3) PREVENTION OF FORECLOSURES

Allocate $10 billion of appropriated TARP funds to HUD to provide fixed-rate, low-interest loans to unemployed people facing foreclosure who don't qualify for other a assistance. This program would be modeled on a successful effort by the Pennsylvania-based Homeowners' Emergency Mortgage Assistance Program (HEMAP). If a homeowner provided verification of their unemployment compensation to his loan servicer, he would be automatically approved for a loan that would pay any mortgage above 31 percent of family income. Loans would be repayable with interest, but interest would not accrue and repayments would not begin until the homeowner's income was sufficient to allow payment.

Allow homeowners to rent back their homes at market rates for up to ten years following foreclosure. The program would be modeled after the Fannie Mae ''Deed for Lease'' program that gives former owners the option to lease their recently-foreclosed properties and that targets neighborhoods with above-average foreclosure rates.

Support ''cram down'' provisions to allow bankruptcy court judges to approve changes to mortgage contracts for homeowners in bankruptcy, such as extending repayment periods, reducing interest rates and fees, and adjusting the principal balance of mortgages.

Implementing our proposals would swiftly stabilize neighborhoods and stem the human suffering in the most distressed parts of the country. While these are temporary investments, all would leave the kind of lasting benefits for homeowners, workers, and students, which would generate long term benefits to the economy and nation. By ensuring

that recovery and reinvestment programs reach all Americans, we ensure strong economic growth for the nation overall. We stand ready to support you and our President in efforts to build an economy based on shared prosperity for all Americans.

Sincerely,

AFL–CIO; American Federation of State, County and Municipal Employees; Asian American Justice Center; American Association of People with Disabilities; Campaign for Community Change; Center for Responsible Lending; Coalition on Human Needs; Communications Workers of America; Demos; Economic Policy Institute; Half in Ten; Japanese American Citizens League; Lawyers' Committee for Civil Rights Under Law; National Association for the Advancement of Colored People; National Congress of American Indians; National Council of La Raza; National Partnership for Women and Families; Policy Link; Service Employees International Union; The Leadership Conference on Civil and Human Rights; United Methodist Church, General Board of Church and Society; United Methodist Episcopal Churches; United States Student Association; United Steelworkers; USAction.

HONORING WILLIE BROWN, SR., M.D.

HON. GEORGE RADANOVICH

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 23, 2010

Mr. RADANOVICH. Madam Speaker, I rise today to posthumously honor Willie Brown, Sr. M.D. upon being honored with the "Trail Blazers Award" by the African American Museum. Dr. Brown will be honored at the African American History Month Celebration and Banquet on Saturday, February 6, 2010 in Fresno, California.

Dr. Willie Brown was born on January 4, 1932 in rural Mississippi. His father worked as a sharecropper and educator and his mother raised 12 children. Against all odds, he attended the University of California, Berkley and Meharry Medical College in Nashville, Tennessee during the 1950s. After completing the program with a medical degree, Dr. Brown was accepted as an intern at Fresno County Hospital, and moved toward becoming an obstetrician gynecologist. In 1962, he began a private practice. Dr. Brown was the first African American specialty board certified physician in Fresno County and the 51st African American Board Certified obstetrician gynecologist in the United States.

During Dr. Brown's 47 year career, he spent 22 of those years in practice with his son, Dr. Willie Brown, Jr. Together they delivered well over 22,000 babies in Fresno County. Dr. Brown's passion for education never ended, he was an instructor to many OB/Gyn physicians in the area and was recognized as an associate clinical professor in the department of OB/Gyn at the University of California, San Francisco in Fresno.

Dr. Brown also served as a Flight Surgeon and Clinic Commander of the U.S. Air Force 144th Dispensary in the California Air National Guard. He was honorably discharged as a Major by the Air Force and is a recipient of the Service Commendation Medal. Dr. Brown served as the director of the Office of Family Planning at the Fresno Economic Opportunities Commission. He was the founding president of the John Hale Medical Forum and co-founder of the John Hale Medical Center in West Fresno. Dr. Brown was also a member of the Board of Governors in the Fresno Medical Society, a Paul Harris Fellow of Rotary International and was a lifetime member of the National Association for the Advancement of Colored People, NAACP.

Dr. Brown was also an entrepreneur. Along with a few colleagues, Dr. Brown started and funded the first African American privately owned supermarket in West Fresno. He was a real estate developer, a music producer, a co-owner of Robert's Collision Repair business, a co-owner of Just Julia's Jewelry business and had his own record label, Gimini Twins and Brownstone Entertainment. Dr. Brown was a benefactor for Second Baptist Church, Northwest Church, Youth for Christ, Meharry Medical College, Edison High School, Fresno Westside Seventh Day Adventist Church and Family Community Church, where he served as deacon and deacon emeritus. For his enormous contributions to the community, Dr. Brown has been recognized by a number of organizations; including West Fresno Health Care Coalition and the local NBC affiliate, KSEE Channel 24.

Dr. Brown and his wife, Julia, were married for 54 years. Together they raised three children and had six grandchildren.

Madam Speaker, I rise today to posthumously honor Dr. Willie Brown, Sr. I invite my colleagues to join me in honoring his life and wishing the best for his family.

HONORING LEMARC HUMPHREY'S ACT OF HEROISM IN JACKSON STATE SHOOTING

HON. BENNIE G. THOMPSON

OF MISSISSIPPI

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 23, 2010

Mr. THOMPSON of Mississippi. Madam Speaker, today I rise to honor Mr. LeMarc Humphrey for his heroic actions on Monday February 1, 2010 at Jackson State University. The 21-year-old computer engineer major rushed to the aid of a wounded and stumbling research chemist student, Andrea Scott, after hearing shots behind the John A. People's Science Building Monday night. The gunman fired two shots striking Mrs. Scott in the back of the head, after allegedly trying to rob her. Mr. Humphrey heroically picked Mrs. Scott up out of the pouring rain and rushed her to the hospital to receive needed medical attention.

Madam Speaker, if it were not for the valiant effort of Mr. Humphrey, Andrea may have never had the chance to tell her story. The victim's husband, Bill Scott stated, "Our country is in desperate need of repair, and when you find a man like LeMarc, you see he was an American and he did something above and beyond the call of duty". Mr. Scott would like to see Mr. Humphrey nominated for the Presidential Medal of Freedom.

Madam Speaker, Mr. LeMarc Humphrey was raised in Jackson, MS. He is currently in the Air Force ROTC and played trombone for the Jackson State University "Sonic Boom of the South" Band his freshmen year. After his freshman year, he chose to leave the band to devote more time to the ROTC.

Madam Speaker, this is truly an act of bravery and courage on the behalf of this young man. I salute him for his tremendous act of selflessness and I wish Mrs. Scott a full recovery.

HONORING MICHAEL BAIRD

HON. PETER J. VISCLOSKY

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 23, 2010

Mr. VISCLOSKY. Madam Speaker, it is with great pleasure that I take this time to honor one of Northwest Indiana's most respected business and community leaders, Mr. Michael Baird, from Valparaiso, Indiana. On January 21, 2010, Mike was honored by the Northwest Indiana Forum in appreciation for his many years of service as a dedicated executive and for his numerous contributions to the community of Northwest Indiana. The celebration took place at the Avalon Manor in Merrillville, Indiana.

Mike Baird's professional and academic career led him to become a prominent leader in the banking industry for thirty-seven years. In 1970, Mike earned a Bachelor's degree in Marketing from Indiana University. Prior to graduate school, he worked as a representative for Hallmark Cards and also served in the United States Naval Reserve. In 1975, Mike went on to earn his Master's of Business Administration degree in Finance from Indiana University. Mike then began his career managing a middle-market lending division for Continental Bank in Chicago, covering both the Michigan and Indiana markets. In 1988, Mike joined Mercantile Bank as Senior Vice President, Chief Lending Officer, a position he held until 2004 when he assumed the position of Chief Credit Officer. In addition, Mike also served on the board of directors at Mercantile Bank from 1999 to 2004. In December 2004, Harris Bank completed the acquisition of the Hammond, Indiana-based Mercantile Bancorp Incorporated. On January 1, 2005, Mike joined Harris Bank as Senior Vice President and Chief Credit Officer for the Northwest Indiana region. Mike continued to advance in the company and on January 1, 2008, he became the Northwest Indiana Region President for Harris Bank. After many years of devotion to the banking industry, Mike retired from his remarkable career in January 2010.

In addition to his impressive professional career, Mike passionately serves the people of Northwest Indiana through his involvement in many community organizations. Among his many contributions to the community, Mike currently serves as Chairman of the Board of the Northwest Indiana Forum, Vice Chairman of the Board for the Center for Workforce Innovations, Board Member for the Valparaiso Economic Development Corporation, Board Member for the Boys & Girls Clubs of Northwest Indiana, Advisory Board Member for the Northwest Indiana Small Business Development Center, and Advisory Board Member for the Porter County Vocational Career Center.

Mike's dedication to his community is exceeded only by his devotion to his wonderful family. He has been married to his loving wife, Jeanne, for almost 29 years. They have one son, Eric, who is married to Tricia, and three beloved grandchildren: Nick, Russ, and Molly Baird.

Madam Speaker, at this time, I ask that you and my other distinguished colleagues join me

in commending Mr. Michael Baird as he is honored for his lifetime of service and dedication to the Northwest Indiana community. Mike continues to touch the lives of countless people, and for his unselfish, lifelong commitment, he is worthy of the highest praise.

TRIBUTE TO THE DeKALB YOUTH POPS ORCHESTRA AND STILL WATERS YOUTH SINFO-NIA ORCHESTRA

HON. HENRY C. "HANK" JOHNSON, JR.

OF GEORGIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 23, 2010

Mr. JOHNSON of Georgia. Madam Speaker,

Whereas, the DeKalb Youth Pops Orchestra and Still Waters Youth Sinfo-Nia Orchestra are unique tools for service and inspiration for citizens around the world; and

Whereas, over the past twenty plus years members of these stellar organizations have continuously given to our community by giving of themselves, their talent and their time; and

Whereas, the DeKalb Youth Pops Orchestra and the Still Waters Youth SinfoNia Orchestra have instructed thousands of youth in the arts of music, performance, showmanship and civic responsibilities; and

Whereas, these orchestras have performed locally, nationally and internationally enlightening the lives of people from all walks of life; and

Whereas, Presidents, Governors, Legislators and citizens of the world have been touched and moved by the performances of these remarkable orchestras; and

Whereas, the U.S. Representative of the Fourth District of Georgia wishes to honor and recognize the DeKalb Youth Pops Orchestra and the Still waters Youth Sinfo-Nia Orchestra for its outstanding service to our Community and wish them well on their 1st Reunion Concert;

Now Therefore, I, Henry C. "Hank" Johnson, Jr. do hereby proclaim Saturday, February 20, 2010 as DeKalb Youth Pops Orchestra and Still Waters Youth Sinfo-Nia Orchestra Day in the Fourth Congressional District.

Proclaimed, this 20th day of February, 2010.

HONORING SHANI DAVIS

HON. MIKE QUIGLEY

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 23, 2010

Mr. QUIGLEY. Madam Speaker, I rise today to recognize and congratulate Chicago-native Shani Davis on his two speed skating medals at this year's Winter Olympics. Shani defended his 2006 gold medal in the 1000m and skated to a silver medal in the 1500m. He became the first man ever to win consecutive golds in the 1000m.

Born on Chicago's South Side, Shani overcame long odds to become the first African American to win an individual winter Olympics medal. His unique and historic story has inspired millions of Americans across the country and led to the founding of D.C. Inner City Excitement, a program that introduces Washington, D.C. youth to the sport of speed skating. It is an honor to recognize his remarkable road to glory and honor his groundbreaking career.

HONORING MRS. LYDIA YEH

HON. ILEANA ROS-LEHTINEN

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 23, 2010

Ms. ROS-LEHTINEN. Madam Speaker, it gives me great pleasure to honor the accomplishments and ongoing work of Mrs. Lydia Yeh and The Cultural and Educational Scholarship Foundation of the Chinese Women's Club of Greater Miami/South Florida.

My Congressional district is blessed to enjoy the best of diversity in our melting pot of languages, races and cultures; and among them is The Chinese Women's Club of Greater Miami/South Florida, striving to fundraise and promote cultural activities.

Their scholarship foundation's primary mission for the past 20 years has been to acknowledge talented young scholars of Chinese descent in the greater Miami area.

Under the leadership of their founding President, Mrs. Lydia Yeh, and a group of dedicated members of the Chinese Women's Club, over two hundred outstanding high school, college and graduate students have received scholarship awards.

On Sunday, December 27, 2009 they celebrated their 20th anniversary at Miami's Dadeland Marriott Hotel, where their scholarship recipients gave remarks to inspire the younger generations to come.

Let us honor Lydia and the Chinese Women's Club's Scholarship Foundation, who seek to empower our youth and give them the tools to succeed in life.

EARMARK DECLARATION

HON. DOUG LAMBORN

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 23, 2010

Mr. LAMBORN. Madam Speaker, pursuant to the Republican Leadership standards, I am submitting the following information regarding member requests I received as part of H.R. 3326—Department of Defense Appropriations Act, 2010:

Requesting Member: Representative DOUG LAMBORN, CO–05

Bill Number: H.R. 3326

Account: RDTE Air Force, Line 75, PE 0604706F Life Support Systems

Legal Name of the Requesting Entity: Goodrich Corporation

Legal Address of the Requesting Entity: 1275 N. Newport Road, Colorado Springs, CO 80916

Description of the Request: $1.92 million is included in this bill to continue development and testing of the Advanced Common Ejection Seat (ACES 5) modular ejection-seat for the Air Force variant F–35 LRIP as well as its application to the F–22, F–15, F–16, F–117, A–10, B–1 and B–2.

Requesting Member: Representative DOUG LAMBORN, CO–05

Bill Number: H.R. 3326

Account: RDTE Army, Line 28 PE 0602787A Medical Technology

Legal Name of the Requesting Entity: University of Colorado at Colorado Springs, Trauma Health and Hazards Center

Legal Address of the Requesting Entity: 1420 Austin Bluffs Parkway, Colorado Springs, CO 80933

Description of the Request: $2.4 million is included in this bill to fund SupportNet, a program through the Trauma, Health, & Hazards Center at The University of Colorado at Colorado Springs (UCCS) providing comprehensive support for the critical treatment of Army service personnel who are treating mental health problems (e.g., Posttraumatic Stress Disorder, Depression, Alcohol and Drug Addiction, etc.) at Fort Carson in Colorado Springs.

HONORING THE LIFE AND SERVICE OF SPECIAL WARFARE OPERATOR 2ND CLASS RONALD TYLER WOODLE OF WAYNESVILLE, NORTH CAROLINA

HON. HEATH SHULER

OF NORTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 23, 2010

Mr. SHULER. Madam Speaker, I rise today to honor the life of Ronald Tyler Woodle of Waynesville, North Carolina. Tyler was a proud Navy SEAL, and an exemplary member of our community. His life, while short, sets an example of patriotism and dedication for future generations.

Tyler grew up in the mountains of Western North Carolina. He was home schooled until high school, when he transferred to Asheville Christian Academy. A star high school soccer career led to a two year scholarship to Mars Hill College. After a brief time in the construction industry, he enlisted in the United States Navy in June of 2007, and graduated from boot camp in August of the same year. Always pushing himself to excel, he completed his advanced SEAL qualification training and was transferred to an East coast SEAL team in October of 2009. Since October, Tyler had been training for an overseas deployment.

Tyler was taking part in an intensive training in Key West, Florida, when he passed away on February 18th. He was only 26 years old. He was buried with full military honors.

Madam Speaker, I ask my colleagues to join me in expressing remorse at the passing of Ronald Tyler Woodle. Tyler's life was an example of service and passion for us all to follow. We owe all of our veterans a debt of gratitude that can never be fully repaid. It is an honor to represent people like Tyler who are prepared to give their lives protecting our everyday freedoms.

COMMENDING THE PUBLIC SERVICE OF NCIS SPECIAL AGENT GREGORY A. SCOVEL

HON. FRANK R. WOLF

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 23, 2010

Mr. WOLF. Madam Speaker, I rise today to pay tribute to Special Agent Gregory A.

Scovel, Deputy Director for Operations of the Naval Criminal Investigative Service (NCIS), who retired from that organization on February 19 after 31 years of highly distinguished public service. I am pleased to say that Special Agent Scovel is one of my constituents from Leesburg, Virginia.

He began his NCIS career in 1978 following his graduation from the University of San Diego. Among his first field assignments was his participation in Operation ''Red Blanket'' following the Red Brigade kidnapping of U.S. Army General James Dozier when he was detailed in Beirut at the time of the 1983 bombing of the USMC barracks.

Special Agent Scovel was selected in 1986 to be the Assistant Special Agent in Charge (ASAC) for Counterintelligence at the Norfolk Resident Agency and moved in 1988 to serve as the Special Agent in Charge (SAC) of the Little Creek Resident Agency. He completed a ''trifecta'' of assignments in the Norfolk region with his posting as the Operations Officer for the NCIS Atlantic Command.

Special Agent Scovel was promoted in 1992 and assigned as the SAC of the Naples Resident Agency. Following the reorganization of the NCIS in 1994, he was designated as the ASAC for Counterintelligence of the Europe Field Office. For his performance in Europe, he was recognized with the Department of the Navy Meritorious Civilian Service Award as well as a 1996 promotion and transfer to headquarters as the Deputy Assistant Director (DAD) for Technical Services. Following that tour, he was selected to serve as the SAC of the Washington Field Office.

In 2000, Special Agent Scovel attended the National Security Management Program at Syracuse University's prestigious Maxwell School of Citizenship and Public Affairs. Following the October 2000 bombing in Yemen, he was detailed to service on the USS Cole Commission and authored the CI and Force Protection Chapters for its final report, after which he was recognized with the Defense Exceptional Civilian Service Award, the highest level career civilian honor given by the Office of the Secretary of Defense.

He joined the NCIS Executive Staff in 2001 as the Executive Assistant Director (EAD) for Criminal Investigations and following the tragic events of 9/11 assumed leadership in shaping the NCIS response including the development of the Counterterrorism Task Force and its ultimate successor, the Combating Terrorism Directorate.

He was later reassigned as the EAD for Counterintelligence and in 2007 was promoted as the Deputy Director for Operations and later concurrently served as the Acting Director of the NCIS until a new director was selected this month.

Following his retirement, Special Agent Scovel will begin a second career within the private sector. I would like to take this opportunity to thank Mr. Scovel for his 31 years of outstanding public service and to wish him ''fair winds and following seas'' as he begins the next chapter of his life.

MONTFORD POINT MARINE ASSOCIATION

HON. PETER J. VISCLOSKY

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 23, 2010

Mr. VISCLOSKY. Madam Speaker, it is with great admiration and tremendous respect that I stand to recognize the Montford Point Marine Association and to join them in honoring the brave individuals who, by enlisting in the United States Marine Corps, became the first African American Marines. In doing so, these Marines made one of the most significant strides in our Nation's fine military history. For their courage and for their willingness to serve their country, these American heroes were honored at an event in Hammond, Indiana, on Sunday, February 21, 2010.

On June 25, 1941, President Franklin D. Roosevelt issued Executive Order 8802, which prohibited discrimination in the defense industry. This historical order was followed in 1942 by a directive that gave African Americans the opportunity to join the United States Marine Corps, a directive that would become one of America's most important advances, not only in terms of our military, but in society as a whole.

Between 1942 and 1949, approximately twenty-thousand African Americans from across the United States were recruited into the Marine Corps. Instead of being sent to traditional Marine training locations, such as San Diego, California, and Parris Island, South Carolina, they were segregated and sent for basic training to Montford Point Camp at Camp Lejeune, North Carolina. Montford Point remained active until 1949, following President Harry S. Truman's issuance of Executive Order 9981, which ended the practice of segregation in the United States Military.

As the war progressed, the military could no longer deny that these dedicated and skilled Marines were equally as capable of performing their duties and serving their country as any other members of the military. The Marines of Montford Point sought to serve the United States through their military service, and in doing so, their impact spanned far beyond the military and into American society.

While many of the Marines were recognized for their military achievements, one of the highest honors was bestowed on April 19, 1974, when Montford Point Camp was renamed in honor of one of the most outstanding Marines of the camp, Sergeant Major Gilbert H. ''Hashmark'' Johnson. One of the first African American enlistees to join the Marine Corps, Johnson was a distinguished drill instructor and a veteran of both World War II and the Korean War. To date, Camp Johnson remains the only Marine Corps installation named in honor of an African American.

Madam Speaker, at this time I ask that you and my other distinguished colleagues join me in honoring these fine individuals. Let us never forget their service and the sacrifices they made in defense of the United States of America.

HONORING CECIL HINTON

HON. GEORGE RADANOVICH

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 23, 2010

Mr. RADANOVICH. Madam Speaker, I rise today to posthumously honor Cecil Hinton upon being honored with the ''Trail Blazers Award'' by the African American Museum. Mr. Hinton will be honored at the African American History Month Celebration and Banquet on Saturday, February 6th, 2010 in Fresno, California.

Mr. Cecil Clarence Hinton was born in 1902. He was a native of Tennessee and spent his early life in Indiana, Ohio and Michigan. Mr. Hinton graduated from Howard University in Washington, D.C. and completed some graduate work at Columbia University in New York.

Mr. Hinton moved to Fresno in 1944, and worked as a United Service Organization center director. He served for nineteen years as a director of the B Street Community Center in Fresno. The center was largely established through his efforts. Under his leadership the center served forty-eight youth groups and fifty-three adult groups through social and recreational programs. The center was rededicated in 1968 and renamed to the Cecil C. Hinton Community Center in his honor.

Mr. Hinton was a member of the National Conference of Social Welfare, the California Conference of Social Welfare, the California Federation of Settlements and Neighborhood Centers and Kappa Alpha Psi Fraternity. For his efforts and community leadership Mr. Hinton was honored in 1976 by the California State Senate. In 1980, he was recognized and honored by the California State University, Fresno Black Gospel Choir and in 1985 was named a ''Fabulous Fresnan.''

Mr. Hinton was married to Martha Galliard; they raised one daughter, Lois Juantia. They have three grandchildren; Lisa, Jelan and Jenan all living in Atlanta, Georgia. Mr. Hinton passed away on August 23, 1987 at the age of eighty-five.

Madam Speaker, I rise today to posthumously honor Cecil Hinton. I invite my colleagues to join me in honoring his life and wishing the best for his family.

PERSONAL EXPLANATION

HON. TED POE

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 23, 2010

Mr. POE of Texas. Madam Speaker, on rollcall Nos. 49 and 50 I was prevented from voting due to official business in the district. Had I been present, I would have voted ''yea'' on both.

100TH ANNIVERSARY OF THE BOY SCOUTS OF AMERICA

HON. SCOTT GARRETT

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 23, 2010

Mr. GARRETT of New Jersey. Madam Speaker, I rise today to commemorate the

100th anniversary of the Boy Scouts of America. Established on February 8, 1910, the Boy Scouts have provided a positive influence for millions of young men throughout the country and have instilled in them the twelve key pillars contained in the Scout Law, which reads: A Scout is trustworthy, loyal, helpful, friendly, courteous, kind, obedient, cheerful, thrifty, brave, clean, and reverent. Over the past 100 years, we've all known family, friends, and neighbors involved in the Boy Scouts who took these building blocks of leadership to heart and made their communities a safer and better place. The Boy Scout program has reminded the American people of the higher notions of patriotism and good citizenship. With a range of former Boy Scouts such as Buzz Aldrin, Bill Gates, Tommy Lasorda, and Gerald Ford, this program has served to structure the lives of some of our greatest countrymen.

I want to personally congratulate the two Boy Scout Councils in my district, the Northern New Jersey Council and the Patriots Path Council, on this very special anniversary. The dedicated Scout leaders who are involved in these programs have introduced Scouts in New Jersey to exciting explorations and taught them new skills that they will use throughout their life. They have recounted stories of Native American folklore around campfires, taught Scouts the uses of a taut-line hitch and bowline knot, and have provided the Scouts with an opportunity to take on responsibilities and duties to further their maturity into adulthood. There are few greater chances for aiding our country than to help these young men in their efforts to make themselves physically strong, mentally awake, and morally straight.

The Boy Scouts of America owes its tremendous history and over two million Eagle Scouts to an unknown English Scout who helped an American newspaper publisher cross a street in London. That newspaper publisher was so impressed by the Scout's willingness to help that he would later go on to found the Boy Scouts of America. Today, the Boy Scouts of America embrace the social and personal virtues needed in mankind and provide countless opportunities for their Scouts to better our world as a whole. With their example in mind, I hope all Americans will use this opportunity to help a neighbor, volunteer in his or her community, explore nature, or learn more about our great Nation.

PERSONAL EXPLANATION

HON. TIMOTHY V. JOHNSON

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 23, 2010

Mr. JOHNSON of Illinois. Madam Speaker, unfortunately last night I was unable to cast my votes on H.R. 4425 and H.R. 4238 and wish to reflect my intentions had I been able to vote.

Last night, I met with constituents of mine in a town hall forum at the Champaign County Nursing Home and I was unable to arrive in Washington, DC to cast my votes.

Had I been present on Rollcall No. 49 on suspending the rules and passing H.R. 4425, to designate the facility of the United States Postal Service located at 2–116th Street in North Troy, New York, as the "Martin G. 'Marty' Mahar Post Office," I would have voted "yea."

Had I been present on Rollcall No. 50 on suspending the rules and passing H.R. 4238, to designate the facility of the United States Postal Service located at 930 39th Avenue in Greeley, Colorado, as the "W.D. Farr Post Office Building," I would have voted "yea."

PERSONAL EXPLANATION

HON. GABRIELLE GIFFORDS

OF ARIZONA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 23, 2010

Ms. GIFFORDS. Madam Speaker, yesterday I was absent and missed rollcall votes 49 and 50.

Had I been present, I would have voted "aye" on rollcall 49 and "aye" on rollcall 50.

IN RECOGNITION OF PHILIP BRUNELLE RECEIVING THE 2010 LOCAL LEGEND AWARD

HON. BETTY McCOLLUM

OF MINNESOTA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 23, 2010

Ms. MCCOLLUM. Madam Speaker, today I rise in recognition of Philip Brunelle who received the Minnesota Martin Luther King, Jr. Breakfast Committee's 2010 Local Legend Award.

Philip Brunelle is a renowned conductor, organist and choral scholar. In 1969, with his partners, Brunelle founded the non-profit choral music organization Plymouth Music Series now known as VocalEssence.

VocalEssence presents concerts which feature the 130 voice VocalEssence Chorus and its core group, a 32-voice professional mixed chorus called the Ensemble Singers, along with guest singers and instrumentalists. VocalEssence stands apart from other choral groups because of its range, variety and quality of performance.

Mr. Brunelle has been awarded the 2010 Local Legend Award for his work with the WITNESS Collection. WITNESS is an initiative that began in 1991. It seeks to bear witness to the musical contributions of African American artists through concerts, recordings and educational programs.

This initiative has grown to include; an annual concert, a 4-volume collection showcasing 100 years of classical compositions by African American composers, educational outreach programs that strive to teach students about African American contributions, and the Teachers Guide that enhances educational outreach initiatives.

It is a privilege to recognize this valued leader before the United States House of Representatives. I salute Mr. Brunelle on behalf of his selfless dedication to music and the history of African American Artists.

Madam Speaker, in honor of Philip Brunelle, I am pleased to submit this statement for the CONGRESSIONAL RECORD.

BLACK HISTORY MONTH

HON. LEE TERRY

OF NEBRASKA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 23, 2010

Mr. TERRY. Madam Speaker, I rise today during Black History Month to recognize the many important contributions African Americans have made to our nation. We especially honor the extraordinary people who continue to help shape our community and our great nation. I have the privilege of representing thousands of successful and talented African Americans here in the second congressional district of Nebraska. Today I would like to recognize four individuals: Frank Hayes, Phyllis Hicks, Dr. Mary J. Clinkscale and Dr. Herb Rhodes.

Frank Hayes is a CPA who owns his own business. He is also a founding member and first president of the 100 Black Men organization, which is dedicated to improving the lives of youth. He has worked tirelessly to help minorities start their own businesses.

Since 1967 Phyllis Hicks has run the Salem Stepping Drill Team and continues to be a volunteer and chief fundraiser for this youth group. Through her outreach she has helped many youth overcome obstacles such as discrimination.

Dr. Mary J. Clinkscale, or "Dr. C" as she is commonly referred to, is the administrator of the Greater Beth-el Temple where she has planned, produced and directed more than 250 theatrical productions and presentations, including a performance to prelude the Tuskegee Airman receiving their Congressional Gold Medal.

Dr. Herb Rhodes has been a life-long member of the Omaha Business Community. He was featured in a 1975 issue of Ebony Magazine, which highlighted successful African Americans leading the way in the business industry. He not only has had success in the business community, but continues to be a role model in our city.

CONGRATULATING LEE COLLEGE ON THEIR 75TH ANNIVERSARY

HON. GENE GREEN

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 23, 2010

Mr. GENE GREEN of Texas. Madam Speaker, I rise today to honor Lee College in Baytown, Texas for their 75 years of dedication to our community and commitment to excellence in education.

Since 1934, Lee College has established a legacy of leadership and learning in our community by providing learning opportunities and experiences that have allowed students to excel in an ever changing environment. As a result, Lee College is one of the fastest growing community colleges in the country and has a nationally recognized Honors Program. It has furthered its accomplishments by being the first community college in the country to receive the Kresge Foundation Grant, reflecting the foundation's support for Lee College's critical role in providing access to higher education for minority and low-income students.

Americans turn to community colleges to provide the education that leads to greater

economic opportunity and improved quality of life. Lee College has never let our constituents down in this respect. Graduates of Lee College have become leaders in our community, in business, healthcare, education and many walks of life. I am proud to support Lee College in its continued efforts to develop first-rate affordable education in our area and know that they will continue to help build our workforce and community.

I congratulate the administration, faculty, staff, and students at Lee College for all of their hard work and dedication to academic excellence.

PERSONAL EXPLANATION

HON. BILL PASCRELL, JR.

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 23, 2010

Mr. PASCRELL. Madam Speaker, I want to state for the record that yesterday I missed the two rollcall votes of the day. Unfortunately I missed these votes because I was detained in my district.

Had I been present I would have voted "yea" on rollcall vote No. 49, On Motion to Suspend the Rules and Pass—H.R. 4425—To designate the facility of the United States Postal Service located at 2–116th Street in North Troy, New York, as the Martin G. Marty Mahar Post Office.

Lastly, had I been present I would have voted "yea" on rollcall vote No. 50, On Motion to Suspend the Rules and Pass—H.R. 4238—To designate the facility of the United States Postal Service located at 930 39th Avenue in Greeley, Colorado, as the W.D. Farr Post Office Builiding.

HONORING SHIRLEY ANN WILEY

HON. GEORGE RADANOVICH

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 23, 2010

Mr. RADANOVICH. Madam Speaker, I rise today to commend and congratulate Shirley Ann Wiley upon being honored with the "Trail Blazers Award" by the African American Museum. Mrs. Wiley will be honored at the African American History Month Celebration and Banquet on Saturday, February 6, 2010 in Fresno, California.

Shirley Ann was born to Albert and Faye Jones in Sweetwater, Texas; she was one of nine children. She attended Booker T. Washington High School in Sweetwater, and was honored as a salutatorian of her graduating class. She graduated from Wiley College in 1960 with a Bachelors degree in music and a minor in history.

After completing college, Mrs. Wiley moved to California and worked as a social case worker for the Red Cross in San Bernardino County. While in San Bernardino, she began substitute teaching and discovered her passion for education. In 1965 she received a full time teaching position with the Earlimart School District. After marriage, she and her husband moved to Lancaster, where she taught for one year before moving to Fresno.

Mrs. Wiley earned a teaching position with the Fresno Unified School District and began working towards a Masters Degree in education from California State University, Fresno. She completed the program in 1975, and in 1986 she earned a Doctorate from the University of La Verne. During her forty-year career, Mrs. Wiley was a classroom teacher, resource specialist, and served as Vice Principal in the Fresno Unified School District. Later in her career, Mrs. Wiley began working for the West Fresno School District and served as the Principal and Assistant Superintendent. In 1987, Mrs. Wiley returned to the Fresno Unified School District, where she completed her career and retired in June 2003.

During her forty-three years in Fresno, Mrs. Wiley has been involved with the Alpha Kappa Alpha Sorority, the Iota Phi Lambda Sorority, the Black Political Council and is a founding board member of the African American Historical and Cultural Museum. Mrs. Wiley and her husband have raised two highly successful daughters.

Madam Speaker, I rise today to commend and congratulate Shirley Wiley for her years of dedicated service to education in Fresno. I invite my colleagues to join me in wishing Mrs. Wiley many years of continued success.

HONORING DORIS MURPHY

HON. LYNN C. WOOLSEY

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 23, 2010

Ms. WOOLSEY. Madam Speaker, I rise with pleasure today to honor Doris Bailey Murphy of Occidental, CA, who marks her 100th birthday on March 11, 2010.

Doris, who lives in her mountain-top home surrounded by redwood trees and rhododendron bushes, was born in Portland, Oregon on March 11, 1910. At 100 she retains the spirit of adventure and independence she first demonstrated when she hitchhiked from Oregon to Arizona as a teenager.

She was married for four decades to San Francisco labor organizer Joe Murphy, head of Hod Carriers Local 36 and organizer for the Industrial Workers of the World. She wrote about their life in a memoir "Love and Labor." Published by Doris when she was 96, her book is peppered with smoke-filled rooms, night clubs and political drama, covering a rough and tumble time in California labor history and the colorful years in San Francisco during World War II and concluding in the coastal mountains of Sonoma County where she and Joe made their home for more than half a century.

Doris graduated from Reed College in 1938 with a psychology-sociology degree, followed by a graduate degree in social work from the University of California, Berkeley in 1956.

In San Francisco she was a welfare worker with the Traveler's Aid Society during the Depression and then with the Red Cross after World War II helping veterans, their families and other refugees of the era.

In Sonoma County she helped create the Sonoma County Council for Community Services which spawned various agencies concentrating on families and children. She worked as a therapist until she was age 90, explaining, "It was satisfying so why would I quit?"

In her adopted community of Occidental, where she has lived for more than 50 years, she has been a vital community leader, helping to establish a senior lunch and rides program, a community health center, and the Occidental Community Council.

In recent years she has been a tireless champion and leader of efforts to create a home for the growing arts community in western Sonoma County and will celebrate her 100th birthday at the newly opened Occidental Center for the Arts.

A formidable woman with a keen wit, zest for politics and a passion for dogs, horses, the arts and social justice, Doris opens her house regularly for community meetings and social gatherings. She has continued to host the annual Labor Day picnic begun by her and her late husband. Last year she helped launch a writing workshop in her living room.

Doris is a woman who likes California white wine but prefers a good scotch. When her house isn't filled with friends and admirers, you can find her throwing logs into her stone fireplace to settle in with the evening news, her dog Matilda and her cat, Rebel.

Madam Speaker, here's to Doris Murphy and her 100 years of community leadership and good living. In the words of her friend Bob Klose, she's a pretty classy dame!

PERSONAL EXPLANATION

HON. STEVE KING

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 23, 2010

Mr. KING of Iowa. Madam Speaker, on rollcall No. 17 I was unable to vote because my arrival in Washington from Iowa was delayed by severe winter weather.

Had I been present, I would have voted "yes."

HONORING THE UNI-CAPITOL INTERNSHIP PROGRAM

HON. LINCOLN DIAZ-BALART

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 23, 2010

Mr. LINCOLN DIAZ-BALART of Florida. Madam Speaker, The United States and Australia share a longstanding relationship that has allowed the two nations to cooperate on many international issues. Due to the strength and depth of this relationship, the United States has relied on the support of our ally Australia in many of our mutual international objectives. This relationship continues to be strengthened through the cooperation of our two governments and through the cultural exchanges that occur between our nations.

Developed by Erik Federing in 1999, the Uni-Capitol Internship Program enables a select group of young Australian students to experience the work of the United States Congress. It is through Mr. Federing's tireless efforts that this year, twelve exceptional Australian students are participating in internships in different Congressional offices. I have had the opportunity to work with three Australian students during the past five years and their professionalism and work ethic has been extraordinary.

This year my office worked with another student from the Uni-Capitol Internship Program,

Matthew Robertson. Matthew is a third year law student at Deakin University in Melbourne Australia. He applied to the program with the hope to learn more about the American government. Matthew's extensive knowledge of the Australian government and legal system enhances his understanding of the American legislative process. During his time at my office he had the opportunity to attend Committee hearings, briefings, perform legislative research, and prepare memos for my staff and myself. His professionalism in the office and willingness to handle any task that was assigned to him were outstanding. It has truly been a pleasure to have Matthew in the office.

I am certain that my colleagues were similarly impressed with the work done by the eleven other Australian students in the program. I rise to commend the Uni-Capitol Internship Program for its work to strengthen the relationship between the United States and Australia; and offer Matthew my thanks for a job well done.

A TRIBUTE TO T.J. PATTERSON

HON. RANDY NEUGEBAUER

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 23, 2010

Mr. NEUGEBAUER. Madam Speaker, in celebration of Black History Month, I would like to recognize Thomas James "T.J." Patterson for his dedication to the 19th Congressional District of Texas, as well as his leadership in honoring Black History Month in Lubbock, Texas.

Born in Waxahachie, Texas on June 29, 1937, T.J. was raised in Wichita Falls and graduated from Booker T. Washington High School in 1954. He then went on to attend Bishop College and in 1958 received a degree in Physical Education. After graduation, T.J. came to Lubbock where he met and married his bride of over 50 years, Bobbie Gean.

In 1961, T.J. was drafted into the U.S. Army where he valiantly served his country. After an honorable discharge, T.J. spent several years teaching at the Texas Tech University. In 1977, T.J. co-founded the Southwest Digest, a newspaper that has served as a strong voice for Lubbock's African American community for over 30 years.

In 1984, T.J. was elected as the first African American to serve on the Lubbock City Council, breaking down barriers for others to serve in public offices throughout the community, and I had the honor of serving with T.J. on the City Council. After 20 years of serving as the representative for District 2, T.J. retired from the Lubbock City Council in 2004 as the longest serving council member in Lubbock's history. In addition to this service, T.J. was elected president of the Texas Municipal League in 1998, becoming the first African American president in that organization's history.

T.J. is an active member of the Bethel African Methodist Episcopal Church. He is a legend in Lubbock's fight against illegal drugs. Over the past several years, T.J. has organized and participated in countless marches against drugs and violence. T.J. is an incredible role model for not only African American children, but all youth.

T.J. and his wife have a branch of the Lubbock Public Library named after them, the Bobbie Gean and T.J. Patterson Library, and the library hosts annual events in honor of Black History Month. They are pillars of the community and can be found visiting inmates in the local jail on Christmas Day offering messages of encouragement.

I am honored to know T.J. His message to us is that Black History is every day, not just one month out of the year. He is a hero, a public servant and a dreamer; a man of character and a faithful man of God. On behalf of the 19th Congressional District, including myself, I thank T.J. for all he has given and continues to give our community.

PERSONAL EXPLANATION

HON. JIM JORDAN

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 23, 2010

Mr. JORDAN of Ohio. Madam Speaker, I was absent from the House floor during Monday's two rollcall votes.

Had I been present, I would have voted in favor of H.R. 4425 and H.R. 4238.

HONORING GEORGE CROUSE FOR BEING NAMED THE UNITED STATES TENNIS ASSOCIATION'S NEW ENGLAND HIGH SCHOOL COACH OF THE YEAR

HON. JOE COURTNEY

OF CONNECTICUT

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 23, 2010

Mr. COURTNEY. Madam Speaker, I rise to congratulate George Crouse for being named the New England High School Coach of the Year by the United States Tennis Association (USTA). This is a fitting title for a man who has served as a tennis coach at Stonington High School for 37 years and has amassed more than 600 wins in the process.

George Crouse is a consummate professional and enthusiastic coach whose achievements continue to amaze his colleagues both in Connecticut and around the country. His commitment to the academic success of his student athletes in the classroom, exceed only his record on the court. Since 1973 he has coached boys and girls teams at Stonington High, with the girls team having achieved a 341–96 record while reaching four consecutive Class S state championships. He was named the Connecticut Coach of the Year for both boys and girls tennis in 1998 and 2008, respectively.

The dedication he shows to his athletes is matched only by his passion for the sport of tennis. He is a member of the USTA Connecticut board of directors and operates the Stonington-Eastern Connecticut Community Tennis Association. In addition to coaching the teams of Stonington High, George coaches squads on the USTA Jr. Teams, leading them to state and sectional championships. George is also a public servant, serving in numerous volunteer roles and also as a member of the Stonington Board of Selectman.

I am grateful for Mr. Crouse's service and dedication to the town of Stonington. I am proud to call him a constituent and a friend. The years of hard work that he has dedicated to improving the lives of countless athletes and members of his community will continue to define his life and his work.

INTRODUCING A RESOLUTION TO CELEBRATE THE 20TH ANNIVERSARY OF THE RELEASE OF NELSON MANDELA AND HONOR HIS LIFELONG DEDICATION TO BUILDING A MORE EQUITABLE AND UNITED WORLD

HON. ALCEE L. HASTINGS

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 23, 2010

Mr. HASTINGS of Florida. Madam Speaker, I rise today to introduce a resolution that celebrates the 20th anniversary of Nelson Rolihlahla Mandela's release from prison and honors his lifelong dedication to building a more equitable and united world.

On February 11, 1990, Nelson Mandela exited Victor Verster Prison in Paarl, South Africa, after 27 years of imprisonment. Years of international pressure from activists, artists and politicians in South Africa and the international community had finally convinced the South African government to reinstate the African National Congress (ANC) as a legitimate political party, and release Nelson Mandela.

In the hours following his release, tens of millions around the world watched as Mandela stood at the City Hall in Cape Town and proclaimed his commitment to abolish apartheid and institute a system of government that protected the rights and freedoms of all people. For over 40 years, racial segregation was enforced under the law of apartheid, and severely restricted black South Africans and other people of color from basic human rights and social and economic equality.

Madam Speaker, Nelson Mandela never wavered from his commitment to combat apartheid and create a free and democratic country whether he was rallying support for the ANC as a young lawyer and activist, or serving as an inmate at the infamous prison on Robin Island. Decades of menial work and degrading conditions in South Africa's prisons did not make Nelson Mandela's drive to achieve a more just and equal society any less potent. Once released, 71-year-old Nelson Mandela and his ANC colleagues continued their efforts to dismantle apartheid until it finally ended in 1994.

More than four years after his release, 20,000,000 South Africans of all colors lined the streets to vote in South Africa's first election that was held under a law of universal suffrage. The people of South Africa elected Nelson Mandela as the first President of the fully representative democratic state, a man whose resilience, humility and eloquence symbolized a new era in which South Africa strove to achieve equality, communication and cooperation within its government and communities. The newly elected President Mandela addressed the world and pledged to lead a "united, democratic, non-racial and non-sexist government" for all people of South Africa.

Madam Speaker, 20 years after his release, Nelson Mandela's wisdom, strength and work continues to inspire people of all walks of life. I urge my colleagues to support this resolution

that commemorates the 20th anniversary of an important moment in world history and recognizes an extraordinary man's dedication to equality, peace and reconciliation.

RECOGNIZING HOUSE RESOLUTIONS IN SUPPORT OF HAITI

HON. CHARLES B. RANGEL

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 23, 2010

Mr. RANGEL. Madam Speaker, I stand before you to express my support for the three House Resolutions on today's legislative calendar honoring the Americans who responded courageously and humanely after the devastating earthquake in Haiti on January 12th.

We all remember the startling and sobering televised images of the aftermath of the earthquake. The men and women being honored today, in the military and amongst our first responders, ran to the epicenter of this tragedy to help save lives. I am proud to join my colleagues in recognizing these individuals with House Resolutions H. Res. 1066, H. Res. 1059, and H. Res. 1048. I would especially like to recognize New York Task Force One, the FEMA-sponsored urban search and rescue team, made up of 80 members of the New York Police Department and the Fire Department of New York, who were successful in freeing six individuals from the rubble.

The immediate response from our citizens to the tragedy in Haiti has been heartwarming, demonstrating the decency and compassion we all have for our fellow mankind during difficult times. Even those who have not been formally recognized in the resolutions noted above are partners in this shared effort to overcome such a disaster. Within 24 hours following the quake, we saw Americans from a cross section of society—from elected officials in Washington to everyday residents all over New York City—reach out and offer assistance. Even today, the statistics are hard to believe, almost 50 percent of Americans have donated to the Haitian relief efforts and there are still thousands waiting in line for their turn to assist on the grounds.

As a nation, it has warmed my heart to see us dedicate our efforts, and commit ourselves to supporting, the long-suffering Haitian people, now and into the future.

Madam Speaker, I join my colleagues in recognizing those who offered their time and effort to assist those in Haiti and challenge them to stay the course until Haiti is made whole again.

HONORING THE CITY OF ZEPHYRHILLS, FLORIDA

HON. GINNY BROWN-WAITE

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 23, 2010

Ms. GINNY BROWN-WAITE of Florida. Madam Speaker, 100 years ago Zephyrhills, FL was founded as a colony paradise by Howard B. Jeffries for his fellow Union civil war veterans. Originally named Abbot after the owner of the town's first drug store, Zephyrhills is now home to 11,000 proud residents.

Tradition holds that the town of Abbot's name was changed to Zephyrhills because of the cool, gentle, zephyr breezes from neighboring Greer and LeHeup Hill. The name officially changed to "Zephyrhills" on March 10, 1911; with it, the town of Abbott officially moved from an A to Z in the alphabet.

Zephyrhills residents are proud of the many accomplished men and women who have brought notoriety to their hometown. Zephyrhills High School coach John Clements has the distinguished record of being one of only five coaches in the United States with over 400 recorded wins; "The Bulldogs" baseball team now plays on the John F. Clements field in his honor. Having played professional baseball prior to coaching for ZHS, John, along with Yankees pitching coach Dave Eiland, Green Bay Packers defensive tackle Ryan Pickett, and NASCAR driver David Reiutmann, is among the list of athletes that call Zephyrhills their hometown.

Zephyrhills is also proud of its local beauties. Begun in 1956, the Lions' Club's "Miss Zephyrhills" pageant is a favorite feature during the annual Founders Days. It has become a launching ground for the statewide "Miss Florida" competition. Many former "Miss Zs" love their hometown as much as any other resident, 1978's winner, Diana Kennedy, summed up her experience saying, "I was very proud to represent Zephyrhills and I know the experience made me feel like Miss America. I remember being involved in the community; throwing out the first baseball and attending parades. Of all the titles I held, representing my hometown was the most rewarding."

One hundred years ago Howard B. Jeffries founded a town. Zephyrhills has become a community based around family, neighborhoods, small businesses and longstanding traditions. I congratulate Zephyrhills on this momentous occasion and wish them continued prosperity and lasting memories throughout the next one hundred years.

A TRIBUTE TO WAYNE C. DELL

HON. JOE WILSON

OF SOUTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 23, 2010

Mr. WILSON of South Carolina. Madam Speaker, "Semper Fi," always faithful.

Like the strong foundation upon which this great Capitol has been erected, so to is America's foundation created by outstanding American citizens who quietly and humbly go about their daily life, devoting themselves to their God, Nation, family, friends and life's calling.

One such individual was Wayne Clair Dell.

Born in Duncansville, Pennsylvania, to Helen and Charles Dell on June 29, 1946, Wayne worked with his father during middle school and high school in the construction industry.

Like most Americans, he comes from a very simple family background and had two loving and devoted sisters and one brother.

He attended Penn State University and served this great Nation during one of its most trying hours as a Nation, as a United States Marine from 1966–69, having been discharged honorably to return home, fall in love, and marry Ouida Cleland Dell in Ridgeland, South Carolina, in June of 1969.

Upon leaving the Marines, Wayne went to work in the construction and architectural industry on Hilton Head Island, long before anyone had ever heard of Hilton Head Island, and began as a draftsman with a firm in Savannah, Georgia, eventually taking that great American plunge into self-investment and small business by opening his own architectural firm out of the Dell homestead: Wayne C. Dell, Architect.

Working from home allowed Wayne to become very involved in his family's life, and he never missed an event in which his children participated. For many years, he served as a little league baseball announcer and was an avid and excellent tennis player, having won many community tournaments—to the great pride of his family, I might add, who loved cheering him on! Likewise, Wayne's hobbies were supporting his children and family in all their endeavors.

In addition to these pursuits, he enjoyed woodworking and carving and took great pride in the handmade high quality gifts he made for his family members, yet another enduring legacy. An active athlete his entire life, Wayne also played for many years in the church volleyball league, enjoyed playing all sports and staying in top condition; a quality that he learned as a Marine.

Incredibly, Wayne, as many of our forefathers, taught himself a profession, architecture, and passed the state licensure exam the last time that you could legally take the exam without having a college degree; an impressive feat, indeed.

Wayne eventually became known as a respected architect and specialized in high-end residential homes in communities in Hilton Head Island and Beaufort County, in addition to commercial architectural work. He prided himself on the art of architecture, which, to this day, stands as monument to his life's work.

Wayne had two natural born children, Eric (age 37) and Melissa (age 39). Possessing a strong desire to spread their love, they adopted their daughter's child Bethany, who is now 13 years old, when her mother was stricken with Huntington's disease, as did Wayne, and as did his mother.

Wayne and his loving wife of 40 years, Ouida, have cared for their daughter, Melissa, who has had to live with them for the past dozen years due to her health, quite literally serving as caregiver to her, and as proxy father to their daughter's daughter for the past 13 years. Wayne represents the perfect American father figure.

A strong man of Christian faith, Wayne attended and was married in St. Pauls United Methodist Church in Ridgeland, SC (1969). He was a certified Lay Minister within the United Methodist Church.

It is a sad calling, as I stand here today, to inform my friends and this Nation, that a dear friend, and father of a most trusted friend, Wayne C. Dell, passed away yesterday morning.

But as all architects know, with each great stone that is laid, another rests atop it to make the building stand stronger, and Wayne can be very proud of the son he raised, my Chief of Staff, Eric Dell of the Second Congressional District. In Eric, Wayne raised a son who many in both political parties have come to know, love and trust—no easy task on Capitol Hill, I know.

Like his father, Eric is a man of his word, a rare commodity today, and a devoted servant of the people whom I represent, as well as this great Nation. As with all great champions, the torch must eventually be passed. I can assure Eric's father, my friend, that his torch shall be strongly, honorably and steadfastly carried forward into the future by Eric and his family.

There is a time in each man's life when the sun must set, and when his Creator calls, once again, Wayne has answered that final call, with great distinction, honor, and love as his foundation.

May God bless you, Wayne Clair Dell, and this great Nation which you have helped create.

Semper Fi.

Always faithful.

PERSONAL EXPLANATION

HON. HENRY CUELLAR

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 23, 2010

Mr. CUELLAR. Madam Speaker, due to a death in the family, I missed the following recorded votes on the House floor on Monday, February 22, 2010.

Had I been present I would have voted "yea" on H.R. 4425—To designate the facility of the United States Postal Service located at 2–116th Street in North Troy, New York, as the Martin G. "Marty" Mahar Post Office, and "yea" on H.R. 4238—To designate the facility of the United States Postal Service located at 930 39th Avenue in Greeley, Colorado, as the W.D. Farr Post Office Building.

PERSONAL EXPLANATION

HON. RANDY NEUGEBAUER

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 23, 2010

Mr. NEUGEBAUER. Madam Speaker, I was absent from votes on February 22, 2010. Had I been present, I would have voted "yea" on rollcall 49 and "yea" on rollcall 50.

IN RECOGNITION OF CONGRESSMAN KILDEE'S 20,000TH VOTE

HON. VERNON J. EHLERS

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 23, 2010

Mr. EHLERS. Madam Speaker, I rise today to offer my thanks to Congressman DALE KILDEE for his honorable service to the State of Michigan over the last 33 years. It has been a privilege to serve with him for half of that time.

Congressman KILDEE'S diligence and commitment to voting is unrivaled, having missed only 27 votes in his entire career.

His consecutive vote streak of 8,141 votes is admirable, not only for its unprecedented nature, but because it shows his commitment to taking a stand on the issues.

Of the votes that Congressman KILDEE has cast, many have been in support of important education reforms and our auto and manufacturing industries. I have enjoyed working with him on the Education and Labor Committee and, as a fellow educator, I have always appreciated his approach and commitment to improving our nation's schools.

On a personal note, Congressman KILDEE has been a great friend and a good example to me and every Member of Congress.

The State of Michigan has been well represented by Congressman KILDEE, and I hope he will be able to cast another 20,000 votes!

IN MEMORY OF SGT. JEREMY MCQUEARY

HON. MIKE PENCE

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 23, 2010

Mr. PENCE. Madam Speaker, I rise to pay tribute to the life of a fallen American hero, Marine Sergeant Jeremy McQueary of Columbus, Indiana.

Sgt. McQueary served multiple tours in Iraq and Afghanistan, and he gave his life in service to a grateful nation on Thursday, February 18th while serving with the 2nd Combat Engineer Battalion, 2nd Marine Division, II Marine Expeditionary Force in Helmand Province, Afghanistan.

Sgt. McQueary enlisted in the United States Marine Corps in January 2002 after graduating from Columbus East High School. According to his mother, Jeremy always had an interest in becoming a Marine and continuing the proud tradition of service in his family by donning the uniform of our nation.

Though Sgt. McQueary did not speak often of his experiences overseas, his dedication and bravery were quite evident by his actions and decorations. In June of 2008, he survived a roadside bombing attack and volunteered to continue serving in Iraq. His awards include a Combat Action Ribbon and Purple Heart, among others.

Sgt. McQueary was a compassionate man who cared especially for children. A father himself, Sgt. McQueary expressed a desire to work with children in Iraq and Afghanistan.

Our condolences go out to Jeremy's wife Rae and young son Hadley, as well as his mother and stepfather, Deborah and David Kleinschmidt, and sister Rebecca.

We will never be able to pay the debt of honor owed to Sergeant Jeremy McQueary and his family. Heroes like him are our nation's most cherished citizens without whom freedom and democracy would not be possible. His passing is a profound loss for his family, this community and this nation.

OUR UNCONSCIONABLE NATIONAL DEBT

HON. MIKE COFFMAN

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 23, 2010

Mr. COFFMAN of Colorado. Madam Speaker, today our national debt is $12,403,027,179,655.21.

On January 6th, 2009, the start of the 111th Congress, the national debt was $10,638,425,746,293.80.

This means the national debt has increased by $1,764,601,433,361.41 so far this Congress. The debt has increased $972,344,066.53 since just yesterday.

This debt and its interest payments we are passing to our children and all future Americans.

HONORING DR. JOHN R. GRAY

HON. BILL SHUSTER

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 23, 2010

Mr. SHUSTER. Madam Speaker, I rise today to honor Dr. John R. Gray, Deputy Commander of Letterkenny Army Depot, on his commendable career upon his retirement after thirty-two years of distinguished service.

Dr. Gray joined Letterkenny Army Depot in 1985 and founded a branch for the U.S. Army Materiel Command Management Engineering Activity. Since 1988, he has held a number of positions at the depot working his way up to Deputy Commander. After two years of service as the Supervisory Budget Analyst with the Defense Information Systems Agency, the Army Depot appointed Dr. Gray as Deputy Commander at Letterkenny. As the senior civilian at the depot, Dr. Gray managed a $500 million operation and an 18,000 acre installation, that employs many of my constituents in Franklin County.

Deputy Commander Gray began his federal career in 1978 in Rock Island, Illinois, with the U.S. Army Corps of Engineers. During his time there, he was an instructor with the Army Management Engineering College providing training to students on financial management and productivity measurement. In addition, Dr. Gray performed cost analyses on hydropower, flood control, and water supply projects.

Dr. Gray graduated from The Pennsylvania State University with a Bachelor of Science degree in 1975 and Master of Business Administration in 1978. Twenty years later, he earned his Master of Public Administration from the University of Southern California where he later received his Doctorate in Public Administration. In 1990, Dr. Gray became a graduate of the Secretary of Defense Executive Leadership Development program.

Dr. John Gray's service is a brilliant example of how dedication to personal and professional development in life can lead to success. He has been a leader throughout his entire career and a valuable resource to all whom have had the pleasure of knowing him. He is a man of outstanding character and we will remain grateful for his unwavering dedication and service to our community and our nation. I wish Dr. Gray and his family continued success and my best wishes upon his retirement.

HONORING WESTERN MICHIGAN UNIVERSITY TEAM ON WINNING: IOME CHALLENGE

HON. FRED UPTON

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 23, 2010

Mr. UPTON. Madam Speaker, I rise today to recognize the student team at Western

Michigan University on winning the national iOMe Challenge competition, which focused on solutions to make the U.S. retirement system solvent for future generations.

WMU's proposal was the collaborative effort of four students from the University's Lee Honors College—Sam Demorest, Lauren Hearit, Ashley Horvat, and Brad Kent—with the guidance and encouragement of WMU Professor Susan Hoffmann. The proposal submitted by the WMU team was one of 41 entries submitted by schools in 17 states for the opportunity to travel to Washington and present their ideas before Members of Congress. The iOMe Challenge asked college students across the country to think, analyze, and propose a solution addressing the issue of retirement for future generations. The WMU team analyzed every potential aspect of what life in retirement could be four decades from now and collaboratively put together a proposal that directly meets the challenges that lie ahead. The Western Michigan University team's project was selected by an independent blue-ribbon panel who judged based on content, style, economic soundness, and accessibility to young Americans.

Certainly there are a number of proposals for going about preserving the retirement system, and I have been deeply impressed by the recommendations of the team at Western Michigan. Their objective analysis of our current system and common retirement preparation practices, including each aspect's strengths and weaknesses, is sound and pragmatic. The adaptability within our current system allowed these students to provide cost cutting solutions that actually raised benefits for all Americans, while ensuring the system's long-term viability.

With a steadily aging population, significant reforms will need to be made to ensure the retirement system remains viable not only for today's retirees but generations to follow. To simply continue to kick this issue further down the road will only compound the problem for future American retirees. That is why this issue deserves constant attention from all Americans, especially younger generations who will be most greatly impacted. I commend these four students at Western Michigan University for their leadership in taking up this difficult issue, in order to show that our nation's future leaders will not be ignored when we discuss possible solutions regarding our future retirement problems.

Once again, congratulations to the team at Western Michigan University. You make your university, state, and nation very proud.

EARMARK DECLARATION

HON. ANH "JOSEPH" CAO

OF LOUISIANA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 23, 2010

Mr. CAO. Madam Speaker, pursuant to the Republican Leadership standards on earmarks, I am submitting the following information regarding earmarks I received as part of H.R. 3326—the Defense Appropriations Act, 2010:

As requested by me, Rep. ANH "JOSEPH" CAO, H.R. 3326—the Defense Appropriations Act, 2010, provides for funding for the National World War II Museum Expansion in the amount of $10,000,000. This funding would be used to design and construct the U.S. Freedom Pavilion and its exhibitions which teach the importance of service to the nation, including the importance of service in the United States Armed Forces.

As requested by me, Rep. ANH "JOSEPH" CAO, H.R. 3326—the Defense Appropriations Act, 2010, for Tulane University for Biosensors for Defense Application in the amount of $2,500,000. This funding will leverage Tulane and Xavier Universities biosensor and risk assessment technologies (which provide real-time information about threats from bioterrorism and environmental polluters) program to develop biologically derived sensors for detecting pollutants and contaminants.

INTRODUCTION OF COLUMBIA RIVER RESTORATION ACT

HON. EARL BLUMENAUER

OF OREGON

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 23, 2010

Mr. BLUMENAUER. Madam Speaker, today I am pleased to introduce the Columbia River Restoration Act. The Columbia River is the largest river in the Pacific Northwest, supplying fishermen with jobs, serving as a recreational resource, and providing power to the Northwest. The river and its tributaries provide significant ecological and economic benefits to the Pacific Northwest and the entire country. Approximately 8 million people, including my constituents, inhabit the basin and depend on its resources for their health and survival. The 14 hydropower dams in the Columbia Basin provide over 75% of the power for the Northwest. Half of the 7.3 million acres of income producing farm and ranch land in Idaho, Oregon, and Washington are irrigated with the Columbia River; sales from these exceed $10 billion annually. Traditionally, the Columbia and its tributaries have been the largest salmon producing river system in the world, with annual returns peaking at up to 30 million fish. Recognizing the river's importance, the Environmental Protection Agency, EPA, designated the Columbia River as an Estuary of National Significance in 1995 and a Large Aquatic Ecosystem in 2006.

Sadly, after years of treating this great river like a machine, we know that the Columbia River is plagued by habitat loss and degraded with dangerous PCBs and other chemical pollutants that are detrimental to fish and wildlife, including thirteen species of salmon and steelhead listed under the Endangered Species Act as threatened or endangered. Legacy contaminants such as DDT that were banned in the 1970s are still detected in juvenile Chinook salmon. According to EPA and tribal surveys, these contaminated fish are consumed in large quantities by tribal populations, putting them at risk. Other pesticides and contaminants, such as hormone disrupters from pharmaceutical and personal care products, have been found in the river and salmon and may impair salmon growth, health, and reproduction. These contaminants threaten not only the health of fish and wildlife, but the humans who depend on them.

I am proud that stakeholders in the Columbia Basin have come together in a partnership including states, tribal governments, public and private entities, and key federal partners to look with a hundred-year vision toward the future of the river, and to clean it up and make it a sustainable resource for generations. The Lower Columbia River Partnership (LCREP), for example, works to protect the estuary's ecosystem and its species, reduce pollution, and provide information about the river to the public. The partnership has restored 2,600 acres of habitat, opened 41.7 miles of stream habitat, completed toxic and conventional pollutant water quality monitoring, and engaged in innovative public involvement and restoration efforts in the region. LCREP has worked with the EPA to complete a Comprehensive Conservation and Management Plan to guide recovery efforts in the lower basin. EPA has also worked with stakeholders to develop a Toxics Reduction Action Plan to reduce toxics throughout the Basin. While there have been numerous studies and projects for toxics reduction and habitat restoration on the river, it is time for a broader, more comprehensive, and better funded effort.

The bill I am introducing today would authorize the EPA to work with LCREP, the States of Oregon, Washington, and Idaho, Columbia Basin tribal governments, local governments, citizen groups, industry, and other Federal agencies to develop and implement a collaborative and comprehensive strategy to increase monitoring and reduce pollution in the basin. Through a new Columbia River Program Team located in EPA's Region 10 Oregon Operations Office, EPA will assist and support the implementation of the Toxics Action and Comprehensive Plans to reduce toxics, coordinate the major functions of the Federal government related to the plans, track progress toward meeting the goals and objectives of the plans, and share this information with the public. The legislation authorizes $40 million a year for this effort.

Restoration projects, toxic monitoring and other activities associated with the restoration effort will create between 700 and 900 jobs a year in the region for biologists, construction workers, and others. It will also enable the river to continue supporting jobs in the farming, hydropower, recreation and transportation industries.

I am pleased to be joined by some of my colleagues in Oregon and Washington in introducing this legislation. I look forward to working with stakeholders in the Pacific Northwest to move it quickly.

A TRIBUTE TO CLAUDIE C. ROYAL

HON. RANDY NEUGEBAUER

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 23, 2010

Mr. NEUGEBAUER. Madam Speaker, in celebration of Black History Month, I want to recognize Claudie C. Royal for his dedication to the 19th Congressional District of Texas, as well as his leadership in honoring Black History Month in Abilene, Texas. Although Claudie passed away in 2008, the Abilene community continues to carry on his memory and the initiatives he started.

Claudie was born on February 15, 1945 in Marlin, Texas, and raised in Abilene where he graduated from Woodson High School. After high school, Claudie married his high school

sweetheart, Lula, on April 13, 1964. He also attended Cisco Jr. College and was an active member of Plum Street United Methodist Church. For over 18 years, Claudie was employed by the Keebler Cookie Company.

Abilene remembers Claudie for planning many community activities and for his boldness in executing these plans. He dedicated his life to the youth, the elderly, the truly disadvantaged and those in the community who were not being treated fairly. He encouraged others to become involved in the community.

In 1980, Claudie organized an annual march honoring the late Dr. Martin Luther King, Jr. Today that annual march and associated activities are widely acknowledged and participated in by the citizens of Abilene. In 1981, Claudie was the driving force behind the development of a park constructed in the community of Pasadena Heights in Abilene. Through Claudie's influence, the park was named to honor Mr. Nelson Wilson, Sr., a community leader and long time resident of the city. In 1989, Claudie established H.O.P.E., a successful organization devoted to stopping and preventing youth drug use. In 1995, he was honored with the Dr. Martin Luther King, Jr. Human Services Award. After his death, the Abilene City Council permanently named February 15 as Claudie C. Royal Day to honor him.

Claudie was a strong Christian and family man. Claudie and Lula had 5 children: Michael, Cedric, deceased, Michelle, Mitchell and Matthias Royal, and five grandchildren: Mylles, Michael Ryan, BriAnna, Myller, and Mylliah.

During Black History Month, we pay tribute to generations of African Americans who struggled with adversity and made great contributions to shaping our Nation. We should keep in mind those who made a difference in their communities, and Claudie Royal truly made a difference in Abilene, Texas. The 19th Congressional District thanks Claudie for the imprint he left on his community. Even though he is no longer with us, we remember his devoted service to Abilene.

PERSONAL EXPLANATION

HON. STEVE KING

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 23, 2010

Mr. KING of Iowa. Madam Speaker, on rollcall No. 18, I was unable to vote because my arrival in Washington from Iowa was delayed by severe winter weather. Had I been present, I would have voted "yea."

HONORING PAUL WHITE

HON. GEORGE RADANOVICH

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 23, 2010

Mr. RADANOVICH. Madam Speaker, I rise today to posthumously honor Paul White upon being honored with the "Trail Blazers Award" by the African American Museum. Mr. White will be honored at the African American History Month Celebration and Banquet on Saturday, February 6th, 2010 in Fresno, California.

Mr. Paul White was born on March 23, 1947 in Oklahoma City, Oklahoma. At age eleven his mother passed away and he, along with his five siblings, moved to Fresno, California to be raised by their grandparents. He graduated from Edison High School in 1962 and attended Fresno City College where he played basketball. He graduated from California State University, Fresno with a Bachelors of Arts degree and a Masters degree in Public Administration.

Mr. White served the Fresno community for over thirty years with distinguished careers in health care administration, human resources and social services. He was the first African American Assistant Administrator at Saint Agnes Hospital, Valley Medical Center and the Fresno County Health Department. Mr. White served as the Assistant Executive Director of Fresno County Economics Opportunity Commission for many years.

Outside of work, Mr. White was heavily involved with various community organizations including: the Black Infant Health Project, Babies First, the Marjaree Mason Center, March of Dimes, the California Transplant Donor Network, United Network of Organ Sharing, Minority Affairs Committee, Boy Scouts of America and he served on the Board of Directors for West Fresno Health Care Coalition, Inc. For his dedicated service, Mr. White has also been recognized and awarded by many organizations including: Fresno Metro Ministries, the California Transplant Donor Network, the United Black Men of Fresno, former California Lieutenant Governor Cruz Bustamante and the California State Senate and Assembly. Mr. White passed away on March 17, 2005. He and his wife, Sheila, had been married for forty years. Together they raised six children and had nine grandchildren.

Madam Speaker, I rise today to posthumously honor Paul White. I invite my colleagues to join me in honoring his life and wishing the best for his family.

HONORING EVAN LYSACEK

HON. MIKE QUIGLEY

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 23, 2010

Mr. QUIGLEY. Madam Speaker, I rise today to congratulate Evan Lysacek on winning an Olympic gold medal in men's figure skating. Evan skated a breathtaking routine in both the short program and free skate to reach the pinnacle of his sport on its greatest stage. All of us in the Chicago area are proud not only of what he has accomplished but also the way he has represented himself, his family, the state of Illinois and all of the United States.

Born in Chicago and raised in Naperville, Evan attended Neuqua Valley High School, where he graduated with honors. In Vancouver, he became the first American man to win gold in figure skating since Brian Boitano in 1988. Evan was the U.S. Champion in 2007 and 2008 and World Champion in 2009, but did not skate his best at the 2006 Olympics in Torino, finishing fourth. His story of triumph and redemption is one we can all learn from. I wish Evan the best of luck in his figure skating career and beyond, and am so proud to recognize him today.

PERSONAL EXPLANATION

HON. CHARLES W. DENT

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 23, 2010

Mr. DENT. Madam Speaker, I regret that I was unavoidably absent on Monday, February 22, 2010, due to a death in my family. Had I been present for the two votes which occurred, I would have voted "aye" on H.R. 4425, rollcall No. 49 and H.R. 4238, rollcall No. 50.

EARMARK DECLARATION

HON. ROY BLUNT

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 23, 2010

Mr. BLUNT. Madam Speaker, I submit the following:

Priority Name: Thunder Radar Pod (TRP)

Appropriated Amount: $1.6 million

Account: Air Force—RDT&E

Legal Name of Requesting Entity: Mid-American Precision Products

Address of Requesting Entity: 1927 West 4th Street, Joplin, MO 64801

Description of Request: The use of taxpayer funds is justified because the Air National Guard (ANG) has an essential requirement to provide its F–16 fighter forces with all-weather, day & night strike and situational awareness capability that will complement its current EO/IR capability with the Advanced Targeting Pods. This capability can only be provided with an airborne Synthetic Aperture Radar (SAR) that is capable of seeing through cloud cover, inclement weather, and smoke obscured targets or areas of interest. Lack of an all weather targeting capability will continue to limit the USAF's ability to effectively fulfill its Destruction of Enemy Air Defense (DEAD) tasking regardless of weather and allow the enemy to operate unfettered in poor metrological conditions. This all-weather DEAD capability will not be realized until approximately 2018 with the fielding of a like capability in the F–35, making the procurement of the TRP in the near-term time frame critical.

RETIREMENT OF MARIE RICHARD

HON. TED POE

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 23, 2010

Mr. POE of Texas. Madam Speaker, after more than fifty years of working for The Beaumont Enterprise newspaper, Marie Richard has decided to retire. She is the longtime assistant to the editor and very well known throughout the company and the community.

She began her newspaper career in 1959. At the age of twenty, she started working for the Beaumont Enterprise newspaper, and now at the age of seventy, she is ending her wonderful career.

She is recognized for fortifying relationships with the newspaper's customers; an aspect of her job she has enjoyed the most. She is also recognized for her work with the newspaper's

annual holiday fund drive. Her dedication to the people of the Second District of Texas is truly heartfelt.

Madam Speaker, the Second District of Texas is proud to have such a wonderful individual in its community. We have no doubt that the newspaper will miss Marie Richard and her dedication to the people of Beaumont, Texas.

IN HONOR OF WILLIAM D. MONTAGUE

HON. DENNIS J. KUCINICH

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 23, 2010

Mr. KUCINICH. Madam Speaker, I rise today in honor of William D. Montague, Director of the Cleveland, Ohio Veterans Administration Medical Center (Cleveland VAMC), and in celebration of his retirement. For nearly twenty years he provided excellence, leadership and expertise in support of United States Veterans from northeast Ohio.

Thanks in part to his hard work and dedication, the Cleveland VAMC has consistently provided superior and innovative clinical care, outreach services and numerous programs for veterans and their families. Throughout his tenure at the Department of Veterans Affairs (VA), Mr. Montague has served as CEO or acting CEO at six VA facilities, and has been actively involved in 13 major construction projects which enhanced and expanded services and programs for veterans.

Mr. Montague's effective leadership and professional accomplishments have not gone unnoticed. He has been recognized numerous times with local, state and national awards and honors, including the 2009 American College of Healthcare Executives Federal Excellence in Healthcare Leadership Award; the Presidential Meritorious Award (twice); and the AMVETS Civil Servant Award. Mr. Montague was a key contact in working with my Congressional staff to assist veterans who reside in the 10th Congressional District. His response and support was consistently timely and thorough.

Madam Speaker and colleagues, please join me in honor of William D. Montague, retiring Director of the Cleveland VAMC, who served with integrity, dedication, diligence, compassion and expertise. I thank Mr. Montague for all of his assistance to United States Veterans of the 10th Congressional District and the region. I wish him and his family peace, health and happiness as he journeys onward.

NATIONAL DISCOVERY TRAILS ACT OF 2010

HON. JOHN P. SARBANES

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 23, 2010

Mr. SARBANES. Madam Speaker, I rise today to introduce the bipartisan National Discovery Trails Act of 2010. This legislation seeks to connect existing trails, greenways, and country roads to form the American Discovery Trail a unique coast-to-coast, non-motorized, multi-use trail accessible to urban and rural areas alike all across the country.

Americans have utilized our nation's trail system for more than 40 years for outdoor recreation, exercise, historic study, and general enjoyment of the natural beauty this country has to offer. The American Discovery Trail will connect people to small towns, historic sites and natural wonders along a coast-to-coast route. It will provide millions of people greater access to a trail system that can be utilized for two hours, two days, two weeks, two months or longer giving users the flexibility to explore the trail for as much or as little time as they want. Numerous studies have shown that the presence of trails and greenway corridors positively impact quality of life, but also real estate property values, small businesses, tourism, and even some corporate relocations.

The National Trails System currently has two categories of significant long-distance trails. The first category is the National Historic Trail, which are famous historic routes, such as the Santa Fe Trail, Pony Express Trail, and the Lewis & Clark Trail. The second category is the National Scenic Trail, which are classic wilderness-only routes meant for hiking far from civilization, such as the Appalachian Trail, Pacific Crest Trail, and Continental Divide Trail.

The National Discovery Trails Act of 2010 would add a third long-distance national trails category called National Discovery Trails. National Discovery Trails would tie together historic and scenic trails and connect them with population centers from small towns to big cities in a way that will increase access to and awareness of our national trail system.

The legislation would also designate the American Discovery Trail as the first National Discovery Trail. The American Discovery Trail route—the first non-motorized way to cross the entire country—would utilize already existing right-of-ways on public land. It would be a patchwork quilt of the country's east-west pathways, including National Park hiking trails, National Forest logging roads, sections of historic routes, historic canal towpaths, rails-to-trails conversions, state and county park trails, country roads, small town sidewalks, and big city greenways—all stitched together to form one trail from the Atlantic to the Pacific. The National Park Service supported creation of the National Discovery Trail designation in a comprehensive feasibility study in 1996.

Madam Speaker, it is time to expand the national trails system and establish American Discovery Trails, linking community to community and providing trail users the opportunity to journey into the heart of all that is uniquely American—its culture, heritage, landscape, and spirit. I hope my colleagues will join me in supporting of this legislation.

IN RECOGNITION OF JUDGE J. AUGUSTUS ACCURSO

HON. DENNIS A. CARDOZA

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 23, 2010

Mr. CARDOZA. Madam Speaker, it is with the greatest respect and admiration that I rise today to honor the late Judge J. Augustus "Augie" Accurso. Augie was not only an engaged member of our community in Stanislaus County, California, but he was a beloved father and grandfather. He was a very special and well respected man to many people, known for his gift of conversation, sense of humor and positive approach to life. At the age of 79, Augie Accurso passed away on Sunday, February 7, 2010.

The Queens Village, N.Y., native had several other jobs before settling into law. He went to barber school and worked as a pharmacist, which his colleagues said ensured he would carefully scrutinize chemical evidence. Judge Accurso started out in the Stanislaus County district attorney's office in 1969, then after a little more than a year went into private practice. He was then selected by the county Board of Supervisors to become a Justice Court judge in Turlock. In 1977, the Board of Supervisors abolished the Justice Court, the board appointed him to the Municipal Court bench.

Judge Accurso served on the bench for two decades, and during his 20-year career as a judge, he served at every judicial level in the state shy of the Supreme Court. He served on the Justice Court, the Municipal Court, the Superior Court and the Court of Appeal. During his tenure, he also served as dean of the Judges College, an ongoing curriculum to help judges keep abreast of judicial procedures and rules.

Judge Accurso was also an active alumnus of the Theta Chi Fraternity. Judge Accurso pledged, and was initiated, Theta Chi while attending San Jose State. This was a relationship that he held proudly throughout his life as he encouraged and nurtured the chapter that formed at CSU Stanislaus in the late 70s. Judge Accurso was very influential in the lives of the members of the Eta Tau Chapter of Theta Chi at California State University Stanislaus, and was like a father to many of them.

Madam Speaker, it is my distinct honor and privilege to join my community in honoring the memory of Augie Accurso. He will be greatly missed by all.

RECOGNIZING WEST VIRGINIA NATIONAL GUARD AND LOCAL RESPONDERS FOR HEROIC WORK

HON. NICK J. RAHALL II

OF WEST VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 23, 2010

Mr. RAHALL. Madam Speaker, I rise today to recognize the heroic efforts of my fellow West Virginians, who safely and successfully rescued 17 individuals from a downed military helicopter in Pocahontas County, WV, last week. The Navy helicopter was participating in the Operation Southbound Trooper X annual military exercise, when it went down in a deep snow-covered and rugged site, which lies in northwestern Pocahontas County.

A West Virginia Army National Guard HH–60 Blackhawk helicopter—piloted by Bluefield, WV, native Major Kevin Hazuka—located the downed aircraft. Two medics were lowered to the landing site to assess the situation and provide assistance to the injured. A C–130 Hercules aircraft from the 130th Airlift Wing in Charleston was dispatched and orbited the site to maintain communications with the downed aircraft, while emergency response and rescue teams worked through the night

and into the next morning to make their way to the survivors.

A February 20th editorial in the Beckley, WV, Register-Herald newspaper titled, ''Our Nature,'' perhaps tells this story best:

When a crisis strikes, West Virginia responds. Time and time again. We've seen it this winter during all the snowstorms that have paralyzed different regions of the state. We've seen it during all the major floods. We've seen it in the aftermath of major accidents. We've seen it beyond our borders, like helping with the relief effort following Hurricane Katrina, like battling western forest fires.

West Virginians are ready to help in a moment's notice, often without being asked Paid responders. Volunteer responders. Neighbors. Even those who may not be physically able to provide aid will show up with food, drink and supplies for those who are.

And now we've seen it again with what are being described as ''heroic'' efforts on the part of many who rescued 17 military personnel aboard a Virginia-based Navy helicopter that crashed during a training exercise Thursday on a rugged, snow-covered mountain on the Pocahontas-Randolph county line.

''I'd like to thank the West Virginia National Guard and the local responders for their heroic work,'' Navy Capt. Steve Schreiber said ''Their efforts were extraordinary and took place under the most difficult of situations. The rescuers had to traverse more than three miles from the nearest road through heavily wooded and mountainous terrain to reach the crash site.''

''A special thanks to the Snowshoe Mountain Ski Resort for providing Snowcats that enabled first responders to reach the site.''

The West Virginia National Guard and first responders around the state have a way of turning the extraordinary into the ordinary. In other words, we've seen it enough times to still marvel but not be surprised by what they do, even as they take rescue efforts to another level.

And this one reached another level, literally and figuratively. ''. . . we've never had anything quite this big,'' said Shannon Boehmer, chief of the Shavers Fork Volunteer Fire Department.

After rescuers went as far as they could with special equipment along a railroad grade, Boehmer said, ''it was still about a 45-minute hike in five feet of snow, straight up the side of a mountain . . . It was probably a 50-degree pitch or so. The guys described it as like climbing a 'snow ladder.' ''

Have you ever tried to walk in 5 feet of snow? Even on flat ground, just a few steps can wear you out.

Sometimes we may not realize what we have here in West Virginia. We have the finest National Guard unit in the country, first responders to match and a general willingness by everyone to help.

One thing is for sure: The US. Navy now knows.

And, now Madam Speaker, as I share this with our colleagues, the world now knows the courage, ability, incredible determination, and willingness to lend a neighborly hand of West Virginians—from those who serve in and lead our West Virginia National Guard, to our local fire, rescue and first responder units, and the countless volunteers, families and neighbors nearby.

MELANIE SHOUSE

HON. RUSS CARNAHAN

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 23, 2010

Mr. CARNAHAN. Madam Speaker, I rise today to offer my sincere condolences to the family and friends of an individual I was just beginning to get to know last year during the height of the intense debate over health insurance reform—Melanie Shouse. It is with sadness that I inform you that we have lost Melanie earlier this month entirely too soon.

Melanie was diagnosed with breast cancer years ago and was unable to afford a doctor. After being diagnosed she became one of the St. Louis area's strongest advocates for health care reform, but sadly wasn't able to see her hard work come to fruition.

Last year, she was kind enough to share her story with those for and against health insurance reform at one of my town hall meetings. Melanie handled herself with great poise and distinction as she had throughout her time advocating for reform and I could not thank her enough. She so successfully made the case for reform. Despite our loss, she continues to give us hope that health insurance reform can become a reality.

My thoughts are with Melanie's partner Steve, her parents, sisters and grandmother. Melanie served as an inspiration for so many and will be sorely missed.

RECOGNIZING THE LIFE AND PUBLIC SERVICE OF ROBERT BOWMAN

HON. DEVIN NUNES

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 23, 2010

Mr. NUNES. Madam Speaker, I rise today to recognize the life and public service of Mr. Robert F. Bowman, a life-long farmer and agricultural leader, well known throughout the San Joaquin Valley, California and the nation.

Robert served in the U.S. Army as a second lieutenant, stationed in Okinawa, Japan during WWII. He later graduated from California Polytechnic State University, San Luis Obispo in 1950 with a B.S. in Animal Sciences.

From very meager beginnings, at age 15, Robert and his parents formed a farming partnership that would grow from Kern to Tulare County. With a legacy that began in the depths of the Great Depression, Robert ran a successful farming operation for nearly 70 years.

While Robert's impact on the agricultural industry is immeasurable, perhaps his greatest contribution was to the student-leadership organization, Future Farmers of America, FFA, where he was elected as the first national president from California in 1941. His dedication to vocational agriculture was exemplified by his continual support of the organization through his help in establishing the first California FFA center in 2005 in Galt, California.

First and foremost, Robert was a husband and father; patriarch to a family devoted to serving the agricultural industry. He believed in family and education and was known to tell people; ''that his six girls were his greatest investments''. Today, Robert's wife Gloria Bowman, his six daughters, sixteen grandchildren, and ten great grandchildren, continue to live out his legacy.

Robert Bowman was someone whom I knew personally. I valued his judgment and guidance. At heart, he was always a farmer, with an undeniable belief in the agricultural industry, inspiring all those who knew him. Robert's impact will not end today. His life's values, devotion to the agricultural industry, and commitment to education will live on through his family, friends, and community.

IN HONOR OF MRS. MINNIE L. JONES

HON. DENNIS J. KUCINICH

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 23, 2010

Mr. KUCINICH. Madam Speaker, I rise today in honor of Mrs. Minnie L. Jones in celebration of her 90th birthday.

Mrs. Jones has been blessed over her lifetime with faith, family and friends. She is known for her positive outlook and for seeing the good in others. She lives every day with a grateful heart and warm smile.

Mrs. Jones' abiding faith continues to be a source of strength and joy. She is a life-long member of and missionary with the African Methodist Episcopal Church of Cleveland, Ohio, where she volunteers her time. Aside from her time at the church, Mrs. Jones' greatest joy in life is spending time with her family and friends. She remains close with her grown children—Billy, Patricia, Mabel, Kenneth, Stafford, Sandra, Larry and Cindy. She is also a doting grandmother and great-grandmother. Mrs. Jones loves to cook and share memorable holiday and Sunday meals with family and friends, and welcomes everyone with hospitality and friendship.

Madam Speaker and colleagues, please join me in honor of Mrs. Minnie L. Jones upon the joyous occasion of her 90th birthday. Her love of family, love of life, service to others and youthful spirit have all served as an inspirational example for all of us to follow. I wish Mrs. Jones abundance of peace, health and happiness today, and throughout the years to come.

HONORING BILLY DILWORTH FOR HIS FIFTY YEAR CAREER IN BROADCASTING AND JOURNALISM

HON. PAUL C. BROUN

OF GEORGIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 23, 2010

Mr. BROUN of Georgia. Madam Speaker, I rise today to honor Billy Dilworth, a legend in Georgia broadcasting, and an award winning journalist who is known by thousands in northeast Georgia for his newspaper articles as well as his television and radio shows.

Just after graduating from the University of Georgia, his career got off to a great start. His first interview was with a rising star in the music world named Elvis. His second interview was with a well-known politician, Harry

Truman. In fact, during his time as a journalist and radio personality, Billy would interview five presidents and several country music stars. But most importantly, he always made time for folks in the community.

Over the past twenty years, Billy has hosted "The Billy Dilworth Show" on WNEG–TV. During the show, he and co-host Michelle Austin have entertained viewers with their great humor, music selections, and updates from political, civic, and religious leaders. One of their regular segments that I can certainly relate to was named "Doctor's House Calls" and allowed live call-in questions.

I ask my colleagues to join me in honoring this Georgia legend. Though he is stepping away from the limelight, he can never be replaced. I, along with the rest of his viewers, will miss him. His talent and work will not be forgotten.

PERSONAL EXPLANATION

HON. BOB ETHERIDGE

OF NORTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 23, 2010

Mr. ETHERIDGE. Madam Speaker, I regret that yesterday a prior engagement prevented my timely return to Washington. I was, therefore, unable to cast a vote on a number of roll-call votes.

Had I been present, I would have voted "yes" on H.R. 4425, designating the facility of the United States Postal Service located at 2–116th Street in North Troy, New York, as the "Martin G. 'Marty' Mahar Post Office." I also would have voted "yes" on H.R. 4238, designating the facility of the United States Postal Service located at 930 39th Avenue in Greeley, Colorado, as the "W.D. Farr Post Office Building."

TRIBUTE TO VERNON HUNTER

HON. JAMES E. CLYBURN

OF SOUTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 23, 2010

Mr. CLYBURN. Madam Speaker, I rise today to pay tribute to an American hero. Vernon Hunter was an unsung hero who was thrust into the national spotlight when his life was tragically cut short last week in the senseless attack on his office in Austin, Texas.

Mr. Hunter was a model citizen who spent his life in the service of his country. He served in the Army for 22 years, including two combat tours in Vietnam. After his service ended, Mr. Hunter spent several years in the private sector before starting work at the IRS where he was employed for 27 years.

Friends and family indicate that Mr. Hunter was a loving father and husband who remained fiercely committed to public service and those around him for all his days. They report that Mr. Hunter was considering retiring from the IRS to start a new career as a special education teacher.

Mr. Hunter was born and raised in Orangeburg, South Carolina, a city I am proud to represent. He grew up there and graduated from Wilkinson High School in 1959.

He is survived by his wife Valerie and their six children. The citizens of South Carolina, Texas and Americans everywhere mourn his tragic loss.

Madam Speaker, I ask you and my colleagues to join me in expressing our sincere condolences to Vernon Hunter's family and to recognize his heroic contributions to his country. Mr. Hunter represents the unsung American heroes who dedicate themselves every day to serving their country and their fellow men and women. We owe them all a debt of gratitude.

RECOGNIZING BLACK HISTORY MONTH

SPEECH OF

HON. SHEILA JACKSON LEE

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Monday, February 22, 2010

Ms. JACKSON LEE of Texas. Madam Speaker, I rise today in support of H. Res. 1046, "Recognizing the significance of Black History Month" and for other purposes, introduced by my distinguished colleague from Texas, Representative GREEN. "Black History Month," recognizes, reflects, and honors the many contributions, achievements and works of African-Americans who have influenced American history through their selflessness and sacrifices. The origins of "Black History Month" derived from Negro History Week, in efforts to enhance the knowledge of Black history started through the Journal of Negro History, published by Dr. Carter G. Woodson's Association for the Study of African-American Life and History. The birthdays of President Abraham Lincoln and abolitionist Frederick Douglass inspired the creation of Negro History Week.

Negro History Week is the precursor to Black History Month, and the month of February has been celebrated as Black History Month since 1926 when a special period of time was set aside to recognize and celebrate the heritage and achievements of African-Americans. Whereas the first African-Americans were brought involuntarily to the shores of the America as early as the 17th century and despite being held in slavery, African-Americans in all walks of life have made significant contributions throughout the history of the United States. Significant contributions made by African-Americans include the—

(1) Writings of Booker T. Washington, Phyllis Wheatley, James Baldwin, Toni Morrison, Ralph Ellison, Zora Neale Hurston, and Alex Haley;

(2) Music of Mahalia Jackson, Billie Holiday, John Coltrane, Bessie Smith, and Duke Ellington;

(3) Resolve of athletes such as Jackie Robinson, Althea Gibson, Jesse Owens, Wilma Rudolph, and Muhammad Ali;

(4) Scientific advancements of George Washington Carver, Charles Drew, Benjamin Banneker, and Mae Jemison;

(5) Vision of leaders such as Frederick Douglass, Mary McLeod Bethune, Thurgood Marshall, Martin Luther King, and Shirley Chisholm; and

(6) Bravery of those who stood on the front lines in the battle against oppression, such as Sojourner Truth, Fannie Lou Hammer, and Rosa Parks.

In the face of injustices, United States citizens of good will and of all races distinguished themselves with their commitment to the noble ideals upon which the United States was founded and courageously fought for the rights and freedom of African-Americans, and Dr. Martin Luther King, Jr. lived and died to make real these noble ideas. He is most known for his "I Have A Dream" speech.

The Honorable Barack Hussein Obama was elected the 44th President of the United States, making him the first African-American Chief Executive. President Obama's election to the U.S. Presidency broke one of the last racial barriers in politics in this country. President Obama has inspired hopes in the lives of many Americans across the country and to people across the globe.

Black History Month is an important time that we recognize the contributions of African-Americans in the Nation's history and encourages the continued celebration of February to provide an opportunity for all peoples of the United States to learn more about the past and to better understand the experiences that have helped shape the Nation.

HONORING REVEREND RANDOLPH BRACY, JR.'S SERVICE TO THE FLORIDA COMMUNITY

HON. ALAN GRAYSON

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 23, 2010

Mr. GRAYSON. Madam Speaker, I rise today to honor Reverend Randolph Bracy, Jr. for his dedicated service to his church, our central Florida community, and our great State of Florida. Born on November 4, 1944, Reverend Bracy, Jr. is a native of Jacksonville, Florida and has since given a great deal back to our community.

Reverend Bracy, Jr. graduated from Bethune-Cookman College, Daytona Beach, Florida in 1967 with a Bachelor of Science Degree in Biology. In 1970, he pursued graduate studies in Guidance and Counseling, and graduated from Florida A&M University with a Master's of Education Degree. Later in 1974, he earned the Doctor of Education Degree from the University of Florida in Higher Education Administration. In 1982, he received the Master of Divinity Degree from Colgate-Rochester Divinity School in Rochester, New York. In 1999, he earned a certificate at the Center for the Study of Values in Public Life at the Harvard Divinity School in Cambridge, Massachusetts with the Summer Leadership Institute. In 2004, he presented a paper at the Oxford Round Table on Religion, Education and the Role of Government at the University of Oxford in England. Reverend Bracy's educational accomplishments are only surpassed by his commitment and work in the community.

In 1991, he joined the Shiloh Missionary Baptist Church of Orlando, Florida. In August 1992, he and his wife, Dr. LaVon Wright Bracy, led the organization of the New Covenant Baptist Church of Orlando. The New Covenant Church has grown to a membership of more than 2,000. The New Covenant Church has created a charter school to educate and mentor hundreds of youth. They have created a community development corporation that has rehabbed neighborhoods, created safe havens for after-school and community activities, and provided financial and housing counseling.

As President of the local NAACP, he has worked tirelessly for human and civil rights for all people. He has inspired and mentored a generation of new leaders and for that I am proud to call him my friend and ally for justice.

Madam Speaker, as Black History Month comes to a close, it is with great honor that I recognize Reverend Bracy, Jr.'s incredible work and his leadership in the African American community and in our Florida community as a whole. He provides inspiration for the people in his community and is a great activist.

Daily Digest

Senate

Chamber Action

Routine Proceedings, pages S677–S716

Measures Introduced: Eleven bills and two resolutions were introduced, as follows: S. 3017–3027, and S. Res. 419–420. **Page S698**

Measures Reported:

S. 1224, A bill to reauthorize the Chesapeake Bay Office of the National Oceanic and Atmospheric Administration, with an amendment in the nature of a substitute. (S. Rept. No. 111–126)

S. 2768, to amend title 49, United States Code, to authorize appropriations for the National Transportation Safety Board for fiscal years 2010 through 2014, with an amendment in the nature of a substitute. (S. Rept. No. 111–127) **Pages S698**

Measures Passed:

Truth in Caller ID Act: Senate passed S. 30, to amend the Communications Act of 1934 to prohibit manipulation of caller identification information, after agreeing to the following amendment proposed thereto: **Page S713–14**

Reid (for Rockefeller) Amendment No. 3325, to revise the provision relating to the effect of the new subsection on other laws. **Page S713**

Early Detection Month for Cancer: Committee on Health, Education, Labor, and Pensions was discharged from further consideration of H. Con. Res. 158, expressing support for the designation of an Early Detection Month for breast cancer and all forms of cancer, and the resolution was then agreed to. **Page S714**

Recognizing the American Kennel Club: Committee on the Judiciary was discharged from further consideration of S. Res. 393, recognizing the contributions of the American Kennel Club, and the resolution was then agreed to. **Pages S714–15**

National Engineers Week: Committee on Commerce, Science, and Transportation was discharged from further consideration of S. Res. 417, supporting the goals and ideals of National Engineers Week, and the resolution was then agreed to. **Page S715**

House Messages:

Commerce, Justice, Science, and Related Agencies Appropriations Act: Senate continued consideration of the amendment of the House of Representatives to the amendment of the Senate to H.R. 2847, making appropriations for the Departments of Commerce and Justice, and Science, and Related Agencies for the fiscal year ending September 30, 2010, taking action on the following motions and amendment proposed thereto: **Pages S681–93**

Pending:

Senator Reid entered a motion to concur in the amendment of the House to the amendment of the Senate to the bill, with Reid Amendment No. 3310 (to the House Amendment to the Senate Amendment), in the nature of a substitute. **Page S681**

Reid Amendment No. 3311 (to Amendment No. 3310), to change the enactment date. **Page S681**

A unanimous-consent agreement was reached providing for further consideration of the amendment of the House of Representatives to the amendment of the Senate to the bill at approximately 9:30 a.m., on Wednesday, February 24, 2010, and all post-cloture time be considered expired, except for any time available until 9:55 a.m., and at 9:55 a.m., Senate vote on the motion to waive the applicable budget points of order; provided further, that if the points of order are waived, without further intervening action, Reid Amendment No. 3311 (to Amendment No. 3310) (listed above), be withdrawn, and no further amendments be in order; Senate then vote on Reid Motion to concur in the amendment of the House to the amendment of the Senate to the bill, with Reid Amendment No. 3310 (to the House Amendment to the Senate Amendment); provided further, upon disposition of the amendment of the House of Representatives to the amendment of the Senate to H.R. 2847, Senate proceed to a period of morning business. **Page S693**

Message From the President: Senate received the following message from the President of the United States:

Transmitting, pursuant to law, a report on the continuation of the national emergency that was declared with respect to the Government of Cuba's destruction of two unarmed U.S.-registered civilian aircraft; which was referred to the Committee on Banking, Housing, and Urban Affairs. (PM–46) **Page S696**

Messages From the House: **Page S696**

Measures Referred: **Page S696**

Executive Communications: **Pages S696–98**

Additional Cosponsors: **Pages S698–S700**

Statements on Introduced Bills/Resolutions: **Pages S700–11**

Additional Statements: **Pages S695–96**

Amendments Submitted: **Pages S711–12**

Notices of Hearings/Meetings: **Page S712**

Authorities for Committees to Meet: **Page S712**

Adjournment: Senate convened at 10 a.m. and adjourned at 7:18 p.m., until 9:30 a.m. on Wednesday, February 24, 2010. (For Senate's program, see the remarks of the Majority Leader in today's Record on pages S715–16.)

Committee Meetings

(Committees not listed did not meet)

LIGHT DUTY ELECTRIC VEHICLES

Committee on Appropriations: Subcommittee on Energy and Water Development concluded a hearing to examine the opportunities and challenges presented in increasing the number of electric vehicles in the light duty automotive sector, after receiving testimony from Henry Kelly, Principle Deputy Assistant Secretary of Energy for Energy Efficiency and Renewable Energy; Frederick W. Smith, FedEx Corporation, Memphis, Tennessee; Richard Lowenthal, Coulomb Technologies, Campbell, California; Alan Taub, General Motors, Detroit, Michigan; Kraig Higginson, Raser Technologies, Provo, Utah; and Mary Ann Wright, Johnson Controls, Inc., Holland, Michigan.

DEFENSE AUTHORIZATION REQUEST

Committee on Armed Services: Committee concluded a hearing to examine proposed defense authorization request for fiscal year 2011 for the Future Years Defense Program, after receiving testimony from John M. McHugh, Secretary, and General George W. Casey Jr., Chief of Staff, both of the United States Army, Department of Defense.

DEFENSE BUDGET AND WAR COSTS

Committee on the Budget: Committee to examine the defense budget and war costs, focusing on an independent look, after receiving testimony from Lieutenant General Paul K. Van Riper, United States Marine Corps (Ret.), Williamsburg, Virginia; Cindy Williams, Massachusetts Institute of Technology Security Studies Program, Cambridge; and Gordon Adams, American University School of International Service, Washington, DC.

IMPROVING ENERGY EFFICIENCY

Committee on Commerce, Science, and Transportation: Subcommittee on Communications, Technology, and the Internet concluded a hearing to examine improving energy efficiency through technology and communications innovation, after receiving testimony from Aneesh Chopra, Chief Technology Officer and Associate Director for Technology, Office of Science and Technology Policy, Executive Office of the President of the United States; Daniel R. Hesse, Sprint Nextel Corporation, Overland Park, Kansas; Adrian Tuck, Tendril Networks, Inc., Boulder, Colorado; Kathrin Winkler, EMC Corporation, Hopkinton, Massachusetts; and Lorie Wigle, Intel Corporation, Hillsboro, Oregon.

CYBERSECURITY

Committee on Commerce, Science, and Transportation: Committee concluded a hearing to examine cybersecurity, focusing on the next steps to protect our critical infrastructure, after receiving testimony from Rear Admiral James Arden Barnett, Jr., USN (Ret.), Chief, Public Safety and Homeland Security Bureau, Federal Communications Commission; Vice Admiral Michael McConnell, USN (Ret.), Booz Allen Hamilton, Herndon, Virginia; James A. Lewis, Center for Strategic and International Studies, Washington, D.C.; Scott Borg, U.S. Cyber Consequences Unit, Norwich, Vermont; and Mary Anne Davidson, Oracle Corporation, Redwood Shores, California.

EPA BUDGET

Committee on Environment and Public Works: Committee concluded a hearing to examine the President's proposed budget request for fiscal year 2011 for the Environmental Protection Agency, after receiving testimony from Lisa Jackson, Administrator, Environmental Protection Agency.

TRADE AND TAX ISSUES RELATING TO SMALL BUSINESS

Committee on Finance: Committee concluded a hearing to examine trade and tax issues relating to small business job creation, after receiving testimony from James Sanford, Assistant United States Trade Representative for Small Business, Market Access and

Competitiveness; Spencer Williams, West Paw Design, Bozeman, Montana; and Eric J. Toder, Urban Institute, Chris Edwards, Cato Institute, and Bill Rys, National Federation of Independent Business, all of Washington, DC.

U.S.-NIGERIA RELATIONSHIP

Committee on Foreign Relations: Subcommittee on African Affairs concluded a hearing to examine the United States-Nigeria relationship in a time of transition, after receiving testimony from Johnnie Carson, Assistant Secretary of State for African Affairs; John Campbell, Council on Foreign Relations, New York, New York; and Peter M. Lewis, Johns Hopkins University Paul H. Nitze School of Advanced International Studies, and Nuhu Ribadu, Center for Global Development, both of Washington, DC.

AFGHANISTAN WOMEN AND GIRLS

Committee on Foreign Relations: Subcommittee on Near Eastern and South and Central Asian Affairs with the Subcommittee on International Operations and Organizations, Human Rights, Democracy and Global Women's Issues, concluded a joint hearing to examine Afghan women and girls, focusing on building the future of Afghanistan, after receiving testimony from Melanne Verveer, Ambassador-at-Large for Global Women's Issues, Department of State; James Bever, Director, Afghanistan-Pakistan Task Force, United States Agency for International Development; and Sima Samar, Afghanistan Independent Human Rights Commission, and Rachel Reid, Human Rights Watch, both of Kabul, Afghanistan.

CENSUS DAY

Committee on Homeland Security and Governmental Affairs: Subcommittee on Federal Financial Management, Government Information, Federal Services, and International Security concluded a hearing to examine census day, focusing on the progress report on the Census Bureau's preparedness for the enumeration, the status of key IT systems, steps the Bureau has taken to revise its cost estimates, and the extent to which critical enumeration activities, particularly those aimed at hard-to-count populations, are on track, after receiving testimony from Robert M. Groves, Director, U.S. Census Bureau, Economics and Statistics Administration, and Todd J. Zinser, Inspector General, both of the Department of Commerce; and Robert Goldenkoff, Director, Strategic Issues, Government Accountability Office.

FOREIGN LIBEL LAWSUITS

Committee on the Judiciary: Committee concluded a hearing to examine H.R. 2765, to amend title 28, United States Code, to prohibit recognition and enforcement of foreign defamation judgments and certain foreign judgments against the providers of interactive computer services, and S. 449, to protect free speech, after receiving testimony from Kurt Wimmer, Covington & Burling LLP, and Bruce D. Brown, Baker & Hostetler LLP, both of Washington, DC.

INTELLIGENCE

Select Committee on Intelligence: Committee held closed hearings on intelligence matters, receiving testimony from officials of the intelligence community.

Committee recessed subject to the call.

House of Representatives

Chamber Action

Public Bills and Resolutions Introduced: 28 public bills, H.R. 4645–4672; 1 private bill, H.R. 4673; and 8 resolutions, H. Con. Res. 238; and H. Res. 1095–1097, 1099, 1100–1102 were introduced. **Pages H753–55**

Additional Cosponsors: **Pages H755–56**

Reports Filed: Reports were filed today as follows:

H.R. 4247, to prevent and reduce the use of physical restraint and seclusion in schools, with an amendment (H. Rept. 111–417) and

H. Res. 1098, providing for consideration of the bill (H.R. 4626) to restore the application of the Federal antitrust laws to the business of health insurance to protect competition and consumers (H. Rept. 111–418). **Page H753**

Speaker: Read a letter from the Speaker wherein she appointed Representative Tonko to act as Speaker pro tempore for today. **Page H651**

Recess: The House recessed at 10:51 a.m. and reconvened at 12 noon. **Page H653**

Chaplain: The prayer was offered by the Guest Chaplain, Reverend Dr. Alan Keiran, Office of the United States Senate Chaplain. **Page H653**

Committee Resignation: Read a letter from Representative Walden, wherein he resigned from the Committee on Energy and Commerce, effective today. **Page H653**

Committee Election: The House agreed to H. Res. 1095, electing a Minority member to a standing committee of the House of Representatives: Committee on Energy and Commerce: Representative Griffith. **Page H653**

Suspensions: The House agreed to suspend the rules and agree to the following measures:

Recognizing the bravery and efforts of the United States Armed Forces, local first responders, and other members of Operation Unified Response: H. Res. 1066, to recognize the bravery and efforts of the United States Armed Forces, local first responders, and other members of Operation Unified Response for their swift and coordinated action in light of the devastation wrought upon the nation of Haiti after a horrific 7.0 magnitude earthquake struck Port-Au-Prince and surrounding cities on January 12, 2010, by a ⅔ yea-and-nay vote of 406 yeas with none voting "nay", Roll No. 52; **Pages H667–71, H696–97**

Honoring the heroism of the seven United States Agency for International Development and Office of U.S. Foreign Disaster Assistance supported urban search and rescue teams deployed to Haiti: H. Res. 1059, amended, to honor the heroism of the seven United States Agency for International Development and Office of U.S. Foreign Disaster Assistance supported urban search and rescue teams deployed to Haiti from New York City, New York, Fairfax County, Virginia, Los Angeles County, California, Miami, Florida, Miami-Dade County, Florida, and Virginia Beach, Virginia, and commending their dedication and assistance in the aftermath of the January 12, 2010 Haitian earthquake, by a ⅔ yea-and-nay vote of 406 yeas with none voting "nay", Roll No. 53; **Pages H671–73, H697**

Agreed to amend the title so as to read: "Honoring the heroism of the seven United States Agency for International Development, Office of U.S. Foreign Disaster Assistance, and Federal Emergency Management Agency supported urban search and rescue teams deployed to Haiti from New York City, New York, Fairfax County, Virginia, Los Angeles County, California, the City of Miami, Florida, Miami-Dade County, Florida, and Virginia Beach, Virginia, and commending their dedication and assistance in the aftermath of the January 12, 2010, Haitian earthquake.". **Page H697**

Commending the efforts and honoring the work of the men and women of USNS Comfort and the United States Navy: H. Res. 1048, amended, to commend the efforts and honor the work of the men and women of USNS *Comfort* and the United States Navy in the immediate response to those affected by the earthquake that struck Haiti on January 12, 2010; **Pages H679–83**

Billy's Law: H.R. 3695, amended, to authorize funding for, and increase accessibility to, the National Missing and Unidentified Persons System, to facilitate data sharing between such system and the National Crime Information Center database of the Federal Bureau of Investigation, and to provide incentive grants to help facilitate reporting to such systems; and **Pages H683–87**

Expressing support for designation of March as National Nutrition Month: H. Res. 274, to express support for designation of March as National Nutrition Month. **Pages H688–90**

Suspensions—Proceedings Resumed: The House agreed to suspend the rules and agree to the following measures which were debated on Monday, February 22nd:

Supporting the goals and ideals of American Heart Month and National Wear Red Day: H. Res. 1039, to support the goals and ideals of American Heart Month and National Wear Red Day, by a ⅔ yea-and-nay vote of 408 yeas with none voting "nay", Roll No. 54 and **Page H698**

Recognizing the significance of Black History Month: H. Res. 1046, to recognize the significance of Black History Month, by a ⅔ recorded vote of 402 ayes with none voting "no", Roll No. 55. **Pages H699–H700**

Suspensions—Proceedings Postponed: The House debated the following measures under suspension of the rules. Further proceedings were postponed:

Honoring the life of Miep Gies: H. Res. 1074, to honor the life of Miep Gies, who aided Anne Frank's family while they were in hiding and preserved her diary for future generations; **Pages H673–75**

Expressing the sense of the House of Representatives on religious minorities in Iraq: H. Res. 944, amended, to express the sense of the House of Representatives on religious minorities in Iraq; **Pages H675–79**

Supporting the goals and ideals of National Urban Crimes Awareness Week: H. Con. Res. 227, amended, to support the goals and ideals of National Urban Crimes Awareness Week; and **Pages H687–88**

Honoring and celebrating the contributions of African-Americans to the transportation and infrastructure of the United States: H. Res. 1085, to honor and celebrate the contributions of African-Americans to the transportation and infrastructure of the United States. **Pages H690–93**

Native Hawaiian Government Reorganization Act: The House passed H.R. 2314, to express the policy of the United States regarding the United States relationship with Native Hawaiians and to provide a process for the recognition by the United States of the Native Hawaiian governing entity, by a yea-and-nay vote of 245 yeas to 164 nays, Roll No. 59. **Pages H693–96, H700–31**

Agreed to:

Abercrombie amendment in the nature of a substitute (No. 1 printed in part A of H. Rept. 111–413) that addresses several issues raised by the Attorney General of the State of Hawaii and others. In particular the amendment clarifies the definition of "Native Hawaiian" to ensure that the Native Hawaiian governing entity is a distinctly native community. While recognizing and affirming the sovereign immunity of the Native Hawaiian governing entity, the amendment expressly states the Act does not alter the sovereign immunity of the United States or the State of Hawaii allowing for negotiations. The amendment further clarifies that, pending negotiations and subsequent implementation legislation, the following will occur: there will be no "Indian Country" within Hawaii; the United States will not take land into trust, nor restrict alienability of land owned by the Native Hawaiian governing entity; the governing entity may not exercise certain powers and authorities such as jurisdiction over non Native Hawaiian individuals without their consent; and the State of Hawaii will retain regulatory and taxation authority over Native Hawaiians and the Native Hawaiian governing entity (by a yea-and-nay vote of 245 yeas to 164 nays, Roll No. 58). **Pages H714–25, H730**

Rejected:

Hastings (WA) amendment (No. 1 printed in part B of H. Rept. 111–413) to the amendment in the nature of a substitute that sought to require that the voters of Hawaii approve the governing documents for the Native Hawaiian governing entity before federal recognition becomes operative (by a yea-and-nay vote of 163 yeas to 241 nays, Roll No. 56) and **Pages H725–26, H728–29**

Flake amendment (No. 2 printed in part B of H. Rept. 111–413) to the amendment in the nature of a substitute that sought to state that nothing in the Act shall relieve a Native Hawaiian governing authority from complying with the equal protection clause of the 14th amendment to the United States Constitution (by a yea-and-nay vote of 177 yeas to 233 nays, Roll No. 57). **Pages H726–28, H729–30**

H. Res. 1083, the rule providing for consideration of the bill, was agreed to by a yea-and-nay vote of 238 yeas to 165 nays, Roll No. 51, after the previous question was ordered without objection. **Page H696**

Presidential Message: Read a message from the President wherein he notified Congress of the continuation of the national emergency with respect to the Government of Cuba's destruction of two unarmed U.S.-registered civilian aircraft in international airspace north of Cuba on February 24, 1996 is to continue in effect beyond March 1, 2010—referred to the Committee on Foreign Affairs and ordered printed (H. Doc. 111–94). **Page H693**

Senate Message: Message received from the Senate today appears on page H653.

Quorum Calls—Votes: Eight yea-and-nay votes and one recorded vote developed during the proceedings of today and appear on pages H696, H696–97, H697, H698, H699–H700, H728–29, H729, H730, H730–31. There were no quorum calls.

Adjournment: The House met at 10:30 a.m. and adjourned at 11:48 p.m.

Committee Meetings

COMMERCE, JUSTICE, SCIENCE AND RELATED AGENCIES APPROPRIATIONS

Committee on Appropriations: Subcommittee on Commerce, Justice, Science and Related Agencies held a hearing on Fiscal Year 2011 Budget for the National Institute of Standards and Technology. Testimony was heard from Patrick Gallagher, Director, National Institute of Standards and Technology, Department of Commerce.

TRANSPORTATION, HUD, AND RELATED AGENCIES APPROPRIATIONS

Committee on Appropriations: Subcommittee on Transportation, Housing and Urban Development, and Related Agencies held a hearing on The Need To Invest in Housing and Economic Development: Fiscal Year 2011 Budget Request for HUD. Testimony was heard from Shaun Donovan, Secretary of Housing and Urban Development.

FY 2011 NATIONAL DEFENSE AUTHORIZATION BUDGET REQUEST—AIR FORCE DEPARTMENT

Committee on Armed Services: Held a hearing on Fiscal Year 2011 National Defense Authorization Budget Request from the Department of the Air Force. Testimony was heard from the following officials of the Department of the Air Force: Michael B. Donley, Secretary; and GEN Norton A. Schwartz, USAF, Chief of Staff.

CONTESTED MINE SAFETY CASES BACKLOG

Committee on Education and Labor: Held a hearing on Reducing the Growing Backlog of Contested Mine Safety Cases. Testimony was heard from Joseph Main, Assistant Secretary, Mine Safety and Health Administration, Department of Labor; Mary Lucille Jordan, Chairman, Federal Mine Safety and Health Review Commission; and public witnesses.

TOYOTA RECALL/NHTSA RESPONSE

Committee on Energy and Commerce: Subcommittee on Oversight and Investigations held a hearing on Response by Toyota and NHTSA to Incidents of Sudden Unintended Acceleration. Testimony was heard from Raymond H. LaHood, Secretary of Transportation; James E. Lentz, President and Chief Operating Officer, Toyota Motor Sales, U.S.A., Inc; and public witnesses.

EMPLOYMENT GROWTH STIMULUS

Committee on Financial Services: Held a hearing entitled ''Prospects for Employment Growth: Is Additional Stimulus Needed?'' Testimony was heard from public witnesses.

SEXUAL ASSAULTS ON JUVENILES IN CUSTODY

Committee on the Judiciary: Subcommittee on Crime, Terrorism and Homeland Security held a hearing on Keeping Youth Safe While in Custody: Sexual Assault in Adult and Juvenile Facilities. Testimony was heard from Bernard Warner, Chief Deputy Secretary, Juvenile Justice, Department of Corrections and Rehabilitation, Division of Juvenile Justice, State of California and public witnesses.

FEDERAL EMPLOYEES HEALTH BENEFITS

Committee on Oversight and Government Reform: Subcommittee on Federal Workforce, Postal Service and the District of Columbia held a hearing on H.R. 4489, Federal Employees Health Benefits Program (FEHBP) Prescription Drug Integrity, Transparency, and Cost Savings Act. Testimony was heard from Representative Weiner; the following officials of OPM: John O'Brien, Senior Advisor to the Director; and Patrick McFarland, Inspector General; and public witnesses.

HEALTH INSURANCE INDUSTRY FAIR COMPETITION ACT

Committee on Rules: Granted, by a non-record vote, a closed rule providing for consideration of H.R. 4626, the ''Health Insurance Industry Fair Competition Act.'' The rule provides two hours of debate equally divided and controlled by the chair and ranking minority member of the Committee on the Judiciary. The rule waives all points of order against consideration of the bill except those arising under clause 9 or 10 of rule XXI. The rule provides that the bill shall be considered as read. The rule waives all points of order against the bill. Finally, the rule provides one motion to recommit with or without instructions. Testimony was heard from Representatives Johnson of Georgia, Perriello, and Lungren.

UNIVERSITIES RESEARCH INFRASTRUCTURE

Committee on Science and Technology: Subcommittee on Research and Science Education held a hearing on the State of Research Infrastructure at U.S. Universities. Testimony was heard from public witnesses.

RECOVERY ACT TRANSPORTATION INFRASTRUCTURE INVESTMENTS

Committee on Transportation and Infrastructure: Held a hearing on Recovery Act: One-Year Progress Report for Transportation and Infrastructure Investments. Testimony was heard from John D. Porcari, Deputy Secretary, Department of Transportation; Craig E.

Hooks, Assistant Administrator, Administration and Resources Management, EPA; Robert A. Peck, Commissioner, Public Buildings, GSA; Jo-Ellen Darcy, Assistant Secretary of the Army (Civil Works), U.S. Army Corps of Engineers, Department of Defense; John Fernandez, Assistant Secretary, Economic Development, Department of Commerce; Martin J. Rajk, Deputy Assistant Commander, Resources and Deputy Chief of Financial Officer, U.S. Coast Guard, Department of Homeland Security; and Thomas C. Carper, Chairman of the Board, AMTRAK.

VETERANS HEALTH ADMINISTRATION BUDGET

Committee on Veterans' Affairs: Subcommittee on Health held a hearing on the Veterans Health Administration's Fiscal Year 2011 Budget. Testimony was heard from Robert A. Petzel, Under Secretary for Health, Veterans Administration, Department of Veterans Affairs; and representatives of veterans organizations.

VA INSPECTOR GENERAL/IT BUDGETS

Committee on Veterans' Affairs: Subcommittee on Oversight and Investigations held a hearing on the U.S. Department of Veterans Affairs Office of Inspector General and Office of Information and Technology Budget Requests for Fiscal Year 2011. Testimony was heard from the following officials of the Department of Veterans Affairs: Richard J. Griffin, Deputy Inspector General, Office of Inspector General; and Roger W. Baker, Assistant Secretary, Information and Technology.

Joint Meetings

ECONOMIC RECOVERY

Joint Economic Committee: Committee concluded a hearing to examine the road to economic recovery, focusing on policies to foster job creation and continued growth, after receiving testimony from Douglas W. Elmendorf, Director, Congressional Budget Office.

COMMITTEE MEETINGS FOR WEDNESDAY, FEBRUARY 24, 2010

(Committee meetings are open unless otherwise indicated)

Senate

Committee on Appropriations: Subcommittee on State, Foreign Operations, and Related Programs, to hold hearings to examine the President's proposed budget request for fiscal year 2011 for the Department of State and Foreign Operations, 10:30 a.m., SD–192.

Subcommittee on Homeland Security, to hold hearings to examine the President's proposed budget request for fiscal year 2011 for the Department of Homeland Security, 2 p.m., SD–192.

Committee on Armed Services: to hold hearings to examine contracting in a counterinsurgency, focusing on an examination of Blackwater-Paravant contract and the need for oversight, 9:30 a.m., SH–216.

Full Committee, business meeting to consider any pending nominations, 2:30 p.m., SR–222.

Committee on the Budget: to hold hearings to examine the President's proposed budget request for fiscal year 2011 for the Department of Transportation, 9 a.m., SD–608.

Committee on Commerce, Science, and Transportation: Subcommittee on Science and Space, to hold hearings to examine the challenges and opportunities in the National Aeronautics and Space Administration (NASA) fiscal year 2011 budget proposal, 2:30 p.m., SR–253.

Committee on Energy and Natural Resources: to hold hearings to examine the President's proposed budget request for fiscal year 2011 for the Forest Service, 10 a.m., SD–366.

Committee on Environment and Public Works: Subcommittee on Water and Wildlife, to hold hearings to examine legislative approaches to protecting, preserving and restoring great water bodies, 9:30 a.m., SD–406.

Committee on Foreign Relations: business meeting to consider S. Res. 414, expressing the Sense of the Senate on the recovery, rehabilitation, and rebuilding of Haiti following the humanitarian crisis caused by the January 12, 2010, earthquake in Haiti, S. 2961, to provide debt relief to Haiti, S. Res. 400, urging the implementation of a comprehensive strategy to address instability in Yemen, as amended, S. Res. 404, supporting full implementation of the Comprehensive Peace Agreement and other efforts to promote peace and stability in Sudan, and the nominations of Leocadia Irine Zak, of the District of Columbia, to be Director of the Trade and Development Agency, Walter Crawford Jones, of Maryland, to be United States Director of the African Development Bank, and Douglas A. Rediker, of Massachusetts, to be United States Alternate Executive Director of the International Monetary Fund, and Ian Hoddy Solomon, of Maryland, to be United States Executive Director of the International Bank for Reconstruction and Development, Donald E. Booth, of Virginia, to be Ambassador to the Federal Democratic Republic of Ethiopia, Bisa Williams, of New Jersey, to be Ambassador to the Republic of Niger, Beatrice Wilkinson Welters, of Virginia, to be Ambassador to the Republic of Trinidad and Tobago, Scott H. DeLisi, of Minnesota, to be Ambassador to the Federal Democratic Republic of Nepal, Harry K. Thomas, Jr., of New York, to be Ambassador to the Republic of the Philippines, David Adelman, of Georgia, to be Ambassador to the Republic of Singapore, Rosemary Anne DiCarlo, of the District of Columbia, to be Representative of the United States of America to the Sessions of the General Assembly of the United Nations, during her tenure of service as Deputy Representative of the United States of America to the United Nations, and to be the Deputy Representative of the United States of America to the United Nations, with the rank and status of Ambassador and the Deputy Representative of the United States of America in the Security Council of the United Nations, Brooke D. Anderson, of California, to be an Alternate

Representative of the United States of America to the Sessions of the General Assembly of the United Nations during her tenure of service as Alternate Representative of the United States of America for Special Political Affairs in the United Nations, and to be Alternate Representative of the United States of America for Special Political Affairs in the United Nations, with the rank of Ambassador, Allan J. Katz, of Florida, to be Ambassador to the Portuguese Republic, Ian C. Kelly, of Maryland, to be U. S. Representative to the Organization for Security and Cooperation in Europe, with the rank of Ambassador, and Judith Ann Stewart Stock, of Virginia, to be Assistant Secretary of State for Educational and Cultural Affairs, all of the Department of State, and a promotion list in the Foreign Service; to be immediately followed by a hearing to examine foreign policy priorities in the fiscal year 2011 International Affairs budget, 2:30 p.m., SD–419.

Committee on Health, Education, Labor, and Pensions: to hold hearings to examine a stronger workforce investment system for a stronger economy, 10 a.m., SD–430.

Committee on Homeland Security and Governmental Affairs: to hold hearings to examine the proposed budget request for fiscal year 2011 for the Department of Homeland Security, 10:30 a.m., SD–342.

Committee on the Judiciary: Subcommittee on Human Rights and the Law, to hold hearings to examine child prostitution and sex trafficking in the United States, 9 a.m., SD–226.

Full Committee, to hold hearings to examine the nominations of Brian Anthony Jackson, to be United States District Judge for the Middle District of Louisiana, Elizabeth Erny Foote, to be United States District Judge for the Western District of Louisiana, Marc T. Treadwell, to be United States District Judge for the Middle District of Georgia, and Josephine Staton Tucker, to be United States District Judge for the Central District of California, 2 p.m., SD–226.

House

Committee on Appropriations, Subcommittee on Agriculture, Rural Development, Food and Drug Administration, and Related Agencies, on Fiscal Year 2011 Budget for the Department of Agriculture, 10 a.m., 2359 Rayburn.

Subcommittee on Commerce, Justice, Science and Related Agencies, on Fiscal Year 2011 Budget for the Legal Services Corporation, 10 a.m., and on Fiscal Year 2011 Budget for Science and Technology, 2:30 p.m., H–310 Capitol.

Subcommittee on Defense, on Combat Aircraft Requirements, 10:30 a.m., H–140 Capitol.

Subcommittee on Energy and Water Development, and Related Agencies, on U.S. Corps of Engineers, Fiscal Year 2011 Budget, 2 p.m., 2362–B Rayburn.

Subcommittee on Financial Services, and General Government, on Fiscal Year 2011 Budget for the IRS, 10 a.m., 2358–A Rayburn.

Subcommittee on Interior and Environment, and Related Agencies, on Protecting Public Health and the Environment: EPA FY 2011 Budget Request, 2 p.m., B–308 Rayburn.

Subcommittee on Legislative Branch, on Members of Congress and Public Witnesses, 10:15 a.m., H–144 Capitol.

Subcommittee on Military Construction, Veterans Affairs, and Related Agencies, on American Battle Monuments Commission, 10 a.m., on U.S. Court of Appeals for Veterans Claims, 10:30 a.m., on Arlington National Cemetery, 11 a.m., and on Armed Forces Retirement Home, 11:30 a.m., H–143 Capitol.

Committee on Armed Services, hearing on Fiscal Year 2011 National Defense Authorization Budget Request from the Department of the Navy, 10 a.m., 2118 Rayburn.

Subcommittee on Readiness, hearing on energy management and initiatives on military installations, 2 p.m., 2118 Rayburn.

Committee on the Budget, hearing on the Treasury Department Fiscal Year 2011 Budget, 10 a.m., 210 Cannon.

Committee on Education and Labor, hearing on H.R. 4330, ALL-STAR Act of 2009, 10 A.M., 2175 Rayburn.

Committee on Energy and Commerce, Subcommittee on Commerce, Trade, and Consumer Protection and the Subcommittee on Communications, Technology, and the Internet, joint hearing on The Collection and Use of Location Information for Commercial Purposes, 10 a.m., 2141 Rayburn.

Subcommittee on Oversight and Investigations, hearing entitled ''Premium Increases by Anthem Blue Cross in the Individual Health Insurance Market,'' 10 a.m., 2123 Rayburn.

Committee on Financial Services, hearing on the Chairman of the Board of Governors of the Federal Reserve System on monetary policy and the state of the economy, 10 a.m., 2128 Rayburn.

Committee on Foreign Affairs, Subcommittee on International Organizations, Human Rights and Oversight, Oversight hearing on Hard Lessons Learned in Iraq and Benchmarks for Future Reconstruction Efforts, 9:30 a.m., 2172 Rayburn.

Committee on the Judiciary, Subcommittee on Crime, Terrorism, and Homeland Security, oversight hearing on Recent Inspector General Reports Concerning the FBI, 3 p.m., 2141 Rayburn.

Committee on Natural Resources, to mark up the following bills: H.R. 1078, Harriet Tubman National Historical Park and Harriet Tubman Underground Railroad National Historical Park Act; H.R. 4003 Hudson River Valley Special Resource Study Act; H.R. 4192, Stornetta Public Lands Outstanding Natural Area Act of 2009; H.R. 1738, Downey Regional Water Reclamation and Groundwater Augmentation Project of 2009; H.R. 4252, Inland Empire Perchlorate Ground Water Plume Assessment Act of 2009; H.R. 765, Nellis Dunes National Off-Highway Vehicle Recreation Area Act of 2009; H.R. 1769, Alpine Lakes Wilderness Additions and Pratt and Middle Fork Snoqualmie Rivers Protection Act; H.R. 2788, Distinguished Flying Cross National Memorial Act; and H.R. 4395, To revise the boundaries of the Gettysburg National Military Park to include the Gettysburg Train Station, 10 a.m., 1324 Longworth.

Subcommittee on Energy and Mineral Resources, hearing on H.R. 3709, Geothermal Production Expansion Act, 2 p.m., 1334 Longworth.

Subcommittee on Insular Affairs, Oceans and Wildlife, oversight hearing on the President's Fiscal Year 2011 budget requests for the NOAA, the U.S. Office of Insular Affairs, and the U.S. Fish and Wildlife Service, 2 p.m., 1324 Longworth.

Committee on Oversight and Government Reform, hearing entitled ''Toyota Gas Pedals: Is the Public At Risk?'' 10 a.m., 2154 Rayburn.

Subcommittee on Information Policy, Census, and National Archives, hearing entitled ''The 2010 Census Communications Contract: The Media Plan in Hard to Count Areas,'' 2 p.m., 2154 Rayburn.

Subcommittee on National Security and Foreign Affairs, to continue hearings entitled '' Sexual Assault in the Military: Are We Making Progress?'' 3 p.m., 2247 Rayburn.

Committee on Rules, to consider H.R. 2701, Intelligence Authorization Act for Fiscal Year 2010, 3 p.m., H–313 Capitol.

Committee on Science and Technology, hearing on the Administration's Fiscal Year 2011 Research and Development Budget Proposal, 9:30 a.m., 2318 Rayburn.

Subcommittee on Technology and Innovation, hearing on How Can NIST Better Serve the Needs of the Biomedical Research Community in the 21st Century? 2 p.m., 2318 Rayburn.

Committee on Transportation and Infrastructure, Subcommittee on aviation, hearing on Aircraft Icing, 2 p.m., 2167 Rayburn.

Committee on Veterans' Affairs, hearing Exploring the Relationship between Medication and Veteran Suicide, 10 a.m., 334 Cannon.

Subcommittee on Disability Assistance and Memorial Affairs, hearing Examination of the VA Benefits Delivery at Discharge and Quick Start Programs, 2 p.m., 334 Cannon.

Permanent Select Committee on Intelligence, executive, briefing on the Google Hacking Incident, 9 a.m., 304–HVC.

Next Meeting of the SENATE

9:30 a.m., Wednesday, February 24

Senate Chamber

Program for Wednesday: Senate will continue consideration of the amendment of the House of Representatives to the amendment of the Senate to H.R. 2847, Commerce, Justice, Science, and Related Agencies Appropriations Act, and after a period of debate, vote on the motion to waive the applicable budget points of order, and if the points of order are waived, vote on Reid Motion to concur in the amendment of the House to the amendment of the Senate to the bill, with Reid Amendment No. 3310 (to the House Amendment to the Senate Amendment).

Next Meeting of the HOUSE OF REPRESENTATIVES

10 a.m., Wednesday, February 24

House Chamber

Program for Wednesday: Consideration of H.R. 4626—Health Insurance Industry Fair Competition Act (Subject to a Rule).

Extensions of Remarks, as inserted in this issue

HOUSE

Abercrombie, Neil, Hawaii, E201
Bishop, Sanford D., Jr., Ga., E201
Blumenauer, Earl, Ore., E212
Blunt, Roy, Mo., E213
Broun, Paul C., Ga., E215
Brown-Waite, Ginny, Fla., E210
Cao, Anh ''Joseph'', La., E212
Cardoza, Dennis A., Calif., E214
Carnahan, Russ, Mo., E215
Clyburn, James E., S.C., E216
Coffman, Mike, Colo., E211
Courtney, Joe, Conn., E209
Cuellar, Henry, Tex., E211
Dent, Charles W., Pa., E213
Diaz-Balart, Lincoln, Fla., E208
Ehlers, Vernon J., Mich., E211
Etheridge, Bob, N.C., E216
Garrett, Scott, N.J., E206
Giffords, Gabrielle, Ariz., E207
Grayson, Alan, Fla., E216
Green, Gene, Tex., E207
Hastings, Alcee L., Fla., E209
Higgins, Brian, N.Y., E201
Jackson Lee, Sheila, Tex., E216
Johnson, Henry C. ''Hank'', Jr., Ga., E205
Johnson, Timothy V., Ill., E207
Jordan, Jim, Ohio, E209
King, Steve, Iowa, E201, E208, E213
Kucinich, Dennis J., Ohio, E214, E215
Lamborn, Doug, Colo., E205
Lee, Barbara, Calif., E203
McCollum, Betty, Minn., E207
Neugebauer, Randy, Tex., E209, E211, E212
Nunes, Devin, Calif., E215
Pascrell, Bill, Jr., N.J., E208
Pelosi, Nancy, Calif., E201
Pence, Mike, Ind., E211
Poe, Ted, Tex., E206, E213
Quigley, Mike, Ill., E205, E213
Radanovich, George, Calif., E204, E206, E208, E213
Rahall, Nick J., II, W.Va., E214
Rangel, Charles B., N.Y., E210
Ros-Lehtinen, Ileana, Fla., E205
Sarbanes, John P., Md., E214
Schwartz, Allyson Y., Pa., E202
Sestak, Joe, Pa., E202
Shuler, Heath, N.C., E205
Shuster, Bill, Pa., E211
Terry, Lee, Nebr., E207
Thompson, Bennie G., Miss., E204
Upton, Fred, Mich., E211
Visclosky, Peter J., Ind., E202, E204, E206
Wilson, Joe, S.C., E210
Wolf, Frank R., Va., E205
Woolsey, Lynn C., Calif., E208

Congressional Record

The *Congressional Record* (USPS 087–390). The Periodicals postage is paid at Washington, D.C. The public proceedings of each House of Congress, as reported by the Official Reporters thereof, are printed pursuant to directions of the Joint Committee on Printing as authorized by appropriate provisions of Title 44, United States Code, and published for each day that one or both Houses are in session, excepting very infrequent instances when two or more unusually small consecutive issues are printed one time. ¶Public access to the *Congressional Record* is available online through *GPO Access*, a service of the Government Printing Office, free of charge to the user. The online database is updated each day the *Congressional Record* is published. The database includes both text and graphics from the beginning of the 103d Congress, 2d session (January 1994) forward. It is available through *GPO Access* at www.gpo.gov/gpoaccess. Customers can also access this information with WAIS client software, via telnet at swais.access.gpo.gov, or dial-in using communications software and a modem at 202–512–1661. Questions or comments regarding this database or *GPO Access* can be directed to the *GPO Access* User Support Team at: E-Mail: gpoaccess@gpo.gov; Phone 1–888–293–6498 (toll-free), 202–512–1530 (D.C. area); Fax: 202–512–1262. The Team's hours of availability are Monday through Friday, 7:00 a.m. to 5:30 p.m., Eastern Standard Time, except Federal holidays. ¶The *Congressional Record* paper and 24x microfiche edition will be furnished by mail to subscribers, free of postage, at the following prices: paper edition, $252.00 for six months, $503.00 per year, or purchased as follows: less than 200 pages, $10.50; between 200 and 400 pages, $21.00; greater than 400 pages, $31.50, payable in advance; microfiche edition, $146.00 per year, or purchased for $3.00 per issue payable in advance. The semimonthly *Congressional Record Index* may be purchased for the same per issue prices. To place an order for any of these products, visit the U.S. Government Online Bookstore at: bookstore.gpo.gov. Mail orders to: Superintendent of Documents, P.O. Box 371954, Pittsburgh, PA 15250–7954, or phone orders to 866–512–1800 (toll free), 202–512–1800 (D.C. area), or fax to 202–512–2250. Remit check or money order, made payable to the Superintendent of Documents, or use VISA, MasterCard, Discover, American Express, or GPO Deposit Account. ¶Following each session of Congress, the daily *Congressional Record* is revised, printed, permanently bound and sold by the Superintendent of Documents in individual parts or by sets. ¶With the exception of copyrighted articles, there are no restrictions on the republication of material from the *Congressional Record*.

POSTMASTER: Send address changes to the Superintendent of Documents, *Congressional Record*, U.S. Government Printing Office, Washington, D.C. 20402, along with the entire mailing label from the last issue received.