

EXTENSIONS OF REMARKS

HONORING THE PENNSYLVANIA GRAND REVIEW ORGANIZERS AND PARTICIPANTS

HON. JIM GERLACH

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, November 16, 2010

Mr. GERLACH. Madam Speaker, I rise today to recognize the organizers and participants in the Pennsylvania Grand Review, which commemorates the United States Colored Troops Grand Review of 1865 and honors the legacy of the brave African-American patriots of the Civil War.

When African-American soldiers returning home following the Civil War were not invited to take part in the national Civil War Grand Review, the women of the Garnett League organized the United States Colored Troops Grand Review on November 14, 1865.

This year's Grand Review embodies the spirit of that original event and highlights the tremendous service and sacrifices of the 180,000 African-American soldiers who courageously fought during the Civil War. In addition, the Grand Review will keep alive the story of extraordinary leadership exhibited by the women of the Garnett League 145 years ago.

The Grand Review Weekend takes place November 5–7 and features heritage and living history exhibits throughout Central Pennsylvania, together with a commemorative procession in downtown Harrisburg with regiments from several states, community groups and descendants of those who participated in the original event.

Madam Speaker, I ask that my colleagues join me today in recognizing the immeasurable contributions of all those involved with organizing and participating in the Pennsylvania Grand Review and their outstanding commitment to honoring the legacy of African-Americans who valiantly served in the Civil War.

HONORING THE LIFE OF STAFF SERGEANT KENNETH KEITH MCANINCH

HON. JOE DONNELLY

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, November 16, 2010

Mr. DONNELLY of Indiana. Madam Speaker, I rise today to solemnly remember and honor the life and dedicated service of Staff Sergeant Kenneth Keith McAninch, a native son of Logansport, Indiana, and a proud member of the United States Army. Staff Sergeant McAninch died on October 21, 2010 in Paktika Province, Afghanistan of injuries sustained when his unit was attacked by small arms fire.

Kenneth attended Lewis Cass High School and enlisted in the United States Army in 2003. He was assigned to A Company, 1st Battalion, 506th Infantry Regiment, 101st Air-

borne Division out of Fort Campbell, Kentucky. Kenneth's awards include the Joint Service Commendation Medal, Joint Service Achievement Medal, Joint Meritorious Unit Award, Army Good Conduct Medal, National Defense Service Medal, Afghanistan Campaign Medal, Global War on Terrorism Expeditionary Medal, Global War on Terrorism Service Medal, Army Service Ribbon, Overseas Service Ribbon, Armed Forces Reserve Medal with Mobilization Device and Combat Infantryman Badge. Kenneth will be remembered by his friends, family, and fellow soldiers as a dedicated, reliable, and hard-working man who cared deeply for his family. He was an avid artist and also enjoyed fishing and hunting. He is survived by his wife, Shawna R. McAninch; four sons, Jeremiah McAninch, Braxton McAninch, Brayden McAninch and Colby McAninch; one daughter, Shyanne Adam; mother, Cheryl A. Nance and her husband Richard; father, Marvin McAninch and wife Regina; sisters, Kayla Ann Wallace, Katie Lee McAninch and Brianna McAninch; brothers, Jason McAninch and Briar McAninch; stepbrothers David Jackson Nance and Richie Nance; stepsister, Melanie Bennett; maternal grandmother, Barbara Price and her husband Elmer; paternal grandmother, Mary Downing; and paternal grandmother, Carol McAninch. He will be missed by all.

It is my solemn duty, and humble privilege, to honor the life, service, and memory of Staff Sergeant Kenneth McAninch, which stand as a testament to the great honor possessed, and sacrifices made by our men and women in the armed forces. We mourn his passing and offer gratitude for his service and sacrifice.

STATE ETHICS LAW PROTECTION ACT OF 2010

SPEECH OF

HON. MIKE QUIGLEY

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, September 28, 2010

Mr. QUIGLEY. Mr. Speaker, I am pleased that we are considering this legislation to clarify the language of Section 112 of title 23, United States Code to reaffirm the intent of Congress that Section 112 does not bar enforcement of State and local ordinances and contracting policies, in connection with Federal-aid highway projects, that disadvantage or disqualify classes of contractors. The Secretary properly enjoys discretion to approve contract requirements, consistent with the Federal-Aid Highway Act, 23 U.S.C. § 101, et seq.

Possible ambiguity in Section 112 has come to the Congress's attention in light of recent State and local efforts to combat corruption and favoritism in contracting. States, local jurisdictions, and the Securities and Exchange Commission have enacted "pay-to-play" restrictions that disqualify contractors who make

campaign contributions to officials responsible for government contracts. Concerns have been raised that application of Section 112 may limit the discretion of FHWA to approve Federal-aid highway projects subject to State pay-to-play policies. Accordingly, the FHWA temporarily withheld federal highway funds from the States of New Jersey and Illinois.

The soundness of these concerns has been called into question by the United States Court of Appeals for the Sixth Circuit in *City of Cleveland v. State of Ohio*, 508 F.3d 827 (6th Cir. 2007), and, in any event, these concerns misunderstand Congress's long-standing intent regarding the operation of the current laws governing Federal-aid highway projects. Section 17 of the Federal-Aid Highway Act of 1954, which is codified at Section 112 of title 23, United States Code, imposes a requirement on FHWA to ensure that government contractors are selected through a competitive bidding process. This competitive bidding requirement was "designed to prohibit collusion or action in restraint of free competitive bidding in connection with the contract." S. Rep. 83–1093 (1954) at 14. The enactment of Section 112, however, was not intended to "add to or otherwise affect the powers of the Secretary [of Transportation] . . . with respect to the selection of projects." Id. Subsequent amendments have not altered that purpose.

The language of this legislation simply makes clear that it has always been Congress's intent that the Secretary may concur in the award of a Federal-aid highway contract despite a State or local requirement, imposed by law or through contract, disqualifying contractors on the basis of the amount of money contributed to a political campaign. To be clear, the enactment of this legislation would not be construed to mean that existing law would have foreclosed the application of State pay-to-play restrictions, or similarly situated provisions, to highway projects supported by Federal funds.

This bill will dispel any misunderstandings about the application of State pay-to-play restrictions and similar policies to Federal-aid highway projects. It will have an immediate, positive effect for local and State governments determined to implement pay-to-play restrictions to combat corruption and favoritism.

I urge my colleagues to join me in supporting H.R. 3427.

HONORING DUARTE NURSERY

HON. GEORGE RADANOVICH

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, November 16, 2010

Mr. RADANOVICH. Madam Speaker, I rise today to honor and congratulate Duarte Nursery for its honorary induction into the 13th Annual National Ag Science Center's "Ag Hall of Fame."

Each year the National Ag Science Center selects and honors individuals who have made

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