



United States
of America

Congressional Record

PROCEEDINGS AND DEBATES OF THE 111th CONGRESS, SECOND SESSION

Vol. 156

WASHINGTON, THURSDAY, DECEMBER 9, 2010

No. 162

House of Representatives

The House met at 10 a.m. and was called to order by the Speaker.

PRAYER

The Chaplain, the Reverend Daniel P. Coughlin, offered the following prayer:

During the Advent season, compromised by darkness and deprived of natural light, we know how to flick a switch and make a difference.

But how different it is, Lord, when the darkness is ignorance and we just do not know how to motivate our young or reshape the unemployed; or

stop the drainage of poverty and the falling worth of the land upon which we have built our security.

Lord, lead us to the foundation of renewed faith and gift us with hope that we may be ready to encounter You, our God, cloaked in our humanity, now and in the days to come. Amen.

NOTICE

If the 111th Congress, 2d Session, adjourns sine die on or before December 23, 2010, a final issue of the *Congressional Record* for the 111th Congress, 2d Session, will be published on Wednesday, December 29, 2010, in order to permit Members to revise and extend their remarks.

All material for insertion must be signed by the Member and delivered to the respective offices of the Official Reporters of Debates (Room HT-59 or S-123 of the Capitol), Monday through Friday, between the hours of 10:00 a.m. and 3:00 p.m. through Wednesday, December 29. The final issue will be dated Wednesday, December 29, 2010, and will be delivered on Thursday, December 30, 2010.

None of the material printed in the final issue of the *Congressional Record* may contain subject matter, or relate to any event that occurred after the sine die date.

Senators' statements should also be submitted electronically, either on a disk to accompany the signed statement, or by e-mail to the Official Reporters of Debates at "Record@Sec.Senate.gov".

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By order of the Joint Committee on Printing.

CHARLES E. SCHUMER, *Chairman*.

THE JOURNAL

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

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

PLEDGE OF ALLEGIANCE

The SPEAKER. Will the gentleman from Florida (Mr. BUCHANAN) come forward and lead the House in the Pledge of Allegiance.

Mr. BUCHANAN led the Pledge of Allegiance as follows:

I pledge allegiance to the Flag of the United States of America, and to the Repub-

lic 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 with an amendment in which the concurrence of the House is requested, a bill of the House of the following title:

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

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



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H8265

H.R. 4337. An act to amend the Internal Revenue Code of 1986 to modify certain rules applicable to regulated investment companies, and for other purposes.

The message also announced that the Senate has passed a bill of the following title in which the concurrence of the House is requested.

S. 3167. An act to amend title 13 of the United States Code to provide for a 5-year term of office for the Director of the Census and to provide for the authority and duties of the Director and Deputy Director of the Census, and for other purposes.

The message also announced that pursuant to Public Law 106-398, as amended by Public Law 108-7, and upon the recommendation of the Majority Leader, in consultation with the Chairmen of the Senate Committee on Armed Services and the Senate Committee on Finance, the Chair, on behalf of the President pro tempore, appoints the following individual to the United States-China Economic Security Review Commission: C. Richard D'Amato of Maryland for a term beginning January 1, 2011 and expiring December 31, 2012 vice Peter Videnicks of Virginia.

The message also announced that pursuant to Public Law 106-398, as amended by the Public Law 108-7, and upon the recommendation of the Republican Leader, in consultation with the Ranking Members of the Senate Committee on Armed Services and the Senate Committee on Finance, the Chair, on behalf of the President pro tempore, reappoints the following individuals to the United States-China Economic Security Review Commission.

Robin Cleveland of Virginia for a term expiring December 31, 2012.

Dennis C. Shea of Virginia for a term expiring December 31, 2012.

ANNOUNCEMENT BY THE SPEAKER

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

ISRAEL'S FIRE

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

Mr. QUIGLEY. Madam Speaker, in the wake of the worst fire in Israel's history, I want to commend USAID and the U.S. Forest Service for leading America's vital effort to help extinguish the flames.

Now that the fires are out, the hardest work begins. The U.S. Forest Service will work closely with the Jewish National Fund and the State of Israel's national foresters to rebuild the destroyed forest.

Their first order of business will be assessing the damage and creating a plan for the long-term renewal of the historically significant Carmel Forest. The Mount Carmel region in Israel is rich in biblical history, most famous as the site of Elijah's battle with the prophets of Baal.

The coordinated efforts of the JNF and the U.S. Forest Service will ensure this precious area is restored and maintained for generations. The partnership of the U.S. Forest Service and the Jewish National Fund is yet another reminder of the strong ties between the United States and Israel.

I urge my colleagues support the efforts of the JNF as it works to restore and rebuild this beautiful and ancient region of Israel.

AMAZON.COM WELCOMED TO SOUTH CAROLINA

(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, Lexington County, South Carolina, received great news this week as Amazon.com announced plans to open a distribution center in Cayce. This will bring 1,200 jobs to the Midlands, and I truly thank Amazon.com for their economic commitment to our State.

The Lexington County Council, with the Central Carolina Alliance, put together a positive incentives package, promoted by Economic Development Manager Chuck Whipple.

Joe Taylor, Secretary of the South Carolina Department of Commerce, has proven his success of creating long-term private sector jobs. Under Secretary Taylor's leadership, the Department of Commerce has recruited 82,695 jobs and \$16.7 billion in capital investment. As a result of local leaders like Secretary Taylor, the future is looking bright for South Carolina. His proven successor is BMW executive Bobby Hitt, named by Governor-Elect Nikki Haley.

In conclusion, God bless our troops, and we will never forget September 11th in the global war on terrorism. Welcome back to Washington Adjutant General-elect Bob Livingston, America's only elected adjutant general.

HUMAN RIGHTS DAY

(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, I rise today to recognize Human Rights Day.

Today, people around the world recognize the human rights violations that continue to occur in so many countries like Vietnam and China. It is also a day where we honor the men and women who sacrifice their freedom in order to fight for human rights.

At this moment, there are three individuals imprisoned in Vietnam for exercising their rights of free speech and expression: Tran Khai Thanh Thuy, Le Thi Cong Nhan and Pham Thanh Nghien are three women democracy activists who have been denied their basic human rights by their own government, Vietnam.

The people of America enjoy the freedom to speak and worship freely, but it is important for us to remember those who do not have the same freedoms as we do. So, today, let's remember all those freedom fighters and let's work together in the coming year to ensure that people like these three women are allowed to express themselves.

OUT-OF-CONTROL SPENDING

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

Mr. BUCHANAN. Mr. Speaker, our national debt is quickly approaching \$14 trillion. Yesterday, Congress approved another trillion dollars, funding government next year, without making the necessary cuts.

This spending bill does nothing to reverse the out-of-control spending of the last 2 years. Instead, it continues this incredible growth of borrowing and spending that puts our country on the track to bankruptcy. In the past 50 years, we have only balanced the budget five times.

This has to change. During my first week, I introduced the constitutional balanced budget amendment that says simply we don't spend more than we take in.

We need to pass the constitutional budget amendment, and we need to pass it today.

CUTTING TAXES FOR MILLIONAIRES AND BILLIONAIRES

(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, my colleagues on the other side of the aisle have said over and over again that cutting taxes for millionaires and billionaires will create jobs. It simply has not.

Albert Einstein once described insanity as doing the same thing over and over again and expecting different results. That is why I rise today to ask, where are the jobs? Where are they? It is time we restore sanity to the discussion on tax cuts.

Tax cuts for millionaires and billionaires do not create jobs. They are also not supported by the general public. In fact, according to a CBS poll from last week, only 26 percent of Americans support millionaire tax breaks and only 46 percent of Republicans support millionaire tax breaks.

So I ask, who are my Republican friends listening to? Is it the average family or small business in their district, or is it Wall Street CEOs and an army of special interest lobbyists?

The trickle-down effect has not worked. As any farmer will tell you, you fertilize a plant from bottom up, not top down, because if its roots are strong, the plant will be strong. Our country's roots are the middle class, and it's time we give them nutrients to thrive.

TIME TO EXPAND AMERICAN ENERGY EXPLORATION

(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, American families are preparing for the holiday season and doing so by paying the highest fuel prices in 2 years.

In addition to gasoline, heating oil and diesel prices are expected to increase year over year for the first time since 2008, and analysts are predicting oil will hit \$100 a barrel very soon. At a time when our economy is struggling to recover, such skyrocketing energy prices could be catastrophic.

This is why it makes no sense the administration recently announced plans to cancel further energy exploration and development in deep offshore areas. These sources of American energy are known to contain more than 86 billion barrels of recoverable oil.

This decision to prevent energy development hurts our economy and costs American jobs. Let's give Americans what they deserve. The time is now to expand exploration of American energy resources.

STOP SHOOTING CHILDREN

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

Mr. BAIRD. My colleagues, it is time to call on our allies in the State of Israel to stop shooting children.

Since March of this year, 17 children have been shot by Israeli snipers near the border of Gaza, shot for the crime of picking up small pieces of rock to use for aggregate because the Israeli blockade is preventing construction materials from coming into Gaza. Seventy percent of these children were shot while doing this activity beyond the 300-meter unilaterally imposed security zone. Young children and adults are picking up small pieces of gravel because they cannot import concrete to rebuild schools, hospitals, clinics and water treatment facilities without it.

Let us call upon our allies in the State of Israel to stop shooting children, to prosecute those who have shot children, and to lift the blockade to allow raw materials in and economic prosperity to succeed.

On this Human Rights Day it's the least we can do.

□ 1010

SUPPLY AND DEMAND

(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, a recent headline in the Atlanta Journal-Constitution talked about the scarcity of heating fuel,

which sent prices through the roof. By contrast, the Philadelphia Inquirer reported on a drop in utility bills in the area due to Marcellus Shale drilling in Pennsylvania. Both are classic examples of such supply and demand.

Heating fuel in Atlanta is fed, in great part, by the production of offshore oil and natural gas reserves from the Gulf of Mexico. Unfortunately, last week vast amounts of our own oil and natural gas reserves off the Atlantic and Pacific coast were placed off limits by the White House, limiting production and, as a result, supply.

Secretary of the Interior Salazar, through regulation, not legislation, removed nearly all of our vast offshore oil and natural gas reserves from the production process. The result, not one barrel of oil or cubic foot of natural gas owned by other citizens will be produced until at least 2022.

In Pennsylvania, recent development of Marcellus Shale natural gas has brought the opposite effect. A lower rate from the Philadelphia Gas Works will save the average customer almost \$15 per month.

The solution is obvious, and Congress should reclaim its jurisdiction over our energy future.

THE DREAM ACT

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

Mr. SCHIFF. Mr. Speaker, for the past three Congresses, I've been an enthusiastic cosponsor of the DREAM Act, which I see as an essential component of comprehensive immigration reform.

No child raised in America should be permanently penalized for the immigration status of their parents. The DREAM Act gives young people a chance to contribute to the United States, often the only country they know. I've heard from many high school students in my district who have done everything right, but discover when they apply to college that they are not a citizen, that the doors of education and a better life they have worked for so hard are closed to them.

The U.S. has a proud tradition of welcoming immigrants who want to work hard and play by the rules and build a better life for themselves and their families. The DREAM Act comes from that tradition. It will make our economy, military, and Nation stronger.

Yesterday evening I was proud to cast an "aye" vote on the rule to bring the DREAM Act to the floor. I was not on the floor later that night and missed the final vote on the act. Had I been present, I would have enthusiastically voted "aye," and I urge my Senate colleagues to take up the legislation in the remaining days of the 111th Congress.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (Mr. ALTMIRE). 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.

MEDICARE AND MEDICAID EXTENDERS ACT OF 2010

Mr. STARK. Mr. Speaker, I move to suspend the rules and concur in the Senate amendments to the bill (H.R. 4994) to amend the Internal Revenue Code of 1986 to reduce taxpayer burdens and enhance taxpayer protections, and for other purposes.

The Clerk read the title of the bill.

The text of the Senate amendments is as follows:

Senate amendments:

Strike all after the enacting clause and insert the following:

SECTION 1. SHORT TITLE; TABLE OF CONTENTS.

(a) *SHORT TITLE.*—This Act may be cited as the "Medicare and Medicaid Extenders Act of 2010".

(b) *TABLE OF CONTENTS.*—The table of contents of this Act is as follows:

Sec. 1. *Short title; table of contents.*

TITLE I—EXTENSIONS

Sec. 101. *Physician payment update.*

Sec. 102. *Extension of MMA section 508 reclassifications.*

Sec. 103. *Extension of Medicare work geographic adjustment floor.*

Sec. 104. *Extension of exceptions process for Medicare therapy caps.*

Sec. 105. *Extension of payment for technical component of certain physician pathology services.*

Sec. 106. *Extension of ambulance add-ons.*

Sec. 107. *Extension of physician fee schedule mental health add-on payment.*

Sec. 108. *Extension of outpatient hold harmless provision.*

Sec. 109. *Extension of Medicare reasonable costs payments for certain clinical diagnostic laboratory tests furnished to hospital patients in certain rural areas.*

Sec. 110. *Extension of the qualifying individual (QI) program.*

Sec. 111. *Extension of Transitional Medical Assistance (TMA).*

Sec. 112. *Special diabetes programs.*

TITLE II—OTHER PROVISIONS

Sec. 201. *Clarification of effective date of part B special enrollment period for disabled TRICARE beneficiaries.*

Sec. 202. *Repeal of delay of RUG-IV.*

Sec. 203. *Clarification for affiliated hospitals for distribution of additional residency positions.*

Sec. 204. *Continued inclusion of orphan drugs in definition of covered outpatient drugs with respect to children's hospitals under the 340B drug discount program.*

Sec. 205. *Medicaid and CHIP technical corrections.*

Sec. 206. *Funding for claims reprocessing.*

Sec. 207. *Revision to the Medicare Improvement Fund.*

Sec. 208. *Limitations on aggregate amount recovered on reconciliation of the health insurance tax credit and the advance of that credit.*

Sec. 209. *Determination of budgetary effects.*

TITLE I—EXTENSIONS

SEC. 101. PHYSICIAN PAYMENT UPDATE.

Section 1848(d) of the Social Security Act (42 U.S.C. 1395w-4(d)) is amended by adding at the end the following new paragraph:

“(12) UPDATE FOR 2011.—

“(A) IN GENERAL.—Subject to paragraphs (7)(B), (8)(B), (9)(B), (10)(B), and (11)(B), in lieu of the update to the single conversion factor established in paragraph (1)(C) that would otherwise apply for 2011, the update to the single conversion factor shall be 0 percent.

“(B) NO EFFECT ON COMPUTATION OF CONVERSION FACTOR FOR 2012 AND SUBSEQUENT YEARS.—The conversion factor under this subsection shall be computed under paragraph (1)(A) for 2012 and subsequent years as if subparagraph (A) had never applied.”.

SEC. 102. EXTENSION OF MMA SECTION 508 RECLASSIFICATIONS.

(a) EXTENSION.—

(1) IN GENERAL.—Section 106(a) of division B of the Tax Relief and Health Care Act of 2006 (42 U.S.C. 1395 note), as amended by section 117 of the Medicare, Medicaid, and SCHIP Extension Act of 2007 (Public Law 110-173), section 124 of the Medicare Improvements for Patients and Providers Act of 2008 (Public Law 110-275), and sections 3137(a) and 10317 of the Patient Protection and Affordable Care Act (Public Law 111-148), is amended by striking “September 30, 2010” and inserting “September 30, 2011”.

(2) SPECIAL RULE FOR FISCAL YEAR 2011.—

(A) IN GENERAL.—Subject to subparagraph (B), for purposes of implementation of the amendment made by paragraph (1), including (notwithstanding paragraph (3) of section 117(a) of the Medicare, Medicaid, and SCHIP Extension Act of 2007 (Public Law 110-173), as amended by section 124(b) of the Medicare Improvements for Patients and Providers Act of 2008 (Public Law 110-275)) for purposes of the implementation of paragraph (2) of such section 117(a), during fiscal year 2011, the Secretary of Health and Human Services shall use the hospital wage index that was promulgated by the Secretary of Health and Human Services in the Federal Register on August 16, 2010 (75 Fed. Reg. 50042), and any subsequent corrections.

(B) EXCEPTION.—Beginning on April 1, 2011, in determining the wage index applicable to hospitals that qualify for wage index reclassification, the Secretary shall include the average hourly wage data of hospitals whose reclassification was extended pursuant to the amendment made by paragraph (1) only if including such data results in a higher applicable reclassified wage index. Any revision to hospital wage indexes made as a result of this subparagraph shall not be effected in a budget neutral manner.

(3) ADJUSTMENT FOR CERTAIN HOSPITALS IN FISCAL YEAR 2011.—

(A) IN GENERAL.—In the case of a subsection (d) hospital (as defined in subsection (d)(1)(B) of section 1886 of the Social Security Act (42 U.S.C. 1395ww)) with respect to which—

(i) a reclassification of its wage index for purposes of such section was extended pursuant to the amendment made by paragraph (1); and

(ii) the wage index applicable for such hospital for the period beginning on October 1, 2010, and ending on March 31, 2011, was lower than for the period beginning on April 1, 2011, and ending on September 30, 2011, by reason of the application of paragraph (2)(B);

the Secretary shall pay such hospital an additional payment that reflects the difference between the wage index for such periods.

(B) TIMEFRAME FOR PAYMENTS.—The Secretary shall make payments required under subparagraph (A) by not later than December 31, 2011.

(b) CONFORMING AMENDMENT.—Section 117(a)(3) of the Medicare, Medicaid, and SCHIP Extension Act of 2007 (Public Law 110-173) is amended by inserting “in fiscal years 2008 and

2009” after “For purposes of implementation of this subsection”.

SEC. 103. EXTENSION OF MEDICARE WORK GEOGRAPHIC ADJUSTMENT FLOOR.

Section 1848(e)(1)(E) of the Social Security Act (42 U.S.C. 1395w-4(e)(1)(E)) is amended by striking “before January 1, 2011” and inserting “before January 1, 2012”.

SEC. 104. EXTENSION OF EXCEPTIONS PROCESS FOR MEDICARE THERAPY CAPS.

Section 1833(g)(5) of the Social Security Act (42 U.S.C. 1395l(g)(5)) is amended by striking “and ending on” and all that follows through “2010” and inserting “and ending on December 31, 2011”.

SEC. 105. EXTENSION OF PAYMENT FOR TECHNICAL COMPONENT OF CERTAIN PHYSICIAN PATHOLOGY SERVICES.

Section 542(c) of the Medicare, Medicaid, and SCHIP Benefits Improvement and Protection Act of 2000 (as enacted into law by section 1(a)(6) of Public Law 106-554), as amended by section 732 of the Medicare Prescription Drug, Improvement, and Modernization Act of 2003 (42 U.S.C. 1395w-4 note), section 104 of division B of the Tax Relief and Health Care Act of 2006 (42 U.S.C. 1395w-4 note), section 104 of the Medicare, Medicaid, and SCHIP Extension Act of 2007 (Public Law 110-173), section 136 of the Medicare Improvements for Patients and Providers Act of 2008 (Public Law 110-275), and section 3104 of the Patient Protection and Affordable Care Act (Public Law 111-148) is amended by striking “and 2010” and inserting “2010, and 2011”.

SEC. 106. EXTENSION OF AMBULANCE ADD-ONS.

(a) GROUND AMBULANCE.—Section 1834(l)(13)(A) of the Social Security Act (42 U.S.C. 1395m(l)(13)(A)) is amended—

(1) in the matter preceding clause (i), by striking “2011” and inserting “2012,”; and

(2) in each of clauses (i) and (ii), by striking “January 1, 2011” and inserting “January 1, 2012” each place it appears.

(b) AIR AMBULANCE.—Section 146(b)(1) of the Medicare Improvements for Patients and Providers Act of 2008 (Public Law 110-275), as amended by sections 3105(b) and 10311(b) of Public Law 111-148, is amended by striking “December 31, 2010” and inserting “December 31, 2011”.

(c) SUPER RURAL AMBULANCE.—Section 1834(l)(12)(A) of the Social Security Act (42 U.S.C. 1395m(l)(12)(A)) is amended by striking “2011” and inserting “2012”.

SEC. 107. EXTENSION OF PHYSICIAN FEE SCHEDULE MENTAL HEALTH ADD-ON PAYMENT.

Section 138(a)(1) of the Medicare Improvements for Patients and Providers Act of 2008 (Public Law 110-275), as amended by section 3107 of the Patient Protection and Affordable Care Act (Public Law 111-148), is amended by striking “December 31, 2010” and inserting “December 31, 2011”.

SEC. 108. EXTENSION OF OUTPATIENT HOLD HARMLESS PROVISION.

Section 1833(t)(7)(D)(i) of the Social Security Act (42 U.S.C. 1395l(t)(7)(D)(i)), as amended by section 3121(a) of the Patient Protection and Affordable Care Act (Public Law 111-148), is amended—

(1) in subclause (II)—

(A) in the first sentence, by striking “2011” and inserting “2012”; and

(B) in the second sentence, by striking “or 2010” and inserting “2010, or 2011”; and

(2) in subclause (III), by striking “January 1, 2011” and inserting “January 1, 2012”.

SEC. 109. EXTENSION OF MEDICARE REASONABLE COSTS PAYMENTS FOR CERTAIN CLINICAL DIAGNOSTIC LABORATORY TESTS FURNISHED TO HOSPITAL PATIENTS IN CERTAIN RURAL AREAS.

Section 416(b) of the Medicare Prescription Drug, Improvement, and Modernization Act of 2003 (42 U.S.C. 1395l-4), as amended by section

105 of division B of the Tax Relief and Health Care Act of 2006 (42 U.S.C. 1395l note), section 107 of the Medicare, Medicaid, and SCHIP Extension Act of 2007 (42 U.S.C. 1395l note), and section 3122 of the Patient Protection and Affordable Care Act (Public Law 111-148), is amended by striking “the 1-year period beginning on July 1, 2010” and inserting “the 2-year period beginning on July 1, 2010”.

SEC. 110. EXTENSION OF THE QUALIFYING INDIVIDUAL (QI) PROGRAM.

(a) EXTENSION.—Section 1902(a)(10)(E)(iv) of the Social Security Act (42 U.S.C. 1396a(a)(10)(E)(iv)) is amended by striking “December 2010” and inserting “December 2011”.

(b) EXTENDING TOTAL AMOUNT AVAILABLE FOR ALLOCATION.—Section 1933(g) of such Act (42 U.S.C. 1396u-3(g)) is amended—

(1) in paragraph (2)—

(A) by striking “and” at the end of subparagraph (M);

(B) in subparagraph (N), by striking the period at the end and inserting a semicolon; and

(C) by adding at the end the following new subparagraphs:

“(O) for the period that begins on January 1, 2011, and ends on September 30, 2011, the total allocation amount is \$720,000,000; and

“(P) for the period that begins on October 1, 2011, and ends on December 31, 2011, the total allocation amount is \$280,000,000.”; and

(2) in paragraph (3), in the matter preceding subparagraph (A), by striking “or (N)” and inserting “(N), or (P)”.

SEC. 111. EXTENSION OF TRANSITIONAL MEDICAL ASSISTANCE (TMA).

Sections 1902(e)(1)(B) and 1925(f) of the Social Security Act (42 U.S.C. 1396a(e)(1)(B), 1396r-6(f)) are each amended by striking “December 31, 2010” and inserting “December 31, 2011”.

SEC. 112. SPECIAL DIABETES PROGRAMS.

(1) SPECIAL DIABETES PROGRAMS FOR TYPE I DIABETES.—Section 330B(b)(2)(C) of the Public Health Service Act (42 U.S.C. 254c-2(b)(2)(C)) is amended by striking “2011” and inserting “2013”.

(2) SPECIAL DIABETES PROGRAMS FOR INDIANS.—Section 330C(c)(2)(C) of the Public Health Service Act (42 U.S.C. 254c-3(c)(2)(C)) is amended by striking “2011” and inserting “2013”.

TITLE II—OTHER PROVISIONS

SEC. 201. CLARIFICATION OF EFFECTIVE DATE OF PART B SPECIAL ENROLLMENT PERIOD FOR DISABLED TRICARE BENEFICIARIES.

Effective as if included in the enactment of Public Law 111-148, section 3110(a)(2) of such Act is amended to read as follows:

“(2) EFFECTIVE DATE.—The amendment made by paragraph (1) shall apply to elections made on and after the date of the enactment of this Act.”.

SEC. 202. REPEAL OF DELAY OF RUG-IV.

Effective as if included in the enactment of Public Law 111-148, section 10325 of such Act is repealed.

SEC. 203. CLARIFICATION FOR AFFILIATED HOSPITALS FOR DISTRIBUTION OF ADDITIONAL RESIDENCY POSITIONS.

Effective as if included in the enactment of section 5503(a) of Public Law 111-148, section 1886(h)(8) of the Social Security Act (42 U.S.C. 1395ww(h)(8)), as added by such section 5503(a), is amended by adding at the end the following new subparagraph:

“(I) AFFILIATION.—The provisions of this paragraph shall be applied to hospitals which are members of the same affiliated group (as defined by the Secretary under paragraph (4)(H)(ii)) and the reference resident level for each such hospital shall be the reference resident level with respect to the cost reporting period that results in the smallest difference between the reference resident level and the otherwise applicable resident limit.”.

SEC. 204. CONTINUED INCLUSION OF ORPHAN DRUGS IN DEFINITION OF COVERED OUTPATIENT DRUGS WITH RESPECT TO CHILDREN'S HOSPITALS UNDER THE 340B DRUG DISCOUNT PROGRAM.

(a) DEFINITION OF COVERED OUTPATIENT DRUG.—

(1) AMENDMENT.—Subsection (e) of section 340B of the Public Health Service Act (42 U.S.C. 256b) is amended by striking “covered entities described in subparagraph (M)” and inserting “covered entities described in subparagraph (M) (other than a children’s hospital described in subparagraph (M))”.

(2) EFFECTIVE DATE.—The amendment made by paragraph (1) shall take effect as if included in the enactment of section 2302 of the Health Care and Education Reconciliation Act of 2010 (Public Law 111–152).

(b) TECHNICAL AMENDMENT.—Subparagraph (B) of section 1927(a)(5) of the Social Security Act (42 U.S.C. 1396r–8(a)(5)) is amended by striking “and a children’s hospital” and all that follows through the end of the subparagraph and inserting a period.

SEC. 205. MEDICAID AND CHIP TECHNICAL CORRECTIONS.

(a) REPEAL OF EXCLUSION OF CERTAIN INDIVIDUALS AND ENTITIES FROM MEDICAID.—Section 1902(a) of the Social Security Act (42 U.S.C. 1396a(a)) is amended by striking paragraph (78).

(b) INCOME LEVEL FOR CERTAIN CHILDREN UNDER MEDICAID.—Section 1902(i)(2)(C) of the Social Security Act (42 U.S.C. 1396a(i)(2)(C)) is amended by striking “133 percent” and inserting “100 percent (or, beginning January 1, 2014, 133 percent)”.

(c) CALCULATION AND PUBLICATION OF PAYMENT ERROR RATE MEASUREMENT FOR CERTAIN YEARS.—Section 601(b) of the Children’s Health Insurance Program Reauthorization Act of 2009 (Public Law 111–3) is amended by adding at the end the following: “The Secretary is not required under this subsection to calculate or publish a national or a State-specific error rate for fiscal year 2009 or fiscal year 2010.”.

(d) CORRECTIONS TO EXCEPTIONS TO EXCLUSION OF CHILDREN OF CERTAIN EMPLOYEES.—Section 2110(b)(6) of the Social Security Act (42 U.S.C. 1397jj(b)(6)) is amended—

(1) in subparagraph (B)—

(A) by striking “PER PERSON” in the heading; and

(B) by striking “each employee” and inserting “employees”; and

(2) in subparagraph (C), by striking “, on a case-by-case basis.”.

(e) ELECTRONIC HEALTH RECORDS.—Effective as if included in the enactment of section 4201(a)(2) of the American Recovery and Reinvestment Act of 2009 (Public Law 111–5), section 1903(t) of the Social Security Act (42 U.S.C. 1396b(t)) is amended—

(1) in paragraph (3)(E), by striking “reduced by any payment that is made to such Medicaid provider from any other source (other than under this subsection or by a State or local government)” and inserting “reduced by the average payment the Secretary estimates will be made to such Medicaid providers (determined on a percentage or other basis for such classes or types of providers as the Secretary may specify) from other sources (other than under this subsection, or by the Federal government or a State or local government)”;

(2) in paragraph (6)(B), by inserting before the period the following: “and shall be determined to have met such responsibility to the extent that the payment to the Medicaid provider is not in excess of 85 percent of the net average allowable cost”.

(f) CORRECTIONS OF DESIGNATIONS.—

(1) Section 1902 of the Social Security Act (42 U.S.C. 1396a) is amended—

(A) in subsection (a)(10), in the matter following subparagraph (G), by striking “and” before “(XVI) the medical” and by striking “(XVI) if” and inserting “(XVII) if”;

(B) in subsection (a)(23), by striking “(ii)” and inserting “(kk)”;

(C) in subsection (a)(77), by striking “(ii)” and inserting “(kk)”;

(D) in subsection (ii)(2), as added by section 2303(a)(2) of Public Law 111–148, by striking “(XV)” and inserting “(XVI)”;

(E) by redesignating subsection (ii), as added by section 6401(b)(1)(B) of Public Law 111–148, as subsection (kk) and transferring such subsection so as to appear after subsection (jj) of that section.

(2) Section 2107(e)(1) of the Social Security Act (42 U.S.C. 1397gg(e)(1)) is amended—

(A) in subparagraph (D), as added by section 6401(c) of Public Law 111–148, by striking “(ii)” and inserting “(kk)”;

(B) by redesignating the subparagraph (N) of that section added by 2101(e) of Public Law 111–148 as subparagraph (O).

SEC. 206. FUNDING FOR CLAIMS REPROCESSING.

For purposes of carrying out the provisions of, and amendments made by, this Act that relate to title XVIII of the Social Security Act, and other provisions of, or relating to, such title that ensure appropriate payment of claims, there are appropriated to the Secretary of Health and Human Services for the Centers for Medicare & Medicaid Services Program Management Account, from amounts in the general fund of the Treasury not otherwise appropriated, \$200,000,000. Amounts appropriated under the preceding sentence shall be in addition to any other funds available for such purposes, shall remain available until expended, and shall not be used to implement changes to title XVIII of the Social Security Act made by Public Laws 111–148 and 111–152.

SEC. 207. REVISION TO THE MEDICARE IMPROVEMENT FUND.

Section 1898(b)(1)(B) of the Social Security Act (42 U.S.C. 1395iii(b)(1)(B)) is amended by striking “\$550,000,000” and inserting “\$275,000,000”.

SEC. 208. LIMITATIONS ON AGGREGATE AMOUNT RECOVERED ON RECONCILIATION OF THE HEALTH INSURANCE TAX CREDIT AND THE ADVANCE OF THAT CREDIT.

(a) IN GENERAL.—So much of section 36B(f)(2)(B) of the Internal Revenue Code of 1986 as precedes clause (ii) thereof is amended to read as follows:

“(B) LIMITATION ON INCREASE.—
“(i) IN GENERAL.—In the case of a taxpayer whose household income is less than 500 percent of the poverty line for the size of the family involved for the taxable year, the amount of the increase under subparagraph (A) shall in no event exceed the applicable dollar amount determined in accordance with the following table (one-half of such amount in the case of a taxpayer whose tax is determined under section 1(c) for the taxable year):

“If the household income (expressed as a percent of poverty line) is:	The applicable dollar amount is:
Less than 200%	\$600
At least 200% but less than 250%	\$1,000
At least 250% but less than 300%	\$1,500
At least 300% but less than 350%	\$2,000
At least 350% but less than 400%	\$2,500
At least 400% but less than 450%	\$3,000
At least 450% but less than 500%	\$3,500”.

(b) CONFORMING AMENDMENT.—Section 36B(f)(2)(B)(ii) of such Code is amended by inserting “in the table contained” after “each of the dollar amounts”.

(c) EFFECTIVE DATE.—The amendments made by this section shall apply to taxable years beginning after December 31, 2013.

SEC. 209. DETERMINATION OF BUDGETARY EFFECTS.

(a) IN GENERAL.—The budgetary effects of this Act, for the purpose of complying with the Statutory Pay-As-You-Go Act of 2010, shall be determined by reference to the latest statement titled

“Budgetary Effects of PAYGO Legislation” for this Act, submitted for printing in the Congressional Record by the Chairman of the Senate Budget Committee, provided that such statement has been submitted prior to the vote on passage.

(b) EMERGENCY DESIGNATION FOR CONGRESSIONAL ENFORCEMENT.—In the House of Representatives, this Act, with the exception of section 101, is designated as an emergency for purposes of pay-as-you-go principles.

Amend the title so as to read: “An Act to extend certain expiring provisions of the Medicare and Medicaid programs, and for other purposes.”.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from California (Mr. STARK) and the gentleman from California (Mr. HERGER) each will control 20 minutes.

The Chair recognizes the gentleman from California (Mr. STARK).

Mr. STARK. Mr. Speaker, I rise in support of H.R. 4994, the Medicare and Medicaid Extenders Act, a bill that was passed by unanimous consent in the Senate yesterday because of the critical importance to our senior citizens and military families.

The legislation does the bare minimum of what is needed to ensure that Medicare runs smoothly for the next year. Because the military’s TRICARE system operates by many of Medicare’s rules, it also protects the health care of our military families.

Importantly, the bill prevents a nearly 25 percent pay cut to Medicare and TRICARE physicians that would otherwise go into effect on January 1, 2011. Giving physicians a year of certainty in their pay is important to protect Medicare beneficiaries’ access to their physicians. The bill extends a host of other key policies to protect the health of seniors and people with disabilities.

In the long run, we all know we need to do much better by Medicare than continued 1-year patches on the physician payment formula. The House passed a permanent solution in November of 2009, but the Senate was unable to move it. We need to work together across party lines to reach a permanent solution. In the meantime, H.R. 4994 is the appropriate short-term measure.

I urge my colleagues to join us in protecting the Medicare beneficiaries by voting “yes.”

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

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

When the Democrats passed their massive health care overhaul, they didn’t spend one cent to resolve a long-standing problem and ensure seniors have continued access to their physician. As a result, for the fourth time since Obamacare passed, we are forced to take emergency action to prevent physicians from having their Medicare payments slashed. This time, the looming cut is 25 percent. The brinkmanship where this Democrat Congress has walked physicians up to the cliff, only to back away at the last minute, is unacceptable.

My friends on the other side of the aisle are quick to remind us that they

offered to address Medicare physician payments last fall. This is true. They put a bill on the floor which had already failed to pass the Senate. This bill would have expanded our already record deficit by an astounding \$210 billion, a crippling debt load on top of the \$1 trillion health bill. Rather than responsibly manage the Medicare program, they chose instead to cut Medicare by one half trillion dollars to fund their government takeover of health care.

The good news is that today we are finally starting to address this problem in a bipartisan way. We're stopping these cuts not for 1 month or 2 months but for a full year. We're ensuring that physicians will be able to keep their doors open and that seniors will have continued access to their doctors. And we are doing this in a fiscally responsible manner without adding a dime to the deficit. We are doing it by taking aim at the irresponsible overspending that was created by the new health care law.

Let it be known on this day, in the people's House, that dismantling of Obamacare begins. Once the House passes this bill and the President signs it into law, we will have landed the first blow to the Democrats' massive health care overhaul. Today we begin by removing \$19 billion from their risky \$1 trillion experiment; a risky experiment that CBO predicts will force health insurance premiums for millions of families to increase by \$2,100 in 2016 alone; a risky experiment that the Obama administration predicts could force 117 million Americans out of their health plans; a risky experiment that Medicare officials have repeatedly warned could jeopardize seniors' access to care; a risky experiment that Medicare officials predict will force millions of seniors out of their current Medicare and retiree health coverage; a risky experiment that increases taxes by more than one-half trillion dollars at a time when unemployment is nearly 10 percent.

□ 1020

A risky experiment that would spend an additional \$1 trillion on health care when every respective economist tells us in order to improve our country's fiscal health, we must get control of health care spending.

My friends on the other side of the aisle repeatedly said a doctor's fix couldn't be paid for, that it shouldn't be paid for. Yet with bipartisan work, we have before us a fully offset bill that gives physicians 1 year of certainty while Congress works to reform physician payments in a fiscally responsible manner once and for all.

So here we are today, Mr. Speaker, pulling at the thread that will begin to unravel ObamaCare. Rest assured, America, we are taking \$19 billion today, but we will continue to fight to get the rest next year.

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

GENERAL LEAVE

Mr. STARK. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks on this matter.

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

There was no objection.

Mr. STARK. I would like to remind my distinguished friend that health reform was 100 percent paid for, and the party that wants to spend \$700 billion on the richest Americans for their tax cuts certainly shouldn't lecture anyone on the deficit.

Mr. Speaker, I yield such time as he may consume to the gentleman from New Jersey (Mr. PALLONE).

Mr. PALLONE. Mr. Speaker, first of all let me say, as I did the other day, as you know, about a week ago we passed an extension to eliminate the cut in the SGR, the doctor's fix, until the end of this month. This bill before us today would take this for another year, until the end of December of 2011.

And at the time, the gentleman from California (Mr. HERGER) also got on the floor and made statements which I think totally do not represent what we were doing. First of all, I would say with regard to the doctor's fix, nobody wants a 25 percent cut in doctor's reimbursement rate, and that is why we were here last week for the extension to eliminate that cut until the end of this year, and that is why we are today, to eliminate that cut until the end of 2011.

But the fact of the matter is it is the Republican Party and it is the party of the gentleman from California (Mr. HERGER) in the House that refused to vote for a permanent fix when we passed it in the Democratic majority over a year ago. As I said that day, only one person, Dr. BURGESS who is a physician on our committee, voted with the Democrats for the permanent fix. It is as a result of the inability and the unwillingness of the Republicans to do anything about this doctor's cut or reimbursement cut that we had to pass, I guess, five different short-term fixes.

Now granted today we are going to have a year extension, and I am certainly happy that the Republicans have agreed to a year extension, but they still have not come along to a permanent fix and they have not helped us in our efforts to achieve a permanent fix. So for the gentleman to suggest that somehow the Republicans have been helpful and they wanted to deal with this problem is, in my opinion, simply not accurate.

Now, let me dispel another thing. There is nothing in this bill that would in any way disrupt or repeal the health care reform, the landmark legislation that the Democrats passed again this year without any support from the other side of the aisle. If there was any remote suggestion that we were repealing or this was the beginning of the re-

peal, as the gentleman suggested, of the health care reform, not one Democrat would support that; and I certainly would not.

The fact of the matter is that the health care reform was fully paid for. And the fact of the matter is that it did not in any way affect Medicare beneficiaries. We actually improved benefits for Medicare beneficiaries in the health care reform. We basically filled up and eliminated the doughnut hole. We also provided more money for copays so seniors who are poor or lower income would not have to do copays for preventative care. And the list of additional benefits for Medicare beneficiaries under the larger health care reform goes on and on. I could list more.

So the suggestion that we somehow were cutting Medicare benefits is simply not true. The fact of the matter is that benefits were increased; the bill was paid for; and this bill today in no way takes away from that larger health care reform.

Now we have paid for the health care reform. We have paid for the doctor's fix for an additional year in this legislation by making sure that people who were going to get a subsidy and who didn't qualify would have to pay it back. That is the only change. That is the way it is paid for here today.

I just want to say, Mr. Speaker, this is a very important bill. It is a vital piece of legislation for America's seniors, persons with disabilities, and military families. Without this legislation, physician fees in Medicare and TRICARE would be reduced by 25 percent on January 1, just 3 weeks from now, and that kind of cut would threaten the ability of enrollees in Medicare and TRICARE to see their doctors. We can't allow that to happen.

As I mentioned before, we have passed some short-term fixes. This is another short-term fix. But, thankfully, it is at least for another year until we can work out a permanent solution. The Democrats already passed that permanent solution without Republican help; but, unfortunately, therefore, it did not become law and we will have to address it again.

The bill also provides help in 2011 to low-income Medicare beneficiaries in paying their part B premiums which are nearly \$100 per month for many people. The legislation extends several important Medicare policies, including an exceptions process for therapy caps that allows Medicare beneficiaries to access medically needed therapy treatment. And it extends an important program that helps Medicaid beneficiaries work more hours without losing their Medicaid benefits.

It is completely paid for over 10 years. It moved through the Senate by unanimous consent. It is really not controversial at all, and so I urge Members of the House to vote "yes" on this bill that provides stability to the Medicare program.

Mr. HERGER. Mr. Speaker, I yield the balance of my time to the ranking

member of the Energy and Commerce Committee, the gentleman from Texas (Mr. BARTON).

The SPEAKER pro tempore. Without objection, the gentleman from Texas will control the time.

There was no objection.

Mr. BARTON of Texas. I thank the gentleman from California for his courtesy.

I would ask the Chair how much time I have remaining.

The SPEAKER pro tempore. The gentleman has 15 minutes remaining.

Mr. BARTON of Texas. May I ask the Chair how much time my friends on the majority have remaining?

The SPEAKER pro tempore. The gentleman from California (Mr. STARK) has 13 minutes remaining.

Mr. BARTON of Texas. Mr. Speaker, I yield myself such time as I may consume.

The Republicans do rise in support of this 1-year fix for the reimbursement rate for physicians. Having said that, I think I was able to listen to some of what my distinguished subcommittee chairman of the Energy and Commerce Committee, Mr. PALLONE, was saying as I was waiting for the tram to come over here. It is time, Mr. Speaker, for Members on both sides of the aisle to put aside partisan politics and in the upcoming year or years, if it takes more than 1 year, sit down and let's really come up with a new formula to fix permanently how we pay our physicians.

The current formula is based on an index that is based on inflation; and under the score keeping, any year in which medical expenses go up more rapidly than the general inflation rate, I am simplifying the index but this is the basic part of it, you have to find savings in that particular year or there is a negative balance created in the physician reimbursement fund. The current system is not sustainable. It doesn't work. It doesn't reflect the practice of medicine. But because of our score keeping, we keep getting further and further behind and so each year the 1-year cut gets bigger and bigger. This year it would be 25 percent.

Now obviously when most of our physician community claims, and I think with justification, that they are not being adequately reimbursed for treating Medicare patients, you have the situation as you have in my district, and I am sure each of us can say in our own districts, in their districts, physicians are not taking Medicare patients. In my home county of Ellis County, the county seat is a community of about 30,000, Waxahachie, Texas. The mayor of Waxahachie is a personal friend of mine, and I have known him for over 20 years.

□ 1030

His existing doctor retired. He is on Medicare. He is over 65. He went to find a new doctor who would treat him, and he couldn't find a doctor. Here is the mayor of Waxahachie, Texas, who at

least temporarily cannot find a Medicare doctor who will accept him as a patient. That doesn't make sense. You can have the best health care system in the world, and if you don't have the doctors to implement it, you don't have a health care system.

So it is my strong recommendation that Republicans—the current minority, soon to be majority—vote for this 1-year fix, knowing that it is really not a fix, that it is another kick-the-can, kick-the-problem down the road. But in this case, at least it is for a year.

In the upcoming Congress and when the majorities switch, I am going to be a member of the committee of primary jurisdiction, the Energy and Commerce Committee. It will be my strong recommendation to our new chairman, FRED UPTON of Michigan; to our new Speaker, Mr. BOEHNER of Ohio; and to our new majority leader, Mr. CANTOR of Virginia, that we sit down with our stakeholders and with our friends on the soon-to-be minority side of the aisle to come up with a system that adequately reflects the will of both parties, that also gets buy-in from the stakeholders and reflects the cost of practicing medicine as it is today.

I know it is going to be expensive. I know it is going to be difficult, but it will be possible, and I hope that we can do that. I would ask for a "yes" vote when it comes time to vote for this under the suspension calendar.

I reserve the balance of my time.

The SPEAKER pro tempore. Without objection, the gentleman from New Jersey will control the time.

There was no objection.

Mr. PALLONE. Mr. Speaker, I yield 2 minutes to the gentleman from California (Mr. FARR).

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

Mr. FARR. Thank you very much for yielding.

Mr. Speaker, I rise in support of this bill but with real dismay.

First, it is ludicrous that Congress continues to pass the SGR instead of to fix it once and for all. This bill, though necessary, doesn't fix what is broken, and we will just find ourselves back here again next year, trying to find a way forward. It is time to "repeal and replace" the doctor payment formula and to come up with something new.

Second, this bill contains special "pork" favors for certain Midwest Senators which will pay their doctors more than the doctors in other parts of the country—in particular, my State of California.

Section 103 of this bill provides an arbitrary "floor" for certain doctors' payments in Iowa and in other Midwest States that will boost their Medicare reimbursements, but this provision does not extend to all doctors in the United States. Iowa will get an additional \$17 million in FY 2011, on top of regular Medicare reimbursements, which other States will not get. Over the 2-year cycle of FY 2010–2011, Iowa

doctors will be reimbursed over \$34 million because of this special "floor" in payments inserted by Senator GRASSLEY and by others in that body.

In a bill that is supposed to be "clean" and that is supposed to simply advance a moratorium on reductions in the sustained growth rate, section 103 is an abomination. It is plain unfair to doctors in other States.

My doctors in California and especially in my district have suffered for more than a decade under a misaligned doctor payment formula due to outdated geographic locality designations. Despite numerous government reports by the GAO and CMS and despite numerous times that the House has passed legislation to fix this problem, the Senate has refused to accept the fix in favor of tipping the scales in order to satisfy Senator GRASSLEY's whims.

If Congress really wants to do right by doctors, it needs to do right by all doctors. This bill does not do that.

Mr. BARTON of Texas. Mr. Speaker, I yield 3 minutes to a distinguished member of the Energy and Commerce Committee and of the Health Subcommittee, the current ranking member of the Oversight and Investigations Subcommittee, Dr. MICHAEL BURGESS of Lewisville, Texas.

Mr. BURGESS. I thank the gentleman, my ranking member, for yielding.

Mr. Speaker, this is an important bill that is going to be before us today. Ordinarily, I would not support something this large being done on a suspension calendar, but this truly is an emergency for our Nation's patients and for our Nation's physicians.

I support the passage of this bill. It does also give us some time in this body and in the other body to work on a permanent solution. There is plenty of blame to go around on both sides of the aisle and in both Houses of this Capitol as to why we are in this fix.

The fact is that it began back in 1998 with the Omnibus Budget Reconciliation Act. It was extended under the Republican watch for 12 years. Now we have had 4 years under the Democrats, and it has not been fixed. In fact, most of the doctors you talk to have just come through the worst year ever in trying to manage their practices.

Stop and think about it for a minute.

You've got a small medical practice of two, three, four, five doctors. They don't do all Medicare work—maybe it's only 5 or 10 percent of their actual book of business. But in April and in June, we asked the administrator of the Centers for Medicare and Medicaid Services to hold the checks for a few weeks until Congress could get back from a recess and take up yet another fix for this problem.

The practical effect of doing this was that we cut 10, 15 percent off of the operating budget for every small practice that did Medicare, that saw our Medicare patients in this country that we asked them to see. Most physician offices run very close to the margin

every month. The consequence of this was that they had to go out and borrow the money to meet cash flow in April and in June. I dare say most of those practices have not yet fully recovered from that insult to the cash flow that occurred.

So it is extremely important for us to pass a 1-year extension that gives them the stability to be able to plan, that gives patients the ability to be able to find doctors under the Medicare system and that gives physician offices the ability to plan for the future.

Now, during this year that comes up, we are obligated—both sides of the aisle and both Houses in this Capitol—to fix this problem. Shame on us if it continues after this fix has expired. There is the political will to do it. We have heard it this morning from both sides. I will commit myself to working with, yes, my side, with the other side of the aisle and with the other House in this Capitol to work on a permanent solution to this. It is out there. It depends on how we want it to look. It depends on where we are going to get the pay-fors.

One of the most egregious things in this health care bill that the President signed last March was, even though you took \$500 billion out of the Medicare system, you used that to fund a new entitlement for the middle class in subsidies in the exchange. Not one dime—not one dime—was sequestered to pay down the problem that we have with the sustainable growth rate formula.

Here is the real bad news.

The Independent Payment Advisory Board is coming up in 2015, also part of the health care bill that was signed into law last March. Doctors now, perhaps, face double jeopardy from cuts in the sustainable growth rate formula and from cuts within the Independent Payment Advisory Board.

The time to fix it is now. It stretches out ahead of us for 12 months. We've got time to do it. Let's dedicate ourselves to getting this done for our Nation's seniors.

Mr. PALLONE. I reserve the balance of my time.

Mr. BARTON of Texas. Mr. Speaker, I think all that needs to be said has been said; so let me simply say that this is a problem that needs to be dealt with.

I compliment those who negotiated the 1-year fix. Hopefully, in the next Congress, we will work together—and I mean that seriously—in a bipartisan fashion to replace the existing formula with one that doesn't have to be updated and fixed in every session of Congress. Yet, for today, I would urge all of those in the current minority to vote for the bill under suspension.

I yield back the balance of my time.

Mr. PALLONE. Mr. Speaker, let me associate myself completely with the remarks that the gentleman from Texas just made.

I do think that it is significant that we are able to negotiate on a bipar-

tisan basis a 1-year extension to avoid these cuts to the doctors, and I do believe we need to work together on a bipartisan basis to achieve a permanent fix in the next Congress.

Ms. JACKSON LEE of Texas. Mr. Speaker, today I rise in support of the Senate amendment to H.R. 4994, the "Medicare and Medicaid Extenders Act," which makes certain that our seniors and military families are able to continue seeing their doctors.

Scheduled for January 1 and through 2011, this bipartisan legislation stops the 25 percent cut in Medicare payments to doctors. This very important legislation protects and supports our doctors who are serving Medicare recipients and active duty military, their families, the Reserve members and military retirees whose access to healthcare is tied to Medicare through the TRICARE system. If we fail to pass this legislation we are doing an extreme injustice to numerous Americans who depend on these doctors and this Congress for their healthcare.

In my Congressional District, Riverside General Hospital (RGH), a member of the TRICARE network can ensure military families will be able to continue to see their doctors. Riverside General Hospital, formerly The Houston Negro Hospital was erected in 1926 in memory of Lieutenant John Halm Cullinan, 344th FA., 90th Div. AEP.

St. Joseph Medical Center, in Houston, Texas, in my district, the only hospital in the inner city of Houston, can now continue to provide access to Medicare beneficiaries to Houston's most needy patient population as a result of this legislation in its current form. Currently, St. Joseph's provides \$14 million in uninsured care in the Houston Market.

St. Joseph Medical Center provides a full range of comprehensive medical and surgical services, such as, cardiology, cancer care, behavioral health, intensive care/critical care, emergency care, neurosurgery, orthopedics and pediatrics. St. Joseph Women's Medical Center, Houston's only full service women's hospital attached to a general acute care hospital, provides women's medical and surgical services, a family birthing center for moms and newborns, labor/delivery/recovery suites and a neonatal intensive care unit for premature or seriously ill newborns. The Level III Neonatal Intensive Care Unit is staffed by the Small Wonders Team of specially trained doctors, nurses and staff who provide the smallest patients with the best chance at life. Specialty services provided by St. Joseph include an advanced wound care center, behavioral medicine, blood conservation and management services, occupational medicine, sports medicine and rehabilitation, inpatient and outpatient diagnostic imaging, and Corporate Healthcare Connection, a partnership with Houston's corporate businesses that provides expedited care to their employees. A Houston institution for 120 years, St. Joseph Medical Center is also a major provider of psychiatric beds as it currently operates 102 of the 800 licensed beds in Houston.

For an entire year, this legislation provides thousands with a practical, invaluable, and stable solution for deserving patients and doctors. These doctors deserve payment for the aid they render and we would be doing an intensely unjust service to them by not ensuring their repayment. Furthermore, we would be building a shaky platform for our constituents

by not ensuring healthcare and medicine to the elderly, unfortunate, or those who so altruistically serve or served our country.

Moreover, the bill is fully paid for according to the Congressional Budget Office. Furthermore, the CBO reports that it would serve to reduce the deficit by \$2.8 billion over the next 10 years if the bill is passed. This is made possible by modifying the Affordable Care Act in the area of overpayments of tax credits to help individuals afford insurance. It is important to note that this bill's provision will in fact protect income based tax credits. Specifically, this provision would change the way individuals pay back overpayments when they receive a larger tax credit than they were eligible for based on their actual income for the year. Also, this legislation is highly supported by AARP and the American Medical Association.

Other extensions include:

The Transitional Medical Assistance (TMA), which allows low-income families to keep their Medicaid coverage as they move into employment and their income increases. Which is extremely important for those who are struggling to get on the their feet and make a way for themselves and their families. If we take away their assistance just as they are beginning to earn more money then we force those individuals to struggle to pay for more costly healthcare they cannot afford subsequently reducing their total income.

Extension of the Qualifying Individual (Q1) Program which allows Medicaid to pay the Medicare premiums for those with incomes 120–135 percent below the poverty line who are Medicare recipients.

Mr. Speaker, I urge my colleagues to support the passage of H.R. 4994, which greatly assists our countrymen and helps those who are elderly, poverty stricken, and those brave individuals who serve and served in our armed forces and their family members.

Further, however the major component to keeping our health care system working is to not reduce doctors' payments from medicare by 25% as of January 1, 2011. This bill will fix that inequity and extend current medicare payments to doctors. Until December, 2012.

This is good advice. I urge a "yea" vote.

Ms. SCHAKOWSKY. Mr. Speaker, I rise today in support of the Senate amendments to H.R. 4994.

I continue to believe that we need to make permanent reforms to Medicare's physician payment rules. Senior citizens and persons with disabilities need to know that they will be able to get high quality and timely care and that their doctors will be paid fairly and in a timely fashion. There is never really any question that Congress will act to prevent double-digit cuts in Medicare and TRICARE physician payments, but we should not have to debate these issues on a monthly basis.

The bill before us today does not provide a permanent solution as I would like, but it does provide a one-year fix, eliminating the confusion and concern that is created by very short-term measures to prevent cuts. I am pleased that it also includes an extension of the Medicare physician payment add-on for mental health, since we know that access to mental health services continues to be a problem in our communities.

While much of the focus has been on the physician payment issue, there are other provisions in the Medicare and Medicaid Extenders Act that will improve access to care

through December 31, 2011. Those include an extension of the exceptions process for Medicare therapy caps so that individuals who need additional services will not be forced to go without. It extends the Special Diabetes Programs, which are so important in dealing with the impacts of this terrible disease. The bill clarifies that orphan drugs are included in the 340B drug discount program for children's hospitals. It continues Medicare's Quality Individual program to help pay for Medicare Part B premiums for low-income seniors and people with disabilities and it extends Transitional Medical Assistance so low-income families don't lose critical Medicaid coverage as they move into employment.

Passage of the Medicare and Medicaid Extenders Act will make sure that the end of this year won't bring with it cutbacks in access to health care for millions of Americans. It gives us all of 2011 to make these year-long extensions permanent, and I will work hard to make sure that we use next year to do so.

Mr. WAXMAN. Mr. Speaker, I speak today in support of H.R. 4994, the "Medicare and Medicaid Extenders Act of 2010."

This legislation blocks a 25 percent fee cut that is scheduled for Medicare physician payments on January 1, 2011. A cut of that magnitude would jeopardize the access of seniors and people with disabilities to their doctors.

Likewise, military families who rely on TRICARE need this legislation, because TRICARE uses Medicare rates and would also face a huge fee cut on January 1.

The recent practice of Congress to legislate on physician payments several times per year needs to stop. Upon enactment, this will make the fifth SGR bill Congress has passed in 13 months.

I am pleased that this legislation, unlike other recent SGR bills, would address the problem for an entire year.

However, a 1-year solution is far less than the Medicare program ultimately needs. Congress must eventually confront the SGR permanently. The House has previously passed a permanent solution to the SGR problem. I hope that the next Congress is able to follow up on that work and fix this problem once and for all.

This bill also ensures the continued ability of Medicare beneficiaries to access therapy benefits to help them recover from illness. And it contains other important technical changes to maintain the smooth functioning of the Medicare and Medicaid programs.

Other provisions of this bill help low income Medicare and Medicaid beneficiaries. One provision helps low-income Medicare beneficiaries cover the cost of their Medicare Part B premiums. Another extends the transitional medical assistance program to help Medicaid beneficiaries as they work more hours and increase their earnings.

This legislation is completely paid for, and it is necessary. It passed the Senate by unanimous consent, and I hope that all Members of the House will support it as well.

One further note for purposes of interpretation. Section 204 of this bill contains a technical amendment to Section 340B of the Public Health Services Act. This language corrects an error in P.L. 111-152, the Health Care and Education Reconciliation Act of 2010, that inadvertently caused children's hospitals to lose access to orphan drugs at 340B prices. The language in Section 204 restores full access

to orphan drugs at 340B prices for these hospitals. This amendment is retroactive as if included in P.L. 111-152. The intent of this retroactivity is to clarify congressional intent that there be no discontinuity in access to orphan drugs at 340B prices for children's hospitals. To the extent that drug manufacturers have not provided these discounts at any point between the enactment of P.L. 111-152 and the enactment of this legislation, they should do so retroactively, subject to HRSA or any other compliance and enforcement authority.

Mr. CONYERS. Mr. Speaker, I rise today in support of Senate amendments to H.R. 4994, the Medicare and Medicaid Extenders Act.

One of the most important priorities of Congress, regardless of our current economic downturn, is the financial well-being of our nation's hospitals, and the ability of patients to have access to medically necessary care when they need it.

Passage of the Senate amendments to H.R. 4994 accomplishes both goals by blocking a scheduled 25 percent cut in Medicare payments to doctors and extending current Medicare payment rates through December 31, 2011. Passage of the bill today by the House will send this legislation to the President's desk for his signature.

In order to have world class hospitals in the United States, we must have the needed funding to ensure that our nation's hospitals can provide the highest quality care possible. Passage of the Senate amendments to H.R. 4994 will help strengthen our hospitals, especially those located in our inner cities and rural areas. These hospitals are experiencing serious funding shortages, and are at risk of losing much needed doctors and medical staff.

This bill is fully paid for, and according to CBO, the bill would reduce the deficit by \$2.8 billion over the next 10 years. This legislation also helps to protect access to doctors for Medicare beneficiaries and military families, given that payment rates for doctors in TRICARE, the health care program for active-duty servicemembers, National Guard and Reserve members, military retirees, and their families are tied to Medicare rates. Passage of the Senate amendments to H.R. 4994 is a good example of how Members of Congress working together in a spirit of bipartisan unity can improve the health and well being of all Americans.

I do want to raise some concerns with the way this bill is going to be paid for, which is to decrease the affordability credits for Americans that are needed to defray the costs of purchasing private insurance under the soon to be established health exchanges in 2014. I believe that this is tantamount "to robbing Peter to pay Paul." This Congress should not get into the habit of viewing future benefits for low-income Americans as a source of funding for today's legislative initiatives. There are other more fair minded and progressive offsets which could have been utilized for this payment fix—such as taxing Wall Street or our nation's billionaires.

If we are going to make sure that Medicare doctors and hospitals are reimbursed at an appropriate rate over the next several years, we are going to have to be more serious and pragmatic about how to implement efficiencies in the Medicare program.

Medicare is a highly successful and efficient program, but it can't keep feeding the "corporate medical monster" forever. The time has

come for the Federal Government to rein in the costs of for-profit hospital care by taking a more serious look at how we can reduce the costs of prescription drugs and medical technology—two of the most costly expenditures for hospitals and doctors.

Furthermore, we must pass H.R. 676, "The U.S. National Health Care Act," so that all Americans can enjoy the benefits of a universal single payer system, which has successfully worked in every major industrialized country to contain the rising costs of health care and provide quality health care for all. If we created this system, then we would be able to pay our nation's physicians at optimal levels and provide America's hospitals and clinics with a more financially stable, predictable, and efficient health care payment system for years to come.

In the meantime, today's physician payment bill will allow today's Medicare beneficiaries to enjoy the care they have earned. I urge my colleagues to support the bill.

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

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from California (Mr. STARK) that the House suspend the rules and concur in the Senate amendments to the bill, H.R. 4994.

The question was taken.

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

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

The yeas and nays were ordered.

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

RECESS

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

Accordingly (at 10 o'clock and 41 minutes a.m.), the House stood in recess subject to the call of the Chair.

□ 1245

AFTER RECESS

The recess having expired, the House was called to order by the Speaker pro tempore (Mr. ALTMIRE) at 12 o'clock and 45 minutes p.m.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

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

Votes will be taken in the following order:

Motion to concur in Senate amendments to H.R. 4994, by the yeas and nays;

H.R. 6412, de novo.

The first electronic vote will be conducted as a 15-minute vote. The second

electronic vote will be conducted as a 5-minute vote.

MEDICARE AND MEDICAID EXTENDERS ACT OF 2010

The SPEAKER pro tempore. The unfinished business is the vote on the motion to suspend the rules and concur in the Senate amendments to the bill (H.R. 4994) to amend the Internal Revenue Code of 1986 to reduce taxpayer burdens and enhance taxpayer protections, and for other purposes, on which the yeas and nays were ordered.

The Clerk read the title of the bill.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from California (Mr. STARK) that the House suspend the rules and concur in the Senate amendments.

The vote was taken by electronic device, and there were—yeas 409, nays 2, not voting 22, as follows:

[Roll No. 626]

YEAS—409

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

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

NAYS—2

Baird McClintock

NOT VOTING—22

Berry Flake Moran (KS)
Blunt Granger Putnam
Boehner Griffith Radanovich
Boucher Linder Shuler
Boyd Marchant Skelton
Cohen McMorris Watson
Delahunt Rodgers Wu
Fallin Meek (FL)

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

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

□ 1309

Messrs. FRANK of Massachusetts and DAVIS of Tennessee changed their vote from “nay” to “yea.”

So (two-thirds being in the affirmative) the rules were suspended and the Senate amendments were concurred in.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

Stated for:

Ms. GRANGER. Mr. Speaker, on rollcall No. 626 I was absent from the House. Had I been present, I would have voted “yes.”

QUESTION OF PERSONAL PRIVILEGE

Ms. WATERS. Mr. Speaker, I rise to a question of personal privilege.

The SPEAKER pro tempore. The Chair has been made aware of a valid basis for the gentlewoman from California's point of personal privilege.

The gentlewoman from California is recognized for 1 hour.

Ms. WATERS. To the Members, I will only take about 7 or 8 minutes. I know that they are anxious to go home.

On Tuesday, I introduced a privileged resolution that calls for a bipartisan task force to investigate the disciplinary action taken against two professional staff members of the Ethics Committee. Since then, I have had a chance to speak with dozens of Members regarding concerns about the ethics process and the impact it has on this institution.

Regardless of region or political ideology, they all agreed that we must take every opportunity we can to improve the ethics process and, by extension, increase the faith of the American people in our ability to uphold the highest standards of ethical conduct.

We now have such an opportunity.

There have been press reports of misconduct by the committee attorneys responsible for handling my case, which has been with the committee for almost 1½ years. Although we do not know the circumstances surrounding their conduct nor the disciplinary action taken against them, we can all agree, as Majority Leader HOYER stated last week, that the developments are “troubling.”

To be sure, this issue is of great concern to me. However, after talking to Members, I have confirmed that it is also of great concern to you—my colleagues and friends—because the issue of transparency and fairness in the ethics process is one that transcends any individual.

What is at stake is the integrity of this institution that we all cherish and of which we are privileged to be a part.

If information regarding this matter is not made public, we will continue to see press reports and commentators across the political spectrum publicly criticizing the ethics process. Allow me to read you some of the press quotes on this issue.

“You have ethics issues in the Ethics Committee. These two attorneys are left on the government payroll. We still don't even know why they dismissed them.” This is from “The Willis Report,” Fox Business, 12/1/10.

“Can you imagine, in a court of law, if the prosecutor basically got completely taken off of the case, and suddenly the defense lawyer walked in, and there was somebody new? It’s like bells and whistles would go off.” This is from “AC 360,” which is Anderson Cooper, CNN, 12/1/10.

“I am confident some of the folks on the committee are more political than anything else.” That is from someone who has been very critical of me, Melanie Sloan of CREW, quoted in Talking Points Memo, 12/1/10.

“Rarely has the ethics process looked worse.” This is by Dana Milbank, Washington Post, 12/4/10.

Unfortunately, if a resolution like the one I noticed passed, its authority, like the authority of the investigation against me, would expire at the end of this Congress, which could come as early as next week. The investigation and report called for by the resolution would have to be completed immediately, which apparently is not feasible now given the calendar.

Many colleagues who share the concerns I have raised about the disciplinary action of the committee are also concerned that a task force established now would have insufficient time to finish its work.

I share that concern and have been working with my colleagues over the last few days to find an alternative that would allow for the exploration of this important topic without further undermining the process by not allowing for adequate time and resources. Because news about the committee’s activities just came to light last week, the options seem to be limited.

We all know how a vote on a privileged resolution plays out. The leadership, for reasons which are both practical and political, would use a parliamentary procedure, either a motion to table or a motion to refer, to essentially kill the bill.

This maneuver is not unique to this resolution. It is, as history shows us, seemingly standard practice. Functionally, that would be the end of this particular resolution, and it could have the unintended consequence of suggesting falsely to the public that the House as a whole is not concerned with the integrity of the ethics process.

In fact, during those conversations with colleagues, Members have come alive, and the basic concepts of justice and fairness have permeated every conversation. They have suggested that this issue is one that should be explored willingly, not just by the force of a vote by the whole House, and that parliamentary procedure should not thwart transparency.

Let me note that, while they expressed concern with some of the events that have occurred as related to my case and the implications for the broader institution, Members also indicated they believe that our colleagues who lead the Ethics Committee—ZOE LOFGREN and JO BONNER—fundamentally share our commitment to justice

and fairness despite the circumstances which have led us here today.

This is a view that I share as well.

Although the committee is built on secrecy and confidentiality, it should have the ability to be flexible and provide transparency in extraordinary circumstances. This is one such extraordinary circumstance when the House as a whole and the public need the committee to reveal information so we can have confidence in the process.

Those who know me know that I am aggressive by nature and philosophy. I believe that it is important that we be relentless about our constant search for truth and justice.

But here, upon the advice of my colleagues whom I trust and admire, I am not pushing for a vote on this resolution today. In doing so, however, I am requesting that the committee set the record straight, on its own accord, in a bipartisan manner, with a joint statement signed by the chair and ranking member, as provided by its rules, which both protects the confidentiality required by the committee and respects the public’s and this body’s right to know the circumstances of the events that led to the discipline of the two attorneys leading the case against me.

Today, I will again notice the House with my privileged resolution. I am hopeful it will not be necessary to take it up, because the Ethics Committee will, indeed, set the record straight.

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

ACCESS TO CRIMINAL HISTORY RECORDS FOR STATE SENTENCING COMMISSIONS ACT OF 2010

The SPEAKER pro tempore. The unfinished business is the question on suspending the rules and passing the bill (H.R. 6412) to amend title 28, United States Code, to require the Attorney General to share criminal records with State sentencing commissions, and for other purposes.

The Clerk read the title of the bill.

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.

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

The yeas and nays were ordered.

The vote was taken by electronic device, and there were—yeas 371, nays 1, not voting 61, as follows:

[Roll No. 627]
YEAS—371

Ackerman	Austria	Barton (TX)
Aderholt	Bachmann	Bean
Adler (NJ)	Baird	Becerra
Akin	Baldwin	Berkley
Alexander	Barrett (SC)	Berman
Altmire	Barrow	Biggert
Andrews	Bartlett	Bilbray

Bilirakis	Garrett (NJ)	Marshall
Bishop (GA)	Gerlach	Matheson
Bishop (NY)	Giffords	Matsui
Bishop (UT)	Gingrey (GA)	McCarthy (CA)
Blackburn	Gohmert	McCarthy (NY)
Blumenauer	Gonzalez	McCaul
Bocieri	Goodlatte	McClintock
Boehner	Gordon (TN)	McCollum
Bonner	Graves (GA)	McCotter
Bono Mack	Grayson	McDermott
Boozman	Green, Al	McGovern
Boren	Green, Gene	McHenry
Boswell	Grijalva	McIntyre
Boucher	Guthrie	McMahon
Boustany	Gutierrez	McNerney
Brady (PA)	Hall (NY)	Meek (FL)
Brady (TX)	Hall (TX)	Meeks (NY)
Braley (IA)	Halvorson	Melancon
Bright	Hare	Mica
Broun (GA)	Harman	Michaud
Brown (SC)	Harper	Miller (FL)
Brown, Corrine	Hastings (FL)	Miller (MI)
Brown-Waite,	Hastings (WA)	Miller (NC)
Ginny	Heinrich	Minnick
Buchanan	Heller	Mitchell
Burgess	Hensarling	Mollohan
Burton (IN)	Herger	Moore (KS)
Butterfield	Herseth Sandlin	Moore (WI)
Calvert	Higgins	Moran (VA)
Camp	Himes	Murphy (CT)
Campbell	Hinchey	Murphy (NY)
Cantor	Hinojosa	Murphy, Patrick
Cao	Hirono	Murphy, Tim
Capito	Hodes	Nadler (NY)
Capps	Hoekstra	Neal (MA)
Capuano	Holden	Neugebauer
Carney	Holt	Nunes
Carson (IN)	Honda	Nye
Carter	Hoyer	Oberstar
Cassidy	Hunter	Obey
Castle	Inglis	Olson
Castor (FL)	Inslee	Ortiz
Chaffetz	Israel	Owens
Chandler	Issa	Pallone
Childers	Jackson (IL)	Pascrell
Chu	Jackson Lee	Pastor (AZ)
Clarke	(TX)	Paulsen
Clay	Jenkins	Payne
Cleaver	Johnson (GA)	Pence
Cole	Johnson (IL)	Perlmutter
Conaway	Johnson, E. B.	Perriello
Conyers	Johnson, Sam	Peterson
Cooper	Jones	Pitts
Costa	Jordan (OH)	Platts
Costello	Kagen	Poe (TX)
Courtney	Kanjorski	Polis (CO)
Critz	Kaptur	Pomeroy
Crowley	Kennedy	Posey
Cuellar	Kildee	Price (GA)
Culberson	Kilpatrick (MI)	Price (NC)
Cummings	Kilroy	Quigley
Dahlkemper	King (IA)	Rahall
Davis (AL)	Kingston	Rangel
Davis (IL)	Kissell	Reed
Davis (KY)	Klein (FL)	Rehberg
Davis (TN)	Kline (MN)	Reichert
DeFazio	Kosmas	Reyes
Dent	Kratovil	Richardson
Deutch	Kucinich	Rodriguez
Diaz-Balart, L.	Lamborn	Roe (TN)
Diaz-Balart, M.	Lance	Rogers (AL)
Dicks	Langevin	Rogers (KY)
Dingell	Larsen (WA)	Rogers (MI)
Djou	Larson (CT)	Rohrabacher
Doggett	Latham	Rooney
Donnelly (IN)	LaTourette	Ros-Lehtinen
Doyle	Latta	Roskam
Dreier	Lee (CA)	Ross
Duncan	Lee (NY)	Rothman (NJ)
Edwards (MD)	Levin	Royal-Allard
Edwards (TX)	Lewis (CA)	Royce
Ehlers	Lewis (GA)	Ruppersberger
Ellison	Lipinski	Rush
Emerson	LoBiondo	Ryan (OH)
Engel	Loebsock	Ryan (WI)
Eshoo	Lofgren, Zoe	Salazar
Etheridge	Lowey	Sanchez, Linda
Farr	Lucas	T.
Fattah	Luetkemeyer	Sanchez, Loretta
Filner	Lujan	Scalise
Fleming	Lummis	Schakowsky
Forbes	Lungren, Daniel	Schauer
Fortenberry	E.	Schiff
Foster	Lynch	Schock
Fox	Mack	Schrader
Frank (MA)	Maffei	Schwartz
Franks (AZ)	Maloney	Scott (VA)
Frelinghuysen	Manzullo	Sensenbrenner
Garamendi	Markey (MA)	Serrano

Sessions	Sullivan	Walden
Sestak	Sutton	Walz
Shadegg	Tanner	Wasserman
Shea-Porter	Taylor	Schultz
Sherman	Teague	Waters
Shimkus	Terry	Watt
Shuster	Thompson (CA)	Waxman
Simpson	Thompson (MS)	Weiner
Sires	Thompson (PA)	Westmoreland
Slaughter	Thornberry	Whitfield
Smith (NE)	Tierney	Wilson (OH)
Smith (NJ)	Titus	Wilson (SC)
Smith (TX)	Tonko	Wittman
Smith (WA)	Towns	Wolf
Snyder	Tsongas	Woolsey
Space	Turner	Yarmuth
Spratt	Upton	Young (AK)
Stearns	Van Hollen	Young (FL)
Stupak	Velazquez	
Stutzman	Visclosky	

NAYS—1

Paul

NOT VOTING—61

Arcuri	Fallin	Napolitano
Baca	Flake	Olver
Bachus	Fudge	Peters
Berry	Gallely	Petri
Blunt	Granger	Pingree (ME)
Boyd	Graves (MO)	Putnam
Buyer	Griffith	Radanovich
Cardoza	Hill	Sarbanes
Carnahan	Kind	Schmidt
Clyburn	King (NY)	Scott (GA)
Coble	Kirkpatrick (AZ)	Shuler
Coffman (CO)	Linder	Skelton
Cohen	Marchant	Speier
Connolly (VA)	Markey (CO)	Stark
Crenshaw	McKeon	Tiahrt
Davis (CA)	McMorris	Tiberi
DeGette	Rodgers	Wamp
Delahunt	Miller, Gary	Watson
DeLauro	Miller, George	Welch
Driehaus	Moran (KS)	Myrick
Ellsworth	Myrick	Wu

□ 1338

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

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

Stated for:

Mrs. MYRICK. Mr. Speaker, I was unable to participate in the following vote. If I had been present, I would have voted as follows: Roll-call vote 627, On Motion to Suspend the Rules and Pass—H.R. 6412, Access to Criminal History Records for State Sentencing Commissions Act of 2010—I would have voted “aye.”

ADJOURNMENT TO MONDAY, DECEMBER 13, 2010

Mr. JACKSON of Illinois. Mr. Speaker, I ask unanimous consent that when the House adjourns today, it adjourn to meet at 10 a.m. on Monday next; and further, when the House adjourns on that day, it adjourn to meet at 12:30 p.m. on Tuesday, December 14, 2010, for morning-hour debate.

The SPEAKER pro tempore. (Mr. KISSELL). Is there objection to the request of the gentleman from Illinois?

There was no objection.

NOTICE OF INTENTION TO OFFER RESOLUTION RAISING A QUESTION OF THE PRIVILEGES OF THE HOUSE

Ms. WATERS. Mr. Speaker, pursuant to clause 2(a)(1) of rule IX, I hereby no-

tify the House of my intention to offer a resolution as a question of the privileges of the House.

The form of my resolution is as follows:

Authorizing and directing the Speaker to appoint a bipartisan task force to investigate the circumstances and cause of the decision to place professional staff of the Committee on Standards of Official Conduct on indefinite administrative leave, and for other purposes.

Whereas the Constitution of the United States authorizes the House of Representatives to “determine the Rules of its Proceedings, punish its Members for disorderly Behavior, and, with the Concurrence of two thirds, expel a Member”;

Whereas in 1968, in compliance with this authority and to uphold its integrity and ensure that Members act in a manner that reflects credit on the House of Representatives, the Committee on Standards of Official Conduct was established;

Whereas the ethics procedures in effect during the 111th Congress were enacted in 1997 in a bipartisan manner by an overwhelming vote of the House of Representatives upon the bipartisan recommendation of the ten member Ethics Reform Task Force, which conducted a thorough and lengthy review of the entire ethics process;

Whereas, the Committee on Standards of Official Conduct adopted rules for the 111th Congress;

Whereas rule 6(a) of the Rules of the Committee on Standards of Official Conduct states “the staff is to be assembled and retained as professional, nonpartisan staff”;

Whereas rule 6(c) of the Rules of the Committee on Standards of Official Conduct states “the staff as a whole and each individual member of the staff shall perform all official duties in a nonpartisan manner”;

Whereas rule 6(f) of the Rules of the Committee on Standards of Official Conduct states “All staff members shall be appointed by an affirmative vote of the majority of the members of the Committee, Such a vote shall occur at the first meeting of the membership of the Committee during each Congress and as necessary during the Congress”;

Whereas, on November 19, 2010 two members of the professional staff of the Committee on Standards of Official Conduct were placed on indefinite administrative leave;

Whereas, on November 19, 2010 the Committee on Standards of Official Conduct canceled and has not rescheduled the adjudicatory hearing for a Member of Congress, previously scheduled for November 29, 2010;

Whereas all of these actions have subjected the Committee to public ridicule and weakened the ability of the Committee to properly conduct its investigative duties, all of which has brought discredit to the House; now, therefore, be it

Resolved, That—

(1) the Speaker shall appoint a bipartisan task force with equal representation of the majority and minority parties to investigate the circumstances and cause of the decision to place professional staff of the Committee on Standards of Official Conduct on indefinite administrative leave and to make recommendations to restore public confidence in the ethics process, including disciplinary measures for both staff and Members where needed; and

(2) the task force report its findings and recommendations to the House of Representatives during the second session of this Congress.

□ 1340

The SPEAKER pro tempore. The resolution of the gentlewoman from California will appear in the RECORD.

The Chair’s customary announcement will also appear in the RECORD.

Under rule IX, a resolution offered from the floor by a Member other than the majority leader or the minority leader as a question of the privileges of the House has immediate precedence only at a time designated by the Chair within 2 legislative days after the resolution is properly noticed.

Pending that designation, the form of the resolution noticed by the gentlewoman from California will appear in the RECORD at this point.

The Chair will not at this point determine whether the resolution constitutes a question of privilege. That determination will be made at the time designated for consideration of the resolution.

ECONOMIC SECURITY FOR SENIORS

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

Ms. WASSERMAN SCHULTZ. Mr. Speaker, I rise today in support of H.R. 5987, the Seniors Protection Act, 2011 will mark the first time that Social Security retirees and other beneficiaries will receive no automatic cost of living increase for 2 consecutive years. At the same time, seniors must stretch each dollar further as health care and other costs continue to rise. And in these tough economic times, seniors have even fewer assets to help them make ends meet.

The Social Security program is in its 75th year of helping our seniors, and we must stay true to President Roosevelt’s vision of economic security for all of our citizens. This legislation will help more than 4 million seniors in my home State of Florida alone, many of whom struggle to meet their everyday living expenses.

As we move forward, let us rededicate ourselves to strengthening, not weakening, this vital program. I want to thank Congressman EARL POMEROY for sponsoring this much-needed legislation.

THE DREAM ACT AND IMMIGRATION REFORM

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

Mr. SCHRADER. Mr. Speaker, I rise to reaffirm support for the general goals and ideals of the DREAM Act. Unfortunately and ultimately, America will have trouble getting there. But the ambition and hard work of immigrant students earning their degrees and citizenship will benefit our country. However, I voted against the passage of the DREAM Act last night. I believe passing this bill outside of comprehensive immigration reform is ill-advised.

Our immigration system is terribly broken. As a small business owner and farmer, I know the current system does not work for small businesses asked to play the role of Immigration and Customs Enforcement. It also doesn’t work

for farmers harvesting their crops, for children raised as Americans, or the many people playing by the rules and seeking United States citizenship because they believe in the promise of America.

Border control, employer verification, exit controls, keeping family units intact, protecting our economy, and many others are tough issues that need to be resolved effectively and fairly. They deserve our time and attention now. I am not interested in just kicking the can down the road by not taking the tough votes on immigration reform. The whole system needs to be fixed, not just part of it.

IN RECOGNITION OF DR. BRIAN MATHIE

(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, today I rise in recognition of a man with a dedicated vision not just for himself, but for his life's work. My constituent, Dr. Brian Mathie of Louisville, Ohio, has a commitment to a lifetime of healthy vision for all Ohio residents. He proves why the Ohio Optometric Association named him the 2010 Optometrist of the Year.

For his contributions to preserving the gift of sight for people across our district and all across Ohio, for his mentorship and leadership in our community, I too join in congratulating Dr. Mathie for his service.

Countless times I have relied upon Dr. Mathie and his staff at the Roholt Vision Institute of North Canton to provide care for me. He is dependable, reliable, and accurate. Dr. Mathie is not only a leader in the physician's office, but in the classroom and the community, where he serves as an adjunct faculty member at Ohio State University College of Optometry and participates in the Louisville Community Foundation, Rotary Club, and Cross Eyed Missions.

Dr. Mathie, you are a community leader, one dedicated to public service and good public health. Thank you for your commitment. I wish you success in your profession and your leadership.

SUPPORTING VETERANS, DOCTORS AND SENIORS

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

Ms. JACKSON LEE of Texas. I would like to address a few items for my colleagues. First of all, I am very proud today to introduce H.R. 6510, which will allow Texas veterans to have a Texas military museum. We look forward to this moving through this Congress and saying "thank you" to our veterans.

I think it is important that we move quickly to pass the Senior Protection Act of 2010 to get \$250 to our seniors. And I rise as well to support H.R. 4994

that we voted on, so that physicians do not get a 25 percent cut in their Medicare payments. That we also are able to provide for Medicare therapy that many of our seniors have. That as well that we will have a mental health add-on that many of my constituents, including MMHRA, will need. And as well that we are providing to make sure that we have enough money to pay for those in poverty to be able to pay their Medicare payments, Medicare Part B.

Mr. Speaker, it is time to address the needs of Americans who have worked, including the veterans who celebrate a veterans museum, including those doctors who work for us, and certainly seniors who need these Medicare benefits. This is a time for us to stand for them.

□ 1350

SPECIAL ORDERS

The SPEAKER pro tempore. Under the Speaker's announced policy of January 6, 2009, and under a previous order of the House, the following Members will be recognized for 5 minutes each.

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from 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.)

COMMENTS ON AFGHANISTAN

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, this past Tuesday I came to the floor to talk about the corruption in Afghanistan and the growing concern of the American people due to the fact that many in both parties have said we need to stay there 4 more years, including the President of the United States.

In November of this year, we had 53 Americans killed in action in Afghanistan and 146 Americans wounded in Afghanistan. Beside me, Mr. Speaker, are the faces of marines who were killed from Camp Lejeune. Too many times, because of the fact that this country does not have a draft, this country seems to put the war in Afghanistan on the second, third, and fourth pages, and that is a tragedy to the families of those young men and women fighting in Afghanistan and to those families who have lost loved ones who have been killed.

I would like to take just a moment to read from the Washington Examiner a couple of comments and also a "60 Minutes" segment on November 28 by Anderson Cooper called "Good Cop, Bad Cop."

From the Washington Examiner earlier this year: "The Examiner reported that numerous insurgents captured in Pakistan, including some members of

al Qaeda, were returned to Afghanistan upon the request of the Karzai government, and then, according to senior Pakistan officials, 'released back to the Taliban as bargaining chips in negotiations.'

"A marine stationed in southern Afghanistan's volatile Helmand Province told the Examiner that efforts to retaining insurgent fighters are 'worthless.'" They are worthless.

"Earlier this year, his unit held a man known to be working with the Taliban. The marines had gathered evidence that the man was transporting hundreds of pounds of bomb-making equipment and explosives for the Taliban. But, shortly after they captured him, he was set free."

That is a tragedy in itself, Mr. Speaker, because our young men and women are over there dying for what, I do not know. In fact, there was an article written in the magazine called The American Conservative by Andrew Bacevich about 6 months ago, and the title of that article was "To Die for a Mystique." He was comparing Vietnam to Afghanistan. Actually, the writer of that article, Andrew Bacevich, fought in Vietnam for this country, and his son died in Iraq for this country.

Let me just briefly read from "Good Cops, Bad Cops: Afghanistan's National Police." This is the "60 Minutes" segment:

"We began with the three-star American general now in charge of their training. 'The police have to succeed,' Lt. General William Caldwell told CNN's Anderson Cooper.

"'If the Afghan police fail, we fail?' Cooper asked.

"'We do,' the general said.

"Caldwell began overseeing training of Afghan security forces last November. 'The sooner we can develop an effective police force, the sooner U.S. forces will be able to have less of an active combat role,' the general said. 'If we had a better-trained Afghan police at this point, that would save American lives,' Cooper said. 'There's no question about that. That is true,' said the general."

Now, Mr. Speaker, let me tell you just how difficult this job is:

"'Not only are most of the police illiterate, but it turns out many of them also have a drug problem. There is one study said 10 to 20 percent use or smoke hash and other forms of drugs,' Cooper told Caldwell, 'and that's probably an accurate statistic based on what we have seen,' he replied.

"'Another video taken by members of the 82nd Airborne shows an Afghan policeman smoking marijuana before going out on patrol—evidently not an uncommon ritual."

Mr. Speaker, it is time that this House and this Senate and this administration understand that it is not worth the lives of our men and women in uniform to keep them in Afghanistan for 4 years. History has proven it is an uncontrolled country. It will never be a nation, it will never have a

successful national government, and it is time that the House and Senate understand that it is not worth one more life of our young men and women to stay in Afghanistan.

Mr. Speaker, before I yield back the balance of my time, I will ask God to please bless our men and women in uniform. I will ask God to please bless the families of our men and women in uniform. I will ask God in his loving arms to hold the families who have given a child dying for freedom in Afghanistan and Iraq. And I will ask God to bless the House and Senate, that we will do what is right in the eyes of God, and God give strength, wisdom and courage to the President of the United States, Mr. Obama, that he will do what is right in the eyes of God. And three times I will close, God please, God please, God please bless America.

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Massachusetts (Mr. FRANK) is recognized for 5 minutes.

(Mr. FRANK of Massachusetts addressed the House. His remarks will appear hereafter in the Extensions of Remarks.)

KEEPING OUR PROMISE TO SERVICEMEMBERS

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from California (Ms. WOOLSEY) is recognized for 5 minutes.

Ms. WOOLSEY. Mr. Speaker, a few weeks ago when we sat down to turkey dinner with our families, we certainly had plenty to be thankful for. Our thoughts, however, were thinking about the men and women of the Armed Forces, both active duty and retired, who have risked life and limb for all of us, and these folks, these troops, were in our prayers of thanks and in our hopes.

But, Mr. Speaker, it is critical that our gratitude to these courageous Americans be expressed not just with kind thoughts around the Thanksgiving table or speeches on Veterans Day. We need to show our thanks with deeds, not words, which is why it was important last week that the House passed the Physician Payment and Therapy Relief Act, ensuring that seniors and military families continue to see their doctors.

But even as we were taking that important step, military health benefits continue to be endangered, because Defense Secretary Gates is considering a proposal to increase the amount that military retirees pay for their health insurance under the TRICARE program.

Let me be clear: I couldn't agree more with Mr. Gates's belief that the Pentagon is overextended. I share his concern about the "gusher of defense spending," as he himself refers to it. If we are having a serious conversation about the bloated DOD budget, then I

am all in. In fact, the Congressional Progressive Caucus has proposed \$600 billion in cuts, much of it from obsolete, overpriced and untested weapons systems that are doing absolutely nothing to protect America or advance our national security interests.

But with so much waste, fraud and abuse, why in the world would we cut the Pentagon budget by taking it out of the hide of the military families who have already sacrificed so very much? Why should they take the hit, while DOD has historically shown little spending discipline or fiscal responsibility, throwing billions upon billions of dollars at inefficient programs? Instead of targeting affordable health care for the people who have worn the uniform, how about we start by pulling the plug on the V-22 Osprey, notoriously over budget and also responsible for 30 accidental deaths over the years?

Norbert Ryan, Jr., of the Military Officers Association of America, put it well to The New York Times. He wrote: "Don't ask the folks who have done so much for this country, who have been called to act since 9/11, to be first in line to give some more."

It is indeed true, Mr. Speaker, that military retirees and their families get a good benefits package. To those who say they should pay more, I say they have already worked for a higher premium in the form of their service and sacrifice than any of us can even imagine. The bottom line is that military retirees have earned the benefits they receive. They deserve them. We owe it to them. It is a promise we must keep to them.

But let me take this argument one step further, Mr. Speaker. I have got a broader solution that attacks the problem two different ways. First, ending the war in Afghanistan will cut military spending dramatically, and it will also mean fewer military retirees requiring fewer health care services, yet another urgent, compelling reason to bring our troops home.

□ 1400

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Florida (Ms. ROS-LEHTINEN) is recognized for 5 minutes.

(Ms. ROS-LEHTINEN addressed the House. Her remarks will appear hereafter in the Extensions of Remarks.)

LYING IS NOT PATRIOTIC

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Texas (Mr. PAUL) is recognized for 5 minutes.

Mr. PAUL. Mr. Speaker, WikiLeaks' release of classified information has generated a lot of attention worldwide in the past few weeks. The hysterical reaction makes one wonder if this is not an example of killing the messenger for the bad news.

Despite what is claimed, information so far released, though classified, has

caused no known harm to any individual but it has caused plenty of embarrassment to our government. Losing a grip on our empire is not welcomed by the neoconservatives in charge.

There is now more information confirming that Saudi Arabia is a principal supporter and financier of al Qaeda, and this should set off alarm bells since we guarantee its sharia-run government. This emphasizes even more the fact that no al Qaeda existed in Iraq before 9/11, and yet we went to war against Iraq based on the lie that it did.

It has been discharged by self-proclaimed experts that Julian Assange, the Internet publisher of this information, has committed a heinous crime, deserving prosecution for treason, and execution or even assassination.

But should we not at least ask how the U.S. Government can charge an Australian citizen with treason for publishing U.S. secret information that he did not steal? And if WikiLeaks is to be prosecuted for publishing classified documents, why shouldn't the Washington Post, the New York Times, and others that have also published these documents be prosecuted? Actually, some in Congress are threatening this as well.

The New York Times, as a result of a Supreme Court ruling, was not found guilty in 1971 for the publication of the Pentagon Papers. Daniel Ellsberg never served a day in prison for his role in obtaining these secret documents.

The Pentagon Papers were also inserted into the CONGRESSIONAL RECORD by Senator Mike Gravel with no charges being made of breaking any national security laws. Yet the release of this classified information was considered illegal by many, and those who lied us into the Vietnam War and argued for its prolongation were outraged. But the truth gained from the Pentagon Papers revealed that lies were told about the Gulf of Tonkin attack, which perpetuated a sad and tragic episode in our history.

Just as with the Vietnam War, the Iraq war was based on lies. We were never threatened by weapons of mass destruction or al Qaeda in Iraq, though the attack on Iraq was based on this false information.

Any information that challenges the official propaganda for the war in the Middle East is unwelcome by the administration and supporters of these unnecessary wars.

Few are interested in understanding the relationship of our foreign policy and our presence in the Middle East to the threat of terrorism. Revealing the real nature and goal of our presence in so many Muslim countries is a threat to our empire, and any revelation of this truth is highly resented by those in charge.

Questions to consider:

No. 1, do the American people deserve to know the truth regarding the ongoing war in Iraq, Afghanistan, Pakistan, and Yemen?

No. 2, could a larger question be how could an Army private gain access to so much secret information?

No. 3, why is the hostility mostly directed at Assange, the publisher, and not our government's failure to protect classified information?

No. 4, are we getting our money's worth from the \$80 billion per year we spend on intelligence gathering?

No. 5, which has resulted in the greatest number of deaths: Lying us into war or WikiLeaks' revelations or the release of the Pentagon Papers?

If Assange can be convicted of a crime for publishing information that he did not steal, what does this say about the future of the First Amendment and the independence of the Internet?

No. 7, could it be that the real reason for the near universal attacks on WikiLeaks is more about secretly maintaining a seriously flawed foreign policy of empire than it is about national security?

No. 8, is there not a huge difference between releasing secret information to help the enemy in a time of declared war, which is treason, and the releasing of information to expose our government lies that promote secret wars, death, and corruption.

No. 9, was it not once considered patriotic to stand up to our government when it's wrong?

Thomas Jefferson had it right when he advised, "Let the eye of vigilance never be closed."

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.)

FEDERAL AVIATION ADMINISTRATION'S AIRSPACE REDESIGN PLAN

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from New York (Mr. ENGEL) is recognized for 5 minutes.

Mr. ENGEL. Mr. Speaker, I rise today in strong and continued opposition to the Federal Aviation Administration's airspace redesign plan, and, frankly, it just gets worse and worse and worse. First they say that there will be hundreds of new air flights from Newark Airport flying over my constituents in Rockland County, New York, and now we learn that they have changed the plan and made it even worse. They are now redirecting an additional 100 flights per day from John F. Kennedy International Airport over Rockland County.

The FAA made this decision without consulting me or, to the best of my knowledge, any other elected official whose constituents are affected by the increased air traffic. More so, when we originally requested that the redesign

be altered so that the flights would be directed over less populated areas, the FAA had the gall to say that the plan could not be changed because it could then be opened up to lawsuits. Now we find that they have gone and changed the plan anyway to suit their own ends. I find this insulting and hypocritical, typical government agency bureaucracy.

This plan was concocted with zero input from the residents it harms the most, particularly my constituents in Rockland County who would be most adversely affected by the plan. And specifically, in addition to the 300 to 400 planes heading daily to Newark Liberty International Airport, this plan would now direct 100 flights a day from JFK airport. The FAA doesn't seem to mind inconveniencing residents on the ground.

Additionally, there was no consultation or notification to myself or any other elected officials whose constituents are affected by the proposed plan. While several town halls were held throughout the FAA airspace redesign process, they were held throughout the FAA redesign process, a redesign that, again, I strongly oppose. I have not been made aware of any community involvement with this recent decision.

In the past, I was able, after begging, pleading, cajoling and threatening, to get the FAA to hold a town hall meeting in Rockland County, where 1,200 residents attended and spoke in universal opposition to this plan. But, again, the public be damned. The government knows better. The FAA did not listen then, and look where we are now. In this instance, however, we have had no such opportunity.

It's been clear for many years that the FAA has had no intention to listen to the people of Rockland County, and this recent decision only reinforces that. I have spoken to and written letters to the FAA and to Transportation Secretary Ray LaHood asking for reconsideration of their redesign plan, and I am outraged at the decision to direct even more flights over the county. There are other ways to address the problems facing airports and delayed flights without requiring the people of Rockland County to bear this burden.

As my constituents have noted to me, the noise and air pollution in the area will increase. It is unknown how this increase in air pollution will affect a disproportionate rate of childhood asthma in my district.

Another issue not taken into account by the FAA is a lack of preparedness for severe airline emergency in this densely populated area. It is likely that first responders would have to be trained for the event of a catastrophic airplane crash, God forbid, causing added cost to local police, fire, and EMT departments that are already stretched thin.

In addition, while the flight plans will not route commercial aircraft directly over the Indian Point nuclear power plant, the proximity could lead

to an extremely dangerous scenario. Over 20 million people live within 50 miles of Indian Point.

I believe it is clear this redirection will cause a significant decrease in the quality of life for my constituents in Rockland County. And what for? The expected result of this scheme is the paltry reduction of delays—an average of 3 minutes per flight.

The modernization of our aviation system is necessary to bring it into the 21st century, to keep pace with the increased number of flights, and to also maintain our technological advancements by implementing new equipment to keep our system the safest in the world. However, there are several alternatives to this new plan, including the redirection of these flights over the underutilized airspace over the Atlantic Ocean.

I am outraged by this decision, and I call on the Department of Transportation and the Federal Aviation Administration to not say one thing only to do another, all to the detriment of my constituents in Rockland County. I am against this new move by the FAA and will continue to fight against its implementation.

□ 1410

The SPEAKER pro tempore (Mr. HEINRICH). Under a previous order of the House, the gentleman from New Jersey (Mr. GARRETT) is recognized for 5 minutes.

(Mr. GARRETT of New Jersey addressed the House. His remarks will appear hereafter in the Extensions of Remarks.)

PARTISAN POLITICS IS NOT THE WHOLE STORY

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from North Carolina (Ms. FOXX) is recognized for 5 minutes.

Ms. FOXX. Mr. Speaker, over the past couple of weeks, the average American might have gotten the impression that partisan politics is the only force to be reckoned with in Washington, but that is not always the case.

Members of Congress certainly often disagree on how to move our country forward. Nevertheless, I am confident that underscoring our divergent world views is a bedrock desire to see our country thrive, prosper and succeed.

In fact, I've had conversations with outgoing Representatives from parts of the country like Wisconsin and New Jersey who lost elections last month. You know what? The thing they pressed home with me was not bitterness in defeat. No, it was their desire for me and others to lend our support to those who defeated them because they want them to be successful as Representatives of their districts and their country.

Even in defeat, these Members were focused on the betterment of their

communities and the success of America. They entreated me to help their replacements learn the ropes and excel in the House of Representatives.

Such a perspective is not what makes headlines in the media, but it is one that will help us emerge from this difficult economic time stronger and more united. This perspective, the demonstration of deep character in the midst of defeat, serves our Nation well.

While the national media pursued tired story lines about partisan battles and legislative gridlock, I challenge this dull, status quo reporting. The American people deserve to hear that, despite Congress' many flaws and shortcomings, there are people here from all across the political spectrum who love our country and want nothing more than to see us living in prosperity and security.

Mr. Speaker, I want to praise my outgoing colleagues for their public service and their continuing desire for America to be great. We may vehemently disagree on public policy, but that does not keep us from remembering we are privileged to serve the people of the greatest Nation the world has ever known. And I hope no one who serves in the Congress ever forgets that.

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Ohio (Ms. KAPTUR) is recognized for 5 minutes.

(Ms. KAPTUR addressed the House. Her remarks will appear hereafter in the Extensions of Remarks.)

A REASONED CONVERSATION

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Texas (Ms. JACKSON LEE) is recognized for 5 minutes.

Ms. JACKSON LEE of Texas. Mr. Speaker, as I indicated, let me thank you for your leadership. I think it is important to always engage our colleagues in reasoned conversation.

Before I begin a reasoned conversation and asking of the hard questions, let me, first of all, add my appreciation to this bipartisan House that saw fit to create opportunities for young, working Americans, and that is by passage of the DREAM Act.

And the only sentence I want to leave with you, beyond the idea of equality and justice, which many times we take lightly, we use it often, but it is very real. It is why so many Americans pledge allegiance to the flag and have an abiding faith and love in this country.

But also, this is an economic engine of investment for those young people who have come to this country, and perpetrated no criminal act of their own, and now will be able to work and contribute to society, serve us in the United States military, perpetuate community service and generally, as we always ask of our young people, to

be the kind of citizens that make this country great. Thank you for passing the DREAM Act.

Now we'll have many months to come to renew the effort that I had in Save America Comprehensive Immigration Act, that includes border security and reinforcement of the men and women in Border Patrol and as well, Customs and Border Protection, combined agencies now, but as well, new technology and working to secure America as we should. And so I look forward to that journey again.

However, there are other issues that I believe are enormously important, and many of us have engaged in what has been known to be the providing for middle class, middle-income tax cuts or relief, is what I like to call it. And I believe that there is some value to one's values.

So let me just say to my colleagues and through them, those who they represent, the American people, who are, in fact, our bosses, this is not a class warfare. This is not "dissing" one particular group, but it is holding true to what you have asked us to do, bar any political party, and that is to reduce the deficit.

So, my friends, a middle-income tax relief that would include, if you will, a child tax credit, that would include an idea of ensuring that the working Americans who are now, unfortunately, unemployed will have unemployment insurance, that would further include those who have run up against a brick wall, the "99ers" as they call them, don't have any more resources but still have mortgages and food to pay for and bills to pay, and they want to pay for it.

A reasoned tax relief legislation will be the real answer, not the answer, if you will, of a huge, ridiculous amount of dollars going to individuals who, of their own voice, have said, we are well. We are well. The economy is turning, the Dow is working.

If you ask our major banks, they have more than \$4 billion-plus in some of our major banks in the third quarter in profits. And as well, we see that the economy is moving. In fact, we know that some of the unemployment numbers even went down.

But we need to focus on reducing that deficit, not adding to it by a ludicrous, reordering of even the Bush response to estate tax. And that is, to create a \$68 billion, if you will, burden on the American people to give an unusual tax relief to an estate of a magnitude that only fits a small number of people, some 39,000 out of a 300 million-person country.

We're not trying to deny those working family farms, those small businesses that will have an opportunity to benefit again.

But let me remind you there were tax cuts in the stimulus. There were tax cuts in the recent Small Business Jobs Act, some 16 or more tax cuts for small businesses. In addition, there is \$30 billion sitting for small businesses in our community banks.

I believe some of the elements of any kind of tax relief should ensure that those who get tax relief, such as major corporations, should have accountability. Yes, they should have profit; but at the same time there should be a linkage to their commitment to retaining jobs and not laying people off.

We want the right kind of relief for the American people, and that's the kind of tax bill that I'll be supporting. And I look forward to my colleagues working with them.

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Indiana (Mr. BURTON) is recognized for 5 minutes.

(Mr. BURTON of Indiana addressed the House. His remarks will appear hereafter in the Extensions of Remarks.)

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Kentucky (Mr. GUTHRIE) is recognized for 5 minutes.

(Mr. GUTHRIE addressed the House. His remarks will appear hereafter in the Extensions of Remarks.)

FRANK BUCKLES—LONE SURVIVOR

The SPEAKER pro tempore. Under the Speaker's announced policy of January 6, 2009, the gentleman from Texas (Mr. POE) is recognized for 60 minutes as the designee of the minority leader.

Mr. POE of Texas. Mr. Speaker, they went off to war singing George M. Cohan's song, "Over there," something to the effect that "Over there, over there, send the word to beware that the Yanks are coming, the Yanks are coming and we won't be back till it's over over there. Those were the World War I doughboys, as they were called in the great World War I.

One of those individuals is Frank Buckles. Frank Buckles is an interesting individual. He was born in 1901, February 1, and he was born in Kansas. And when he was 16, the great World War I had already started. And he was at the Kansas State Fair, and he saw a recruiting poster, "Uncle Sam Wants You." So he went to a local marine recruiter, wanted to join the United States Army to go fight the war to end all wars over there in Europe. The marines wouldn't take him. You're too small and you are not 18 years of age. And he continued to try to get in to the Marine Corps.

□ 1420

Finally, he decided he would try the United States Army. He went all the way to Oklahoma City. Being only 16 as he said later, I decided to really tell them a whopper and tell them I was 21. The Army recruiter said, Okay, we will sign you up. And he joined the United States Army after vigilantly telling people he was 18 when he was only 16, a volunteer to go fight in that war.

He signed up for the ambulance service, and the reason he signed up for the

ambulance service was because he heard that was the quickest way to get to the battlefield to help other young Americans that were already fighting that war to end all wars. And so he went overseas. He served in France. He drove an ambulance. He rescued not only Americans but the other allies that had been wounded and took them back behind enemy lines.

After the war was over with in 1918, having joined in 1917, Frank Buckles continued in Europe until he was discharged, protecting and guarding German prisoners of war. He came back to the United States, and before he was discharged, he was given \$143.60 plus a bonus for serving in combat of \$60. He came back to America, and of course there were not benefits in those days. There was no VA. You just went back home and started your own life.

In the great World War I, over 4 million Americans served; 117,000 of them died in Europe. Half of those doughboys died from what they obtained, the Spanish flu. Many of them didn't even know it. They got back to America and died from the Spanish flu that they had contacted while serving overseas.

Frank Buckles, being the kind of guy he is, he came back home. He started a new life. He decided to go to sea. He worked on different ships. In 1940, he found himself in the Philippine Islands. And as we all remember from American history, the Philippines were invaded by the Japanese, and there Frank Buckles was captured by the Japanese. And during World War II, he spent 3½ years in a Japanese prisoner of war camp. Having already served in World War I, he lied about his age so he could get in as a volunteer. Now in World War II, 3½ years of his life stolen from him by our enemies. He served in that prisoner of war camp.

He was finally released when Americans liberated the Philippines, came back to the United States and lived in West Virginia until the age of 102, Mr. Speaker, 102. He worked the farm. You know, he chose probably the occupation of America's past, the hard-working individual that works American soil. And that was Frank Buckles. He worked the soil.

Today, Frank Buckles—and here is his photograph, Mr. Speaker—is 109 years old. It is an honor for me to call Frank Buckles my friend. This photograph was taken in front of the D.C. memorial to World War I veterans which I will get to in a minute. So he is 109 years old today. Besides his remarkable life that continues, Frank Buckles is the lone survivor, the last doughboy alive that served in the United States Army and military during World War I.

There are two other survivors. They are both British individuals. They are 109. But he is older than they are. He will soon be 110 in February. So he is the last survivor, the last living doughboy that served our country.

He will soon be 110, Mr. Speaker. You know, 110 is old. To put it in perspec-

tive, it is about half of America's history this one person has lived through. He is still the great patriot that he was when he raised his right hand as a 16 year old in 1917 and swore to defend the United States against all enemies, foreign and domestic, the oath he took to uphold the Constitution.

Now, I mention Frank Buckles in his own right because he is the last of this generation, those that lived and fought in World War I. You have to remember who these were; these were the fathers of the Greatest Generation, those individuals that we hold up, people like my dad who is 85 years of age, those who served in the great World War II. Those were the fathers of the Greatest Generation, people like Frank Buckles.

But you see, he still continues to fight for America and really fight for people that served in World War I because when I met Frank Buckles he was here at the Capitol. His mission now is to make sure that we honor as a Nation those who served and came back home in World War I and those that served and are still buried in graves only known by God in Europe, those other doughboys. His goal, and the goal I hope of most Americans now, is to make sure that they are properly honored.

You know, America has moved on since World War I. Not much was said after World War I. The American doughboys came home. They didn't have a whole lot of fanfare. They just merged back into society. Then all of a sudden came the Roaring 20s, the exciting 20s. Then there was the Depression for 10 years. Then all of a sudden we were in World War II. America just sort of moved on and left that generation the way they were when they returned. And I say that to say this: Because you see in this great Capitol, the greatest capitol in the world, the center of democracy, the center of liberty, the center of people who have values like Frank Buckles, we have in my opinion yet to honor these individuals. Let me explain.

Here not far from the Capitol on what we call the Mall, where we have the important memorials to America's past, we have built as a Nation memorials to three of the great wars of the last century. If you wander up and down the Mall, you will see the first memorial that was built. They were built in reverse order of when the wars occurred. The first one that was built is that black marble granite memorial to those young men in Vietnam, the 58,000 that went to Vietnam and came home, or rather did not come home. You remember Vietnam, Mr. Speaker, that was the war when America, we treated our troopers real bad. As a Nation, we treated them real bad when they came home. But we did build them a memorial, and it is not far from here. Today and every day when you go to the Vietnam Memorial, you will see people who put up flags and write notes to those great Americans from Vietnam.

And after that was built, then there is the memorial that was built on the Mall to the Korean war. Some of the politically correct folks still call that a conflict. Well, Americans died in the Korean war. We went over and fought somebody else's war again. That memorial shows that Americans going through a minefield in the snow, a great memorial to those Korean veterans, those that lived and those that died.

And then the most recent one, the one that many Americans are aware of because there was so much political fighting whether or not this memorial should be built, that is the World War II memorial that is built not far from here, that great memorial that honors the Greatest Generation, that shows how important it is for us to remember those individuals. As I mentioned, people like my dad who served as an 18 year old in the United States Army in Europe. Many people didn't want that memorial built on the Mall. You know, it is built on the Mall. They didn't want it built there. Anyway, politics got out of the way and Congress approved that memorial.

But there is no memorial for those who served in the first great war of the last century, and that is the World War I memorial. It is true there is a memorial near the Mall for those that served from Washington, D.C. Here is a photograph of that memorial, and a picture of Frank Buckles in front of it.

□ 1430

This photograph was taken a couple of years ago or, really, a year ago when he was there. This memorial is not even on the D.C. maps. Of all the things to do and see in Washington, D.C., this memorial is not even on there. The only reason I ever saw it is I was running by it one day, and I saw this memorial—or this monument, this structure—over in the weeds. I went over there and started reading it and realized what it was. It is not a fitting memorial but a memorial for the D.C. veterans who lived and died during World War I. You can see that it's cracked and that the stone is bad. It needs a lot of repairs. Finally, the repairs are starting to be made for that.

Make no mistake about it: this is a memorial for those from Washington, D.C. We don't have a memorial on The Mall for those who served from all over the United States, an appropriate memorial that, I think, should be built. The plan is and Frank Buckles' goal and mine and many others is to expand this memorial and to honor all those who served in that Great War, now almost 100 years ago.

There are really no advocates for this. I mean there are no lobbyists. There are no veterans left from World War I. No other veterans' groups have taken this on to encourage our building this memorial for him. An individual by the name of David DeJonge, who is an historian and a photographer, started doing research on the

last survivors of World War I. He has got photographs of all of them, of recent date, of those who have died—some of them have died—and he has done research on all of them. As I mentioned, there are only three from all over the world who fought from all nations, Frank Buckles being one of those. Some other individuals are encouraging Congress to give the authority to build this memorial.

In Kingwood, Texas, which is one of the places I represent down in Texas, there is an educator there by the name of Jan York. Jan York loves America like educators do. She got her Creekwood Middle School kids to do research a couple of years ago on World War I and on its last survivors, and that's when they came up with Frank Buckles. They, too, are passionate about making sure that a memorial is built on The Mall for all who served in World War I. Let me mention this:

There are memorials for the World War I veterans in different places in the United States. There is one in Kansas City. But can we have too many? Should we not have one on The Mall? I mean this is Washington, D.C. When you go through Washington, D.C., you see memorials and monuments for all kinds of people—wonderful people. Some of them aren't even Americans. The memorials and monuments are appropriate. They're needed. But should we not build a memorial on The Mall for all of those who served in World War I—the war that was supposed to end all wars? I think that we should.

Anyway, Jan York has helped her school get involved in this, and the Creekwood Middle School folks and other schools in the country are encouraging Congress to help build a memorial. This memorial is not going to be funded by taxpayer money. Don't get me wrong. This is not something the taxpayers are going to be required to contribute to. All Congress has to do is authorize its being built and there being a commission, and then private funds will be collected from groups like the Creekwood Middle School.

I want to thank Senator ROCKEFELLER, who is down the hall in the Senate. He is helping to promote legislation that will allow us to move forward and have congressional approval to build this memorial on The Mall—this appropriate memorial for people like Frank Buckles, who is the lone survivor.

Mr. Speaker, I think it is imperative that we as a Nation understand our history. Many of us don't think about the past. We only think about the future. We think, unfortunately, many times: What can America give us? What can America do for us? as opposed to: What can we do for America? What can we do for people who have served our great country in the military, and what should we do as a Nation to honor those individuals?

America has always had to defend who we are as a Nation. I carry in my pocket, like maybe most Members of

Congress, this little book, the Constitution of the United States, which has not only the Constitution but the Declaration of Independence in it as well.

If we just remember a little bit of history, just a little bit, back in the colonial days, in 1776, there were these Americans who did not like being treated a certain way by the most powerful empire that had ever existed in the history of the world—the British Empire. It was the most powerful empire at the time, and it was led by the most powerful king, King George. They got together, and they said, You know, we are going to liberate ourselves from this type of tyranny, which is how they looked at it. So they came up with this Declaration of Independence.

Now, in legal terms, what that meant was they indicted the King of England for crimes against the United States. Their remedy, the punishment for the King and for England, was to separate. They concluded their Declaration of Independence, that important document that later led to the Constitution, with this phrase:

“And for the support of this Declaration, with a firm reliance on the protection of Divine Providence, we mutually pledge to each other our lives, our fortunes, and our sacred honor.”

Then they had to fight for what they believed in—7, 8 years of long war to get this country free. Then it was the War of 1812, the Spanish-American War, the war with Mexico, World War I, World War II, Korea, Vietnam, and we are still engaged in two great wars today.

In all of those wars, Mr. Speaker, it has been America's youth who has gone to war to protect the rest of us. Unlike other countries, it has been said that America goes to war not to conquer but to liberate. That is true. We've got troops fighting right now, not to conquer but to liberate. America goes to battle so that others will live in freedom. Our enemies go to battle so that others will die in tyranny. That is what is happening in Afghanistan and Iraq. It has always been the American warrior who has had to protect this document—people like Frank Buckles.

Today, occasionally, we get to see those great warriors from the current wars. They come back to this Capitol, and we see them. Many Members go visit the wounded warriors. I have had the honor to be in Iraq and Afghanistan and see our military in action. The finest military that has ever existed in the history of the world represents us today.

Yet, to some extent, at home, America is disengaged. We are more interested, unfortunately it seems, in what is in it for us as opposed to what is in it for America. Frank Buckles and the generations before him and after him have always asked: What is in it for America? What can we do for America?—not what America can do for us.

So it seems to me we owe it to Frank Buckles and we owe it to those dough-

boys who have all died, who have all passed away except him, to build and honor them for what they did for the rest of us—for without them, we certainly would not be here. Without each generation that has been called upon to bear arms to protect our Nation, we would not be here. Many of them died at young ages, including those 600,000 Americans who died in the Civil War, which is when our country went to war within itself.

It would be appropriate that we honor these individuals by approving this memorial on The Mall. It would be equally as important that we remember Frank Buckles, his being the lone survivor. I hope he lives a long time. He told David DeJonge not too long ago, I'm headed to 115.

Well, the way he is, he may get it. He's just that way.

Yet, when he passes away, we should honor him as the last doughboy. He should lie in state here in the Capitol rotunda. He should be buried with full military honors. Our Nation should remember him, as it is important we should remember all those who served throughout the United States, by building and approving the memorial here on The Mall.

□ 1440

You know, when they went overseas, they said they weren't coming back until it was over over there. They did not come back until it was over over there, and they came back victorious. We over here have the obligation and the opportunity to get it right over here. And the way we get it right is to honor Frank Buckles and honor all of those who served in the great World War I, those that served and did not come home and those that served and did come home, to continue the American way of life and preserving this little document called the Constitution of the United States of America.

And that's just the way it is.

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

VACATING 5-MINUTE SPECIAL ORDER

The SPEAKER pro tempore. Without objection, the ordering of a 5-minute Special Order speech in favor of the gentleman from Texas (Mr. POE) is vacated.

CONGRESSMAN ETHERIDGE BIDS FAREWELL TO CONGRESS

The SPEAKER pro tempore. Under the Speaker's announced policy of January 6, 2009, the gentleman from North Carolina (Mr. ETHERIDGE) is recognized for 60 minutes as the designee of the majority leader.

Mr. ETHERIDGE. Mr. Speaker, I rise today to address the House. I will be leaving Congress at the conclusion of this term, and I want to take a few minutes to speak to my colleagues and the people of North Carolina's Second

District, the people whose hopes and dreams, whose fears and apprehensions, whose challenges and opportunities have been my first and only priority every day for the past 14 years.

We are joined here today in the gallery by my wife, Faye, who has been the foundation of my world for 45 years. No man has ever been blessed with a finer family, and Faye has been the light of my life for each of those days.

I want to thank Faye. It's not easy being a Congressman's wife. The schedule is never your own; it's constantly shifting. Folks call your house or knock on your door—they have ours—at all hours of the day and night. And unfortunately, this past year brought us ugliness on a scale never seen before. Faye has endured it all and has been for me a constant source of strength, a sounding board of unfailing common sense, and a partner in every sense of the word. Thank you, Faye.

And I want to thank my staff. As Members, we get all the credit and the glory, but it is the folks behind the scenes who do the grunt work that make it all possible. I have always said I have the best staff on Capitol Hill and also the best staff back in my home district, and I believe that's true.

We are joined today—I hope by watching—by Russ Swindell, my chief of staff; Pat Devlin, my D.C. chief; Dr. David Weinreich, Ph.D, my legislative director; senior legislative assistant Chris Medley; legislative assistants La'Tanta McCrimmon and Andrew Dugan; legislative correspondent Mim Williams; press secretary Austin Vevurka; executive assistant Julia Cava; and staff assistant Mollie Jones.

In my Lillington office, district representatives William Munn and Mercedes Restucha. And our Raleigh district staff, representatives Carolyn Smith, Sonia Barnes, and Mike Little; Amy Hornbuckle, who is our district scheduler, a very difficult job; Christy Sandy, our grants coordinator; and Debbie Privette, caseworker and projects coordinator.

We call ourselves "Team Etheridge," and for 14 great years we've been an incredible, effective team. I am proud of each and every member of Team Etheridge, and prouder still of what together we have accomplished for the people of North Carolina and this great country.

As I look back on my service in this body—a body which I am proud to have had the opportunity to serve in—I am reminded of the many great men and women I have had the honor to serve with here in the people's House, folks like DAVID PRICE of North Carolina, and really the entire North Carolina delegation, leaders like STENY HOYER and the entire Democratic leadership who made this session one of historic significance on behalf of the American people.

On the other side of the aisle, I've been proud to have worked with people like my friend JERRY MORAN of Kansas,

Ray LaHood, and our former colleague, Bob Riley, now the Governor of Alabama. This body needs more people willing to put partisan differences aside in order to get work done for the greater good of our country.

I have been honored to serve with so many individuals I admire, like JOHN SPRATT of South Carolina, COLLIN PETERSON, IKE SKELTON, JOHN LEWIS, and others far too numerous to mention. Congress may be an imperfect institution, but our Nation is fortunate to have had the benefit of statesmen and patriots serving in this body.

My life has truly been the American Dream. I was raised on a Johnston County tenant farm where neither my mother nor my father owned their home nor the land they farmed. Neither had a high school education, but valued education. Yet, I have been able to serve my country in the United States Army, graduate from college, play basketball, have a successful career in business, be elected to leadership positions at the county, State and Federal levels.

All that was possible by education. Public education is the key to the future because it provides for everyone who is willing to work hard the opportunity to make the most of his or her God-given ability. That is why, for me, all of my years in public life have been about creating a brighter future for our children.

As we look to the future, we can take great pride in the many accomplishments and countless lives that have been touched. Every single day since we opened our doors in 1997, my staff and I have worked hard to provide outstanding constituent services to anyone and everyone who needed our help in the Second District. These are real lives we have changed, from disabled veterans who needed benefits, to senior citizens who needed assistance with Medicare, or a nonprofit requiring a grant to keep serving people in our community; and I am truly proud of my staff for the constituent services they provided in our district.

I know I am biased, and I admit that, but I think we have the staff that is second to none. We have achieved significant policy changes and accomplishments that really are making a difference in people's lives. Our Home-town Heroes Act gives widows and orphans of first responders—and those first responders include rescue squad, firemen, and sworn police officers—who were killed in the line of duty—or lose their life, I should say, in the line of duty—the peace of mind that comes with receiving survivor benefits. Because of this law, those who die of a heart attack or stroke as they protect our communities are recognized in the same way as others who make the ultimate sacrifice to keep us safe.

□ 1450

The other day, a friend of mine sent me a clipping from the Boston Globe about a local firefighter who died on

Thanksgiving Day after suffering a heart attack, responding to an emergency call. Now, I've never lived in Boston. I've lived my whole life in North Carolina, except for the time I was away on military service. But because of the work we did on the Home-town Heroes Act, the widow and two young children of that brave firefighter will have the security of the Federal Public Safety Officers' Benefits fund that they would not otherwise have had. That is a story that is replicated across this country thousands of times. That fact gives me a sense of pride and makes my heart glow.

The HIRE Act that was passed into law last year provided tax credits to small businesses that add workers to their payroll. That new law is helping turn the recession into a recovery, and it's replacing unemployment checks with paychecks for the middle class and workers struggling to get into the middle class.

For the first time in history, we had the opportunity to write a farm bill that is about nutrition and energy and provides hope for the future of family farmers and rural communities. And the Etheridge School Construction bonds that I spent more than 12 years working to get passed into law are being put to work now in North Carolina and all across America. All across this country, the Etheridge bonds are creating jobs, building schools, and improving education for our children.

Those are just a few of the examples of a record of accomplishments that I will always be proud of and a legacy of leadership that I hope others will look to follow.

I have approached my role as a Member of this body as representing all the people of the Second District in North Carolina, listening to all sides of an issue and doing right by the people. Sometimes you don't always make everyone happy, but I can rest my head on a pillow at night knowing that I always did what I thought was right for the people that I represent in the Second District of North Carolina.

I have always believed that public office is a public trust. I've worked every day in the people's House, the U.S. House of Representatives, to honor that trust and to earn the faith of the people that I was elected to serve.

As I prepare to leave this office, I do so with my head held high, with my heart filled with gratitude for all the people who have helped me along life's journey. Many of us are disappointed by the outcome of the previous election, none more than I am. But we move forward, knowing that God still has work for us to do. There are many ways to serve the people, and other opportunities to serve will come. And at the end of the day, I will always be a proud North Carolinian, a patriotic American, and a humble public servant.

May God continue to bless the United States of America.

OMISSION FROM THE CONGRESSIONAL RECORD OF TUESDAY, JANUARY 5, 2010 AT PAGE H2

BILLS AND JOINT RESOLUTION PRESENTED TO THE PRESIDENT PRIOR TO SINE DIE ADJOURNMENT

Lorraine C. Miller, Clerk of the House, reports that prior to sine die adjournment of the First Session, 111th Congress, on December 19, 2009 she presented to the President of the United States, for his approval the following bill and joint resolution.

H.R. 3326. Making appropriations for the Department of Defense for the fiscal year ending September 30, 2010, and for other purposes.

H.J. Res. 64. Making further continuing appropriations for fiscal year 2010, and for other purposes.

Lorraine C. Miller, Clerk of the House, further reports that on December 23, 2009, she presented to the President of the United States, for his approval, the following bill.

H.R. 4284. To extend the Generalized System of Preferences and the Andean Trade Preference Act, and for other purposes.

BILL AND JOINT RESOLUTION APPROVED PRIOR TO SINE DIE ADJOURNMENT

The President notified the Clerk of the House that on the following dates, he had approved and signed bill and joint resolution of the following titles:

December 19, 2009:

H.R. 3326. An Act making appropriations for the Department of Defense for the fiscal year ending September 30, 2010, and for other purposes.

December 22, 2009:

H.J. Res. 62. A joint resolution appointing the day for the convening of the second session of the One Hundred Eleventh Congress.

SENATE BILL APPROVED PRIOR TO SINE DIE ADJOURNMENT

The President notified the Clerk of the House that on the following date, he had approved and signed the bill of the Senate of the following title:

December 22, 2009:

S. 1472. An Act to establish a section within the Criminal Division of the Department of Justice to enforce human rights laws, to make technical and conforming amendments to criminal and immigration laws pertaining to human rights violations, and for other purposes.

BILLS PRESENTED TO THE PRESIDENT AFTER SINE DIE ADJOURNMENT

Lorraine C. Miller, Clerk of the House reports that on December 24, 2009, she presented to the President of the United States, for his approval, the following bills:

H.R. 3819. To extend the commercial space transportation liability regime.

H.R. 4314. To permit continued financing of Government operations.

BILLS APPROVED AFTER SINE DIE ADJOURNMENT

The President notified the Clerk of the House that on the following date, he had approved and signed bills of the following titles:

December 28, 2009:

H.R. 3819. An Act to extend the commercial space transportation liability regime.

H.R. 4284. An Act to extend the Generalized System of Preferences and the Andean Trade Preference Act, and for other purposes.

H.R. 4314. An Act to permit continued financing of Government operations.

ADJOURNMENT

The SPEAKER pro tempore. Pursuant to section 10 of House Resolution 976, the House shall stand adjourned pursuant to section 2 of House Concurrent Resolution 223.

Accordingly (at 12 o'clock and 5 minutes p.m.), the House adjourned until Tuesday, January 12, 2010, at noon.

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 Ms. WOOLSEY) to revise and extend their remarks and include extraneous material:)

Mr. FRANK of Massachusetts, for 5 minutes, today.

Mr. DEFAZIO, for 5 minutes, today.

Ms. KAPTUR, for 5 minutes, today.

Ms. WOOLSEY, for 5 minutes, today.

(The following Members (at the request of Ms. FOXX) to revise and extend their remarks and include extraneous material:)

Mr. GUTHRIE, for 5 minutes, today.

Mr. POE of Texas, for 5 minutes, December 16.

Mr. JONES, for 5 minutes, December 16.

Ms. FOXX, for 5 minutes, today.

SENATE ENROLLED BILLS SIGNED

The Speaker announced her signature to enrolled bills of the Senate of the following titles:

S. 3789—An act to limit access to Social Security account numbers.

S. 3987—An act to amend the Fair Credit Reporting Act with respect to the applicability of identity theft guidelines to creditors.

ADJOURNMENT

Mr. ETHERIDGE. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 2 o'clock and 55 minutes p.m.), under its previous order, the House adjourned until Monday, December 13, 2010, at 10 a.m.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XIV, executive communications were taken from the Speaker's table and referred as follows:

10757. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Acequinocyl; Pesticide Tolerances [EPA-HQ-OPP-2009-0812; FRL-8851-7] received November 16, 2010, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

10758. A letter from the Assistant to the Board, Board of Governors of the Federal Reserve System, transmitting the Board's final rule — Truth in Lending [Regulation Z; Docket No. R-1366] received November 15, 2010, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Financial Services.

10759. A letter from the Secretary, Department of Energy, transmitting the Department's Annual Report for the Strategic Petroleum Reserve covering calendar year 2009, in accordance with section 165 of the Energy Policy and Conservation Act; to the Committee on Energy and Commerce.

10760. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Approval and Promulgation of Implementation Plans; Georgia; Prevention of Significant Deterioration and Nonattainment New Source Review Rules [EPA-R04-OAR-2006-0649-201059; FRL-9229-5] received November 16, 2010, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

10761. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Approval and Promulgation of Implementation Plans; New York Prevention of Significant Deterioration of Air Quality and Nonattainment New Source Review [EPA-R02-OAR-2010-0321; FRL-9212-1] received November 16, 2010, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

10762. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Approval and Promulgation of State Implementation Plans; State of Colorado; Interstate Transport of Pollution Revisions for the 1997 8-hour Ozone NAAQS: "Interference with Maintenance" Requirement [EPA-R08-OAR-2007-1035; FRL-9229-2] received November 16, 2010, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

10763. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Approval and Promulgation of State Implementation Plans; State of North Dakota; Interstate Transport of Pollution for the 1997 PM2.5 and 8-hour Ozone NAAQS: "Interference with Maintenance" Requirement [EPA-R08-OAR-2009-0557; FRL-9229-1] received November 16, 2010, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

10764. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Cobalt Lithium Manganese Nickel Oxide; Withdrawal of Significant New Use Rule [EPA-HQ-OPPT-2009-0922; FRL-8853-2] (RIN: 2070-AB27) received November 16, 2010, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

10765. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Extension of Deadline for Action on the Second Section 126 Petition From New Jersey [EPA-HQ-OAR-2010-0473; FRL-9227-6] received November 16, 2010, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

10766. A letter from the Director, Regulatory Management Division, Environmental

Protection Agency, transmitting the Agency's final rule — Mandatory Reporting of Greenhouse Gases: Additional Sources of Fluorinated GHGs [EPA-HQ-OAR-2009-0927; FRL-9226-8] (RIN: 2060-AQ00) received November 16, 2010, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

10767. A letter from the Director, International Cooperation, Department of Defense, transmitting Pursuant to Section 27(f) of the Arms Export Control Act and Section 1(f) of Executive Order 11958, Transmittal No. 29-10 informing of an intent to sign a Memorandum of Understanding with Australia and the United Kingdom; to the Committee on Foreign Affairs.

10768. A letter from the Director, International Cooperation, Department of Defense, transmitting Pursuant to Section 27(f) of the Arms Export Control Act and Section 1(f) of Executive Order 11958, Transmittal No. 23-10 informing of an intent to sign a Memorandum of Understanding with Israel; to the Committee on Foreign Affairs.

10769. A letter from the Assistant Legal Adviser for Treaty Affairs, Department of State, transmitting report prepared by the Department of State concerning international agreements other than treaties entered into by the United States to be transmitted to the Congress within the sixty-day period specified in the Case-Zablocki Act; to the Committee on Foreign Affairs.

10770. 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 stabilization of Iraq that was declared in Executive Order 13303 of May 22, 2003; to the Committee on Foreign Affairs.

10771. A letter from the Auditor, Office of the District of Columbia Auditor, transmitting copy of the report entitled "Comparative Analysis of Actual Cash Collections to the Revised Revenue Estimate Through the 2nd Quarter of Fiscal Year 2010", pursuant to D.C. Code section 47-117(d); to the Committee on Oversight and Government Reform.

10772. A letter from the Executive Director, Christopher Columbus Fellowship Foundation, transmitting the Fellowship's Performance and Accountability Report for FY 2010; to the Committee on Oversight and Government Reform.

10773. A letter from the Chair, Election Assistance Commission, transmitting Semi-annual Report of the Inspector General for the period April 1, 2010 through September 30, 2010; to the Committee on Oversight and Government Reform.

10774. A letter from the Chairman, Federal Energy Regulatory Commission, transmitting the Commission's fiscal year 2010 Performance and Accountability Report; to the Committee on Oversight and Government Reform.

10775. A letter from the Chairman, Merit Systems Protection Board, transmitting the Board's Performance and Accountability Report for Fiscal Year 2010; to the Committee on Oversight and Government Reform.

10776. A letter from the Chairman, National Endowment for the Humanities, transmitting the Performance and Accountability Report for fiscal year 2010, as required by OMB Circular Number A-11; to the Committee on Oversight and Government Reform.

10777. A letter from the Director, Trade and Development Agency, transmitting the Agency's Performance and Accountability Report including audited financial state-

ments for fiscal year 2010; to the Committee on Oversight and Government Reform.

10778. A letter from the Chief, Branch of Endangered Species Listing, Department of the Interior, transmitting the Department's final rule — Endangered and Threatened Wildlife and Plants; Determination of Endangered Status for the Georgia Pigtoe Mussel, Interrupted Rocksnail, and Rough Hornsnail and Designation of Critical Habitat [Docket No.: FWS-R4-ES-2008-0104] [MO 92210-0-0008-B2] (RIN: 1018-AU88) received November 15, 2010, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Natural Resources.

10779. A letter from the Chief, Listing Branch, U.S. Fish & Wildlife Service, Department of the Interior, transmitting the Department's final rule — Endangered and Threatened Wildlife and Plants; Revised Designation of Critical Habitat for Bull Trout in the Coterminous United States [Docket No.: FWS-R1-ES-2009-0085] [MO 92210-0-0009] (RIN: 1018-AW88) received November 15, 2010, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Natural Resources.

10780. A letter from the Assistant Attorney General, Department of Justice, transmitting a copy of a report required by Section 202(a)(1)(C) of Pub. L. 107-273, the "21st Century Department of Justice Appropriations Authorization Act", related to certain settlements and injunctive relief, pursuant to 28 U.S.C. 530D Public Law 107-273, section 202(a)(1)(C); to the Committee on the Judiciary.

10781. A letter from the Assistant to the Board, Board of Governors of the Federal Reserve System, transmitting the Board's final rule — Truth in Lending [Regulation Z; Docket No. R-1378] received November 15, 2010, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

10782. A letter from the Senior Program Analyst, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; The Boeing Company Model 767-200, -300, and -300F Series Airplanes [Docket No.: FAA-2010-1036; Directorate Identifier 2009-NM-247-AD; Amendment 39-16480; AD 2010-22-01] (RIN: 2120-AA64) received November 15, 2010, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

10783. A letter from the Senior Program Analyst, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Cessna Aircraft Company (Cessna) Models 336, 337, 337A (USAF 02B), 337B, M337B (USAF 02A), T337B, 337C, T337C, 337D, T337D, 337E, T337E, 337F, T337F, 337G, T337G, 337H, P337H, T337H, T337H-SP, F 337E, FT337E, F 337F, FT337F, F 337G, FT337GP, F337H, and FT337HP Airplanes [Docket No.: FAA-2010-1013; Directorate Identifier 2010-CE-048-AD; Amendment 39-16478; AD 2010-21-18] (RIN: 2120-AA64) received November 17, 2010, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

10784. A letter from the Senior Program Analyst, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Bombardier, Inc. Model CL-600-2B19 (Regional Jet Series 100 & 440) Airplanes [Docket No.: FAA-2010-1037; Directorate Identifier 2010-NM-202-AD; Amendment 39-16481; AD 2010-22-02] (RIN: 2120-AA64) received November 17, 2010, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

10785. A letter from the Senior Program Analyst, Department of Transportation, transmitting the Department's final rule — Standard Instrument Approach Procedures, and Takeoff Minimums and Obstacle Departure Procedures; Miscellaneous Amendments

[Docket No.: 30749; Amdt. No. 3396] received November 17, 2010, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

10786. A letter from the Senior Program Analyst, Department of Transportation, transmitting the Department's final rule — Amendment of Class E Airspace; Charleston, SC [Docket No.: FAA-2010-0817; Airspace Docket No. 10-ASO-31] received November 17, 2010, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

10787. A letter from the Senior Program Analyst, Department of Transportation, transmitting the Department's final rule — Amendment of Class E Airspace; Jeannette, PA [Docket No.: FAA-2010-0052; Airspace Docket No. 10-AEA-19] received November 17, 2010, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

10788. A letter from the Administrator, Saint Lawrence Seaway Development Corporation, Department of Transportation, transmitting the Corporation's annual financial audit and management report for the fiscal years 2009 and 2010, in accordance with OMB Circular A-136; to the Committee on Transportation and Infrastructure.

10789. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Water Quality Standards for the State of Florida's Lakes and Flowing Waters [EPA-HQ-OW-2009-0596; FRL-9228-7] (RIN:2040-AF11) received November 16, 2010, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

10790. A letter from the Chief, Publications and Regulations Branch, Internal Revenue Service, transmitting the Service's final rule — Section 263A Safe Harbor Methods for Motor Vehicle Dealerships (Rev. Proc. 2010-44) received November 17, 2010, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

10791. A letter from the Director, Office of National Drug Control Policy, transmitting the report entitled the National Southwest Border Counternarcotics Strategy Implementation Update; jointly to the Committees on Armed Services, Homeland Security, Oversight and Government Reform, Energy and Commerce, the Judiciary, and Appropriations.

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. FRANK of Massachusetts: Committee on Financial Services. H.R. 476. A bill to authorize funds to prevent housing discrimination through the use of nationwide testing, to increase funds for the Fair Housing Initiatives Program, and for other purposes; with an amendment (Rept. 111-678). Referred to the Committee of the Whole House on the State of the Union.

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 Ms. RICHARDSON:

H.R. 6508. A bill to amend the Omnibus Crime Control and Safe Streets Act of 1968 to authorize the Attorney General to provide

grants to States and units of local government for the video recording of custodial interrogations; to the Committee on the Judiciary.

By Ms. RICHARDSON:

H.R. 6509. A bill to designate a portion of Interstate Route 710 located in Los Angeles County, California, as the “Jenny Oropeza Highway”; to the Committee on Transportation and Infrastructure.

By Ms. JACKSON LEE of Texas (for herself, Mr. MARIO DIAZ-BALART of Florida, Mr. POE of Texas, Ms. ROSLEHTINEN, Ms. EDDIE BERNICE JOHNSON of Texas, Mr. HALL of Texas, and Mr. GONZALEZ):

H.R. 6510. A bill to direct the Administrator of General Services to convey a parcel of real property in Houston, Texas, to the Military Museum of Texas, and for other purposes; to the Committee on Transportation and Infrastructure.

By Mr. POE of Texas (for himself, Mr. AKIN, Mr. BURTON of Indiana, Mr. MCKEON, Mr. PITTS, Mr. THOMPSON of Pennsylvania, Mr. HARPER, Mr. LAMBORN, Mr. GOHMERT, Mr. SAM JOHNSON of Texas, Mrs. BLACKBURN, Mr. COLE, Mr. GINGREY of Georgia, Mr. KING of Iowa, Mr. SHADEGG, Mr. SHIMKUS, Mr. OLSON, Mr. POSEY, Mr. BARTLETT, Mr. WILSON of South Carolina, Mrs. LUMMIS, Mrs. SCHMIDT, Mr. HERGER, and Ms. FOXX):

H.R. 6511. A bill to prohibit funding for the Environmental Protection Agency to be used to implement or enforce a cap-and-trade program for greenhouse gases, and for other purposes; to the Committee on Energy and Commerce.

By Mr. SPACE (for himself, Mr. AUSTRIA, and Mr. WILSON of Ohio):

H.R. 6512. A bill to amend title XVIII of the Social Security Act to prevent the catastrophic loss of wage index reclassification; to the Committee on Ways and Means.

By Mr. FORTENBERRY:

H.R. 6513. A bill to amend title 38, United States Code, to allow for the transfer of educational assistance under the Post-9/11 Educational Assistance Program to certain dependents to be used for special education; to the Committee on Veterans’ Affairs.

By Mr. LATTA (for himself and Ms. JENKINS):

H.R. 6514. A bill to prohibit the use of certain stimulus and disaster relief funds for business relocation incentives; to the Committee on Oversight and Government Reform, and in addition to the Committees on Transportation and Infrastructure, and Financial Services, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Ms. LINDA T. SÁNCHEZ of California:

H.R. 6515. A bill to amend the Internal Revenue Code of 1986 to modify the energy credit for microturbine property; to the Committee on Ways and Means.

By Mr. CARTER:

H.J. Res. 103. A joint resolution disapproving a rule submitted by the Department of Health and Human Services relating to “Health Insurance Issuers Implementing Medical Loss Ratio (MLR) Requirements Under the Patient Protection and Affordable

Care Act”; to the Committee on Energy and Commerce.

By Mr. CARSON of Indiana (for himself, Mr. FILNER, Mr. CONYERS, Mr. ELLISON, Mr. HONDA, and Ms. JACKSON LEE of Texas):

H. Res. 1758. A resolution expressing the Nation’s sincerest appreciation for the service of Muslim American veterans; to the Committee on Veterans’ Affairs.

ADDITIONAL SPONSORS

Under clause 7 of rule XII, sponsors were added to public bills and resolutions as follows:

H.R. 268: Mr. BILIRAKIS.
 H.R. 442: Mr. LEE of New York.
 H.R. 2103: Mr. POE of Texas.
 H.R. 2262: Mr. MARKEY of Massachusetts.
 H.R. 2365: Ms. HIRONO.
 H.R. 3286: Mrs. CHRISTENSEN.
 H.R. 5305: Mr. TONKO.
 H.R. 5510: Ms. NORTON.
 H.R. 5926: Mrs. CHRISTENSEN.
 H.R. 5982: Mr. COSTELLO.
 H.R. 5983: Mr. SCOTT of Georgia.
 H.R. 6334: Mr. FATTAH.
 H.R. 6355: Mr. CAPUANO and Mr. POLIS.
 H.R. 6415: Mr. REED.
 H.R. 6487: Mr. WEINER.
 H.R. 6496: Mr. GONZALEZ, Mr. MCGOVERN, Ms. NORTON, and Mr. BARTLETT.
 H.R. 6502: Mr. CUELLAR.
 H.R. 6507: Ms. TITUS and Mr. HIGGINS.
 H. Res. 1722: Mr. FRANK of Massachusetts.
 H. Res. 1725: Mr. GALLEGLY.
 H. Res. 1743: Ms. BORDALLO and Ms. SPEIER.