

So, Mr. Speaker, again, my hearty congratulations to the people of Egypt.

**AMERICA WORKS TOGETHER,  
COMES TOGETHER**

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

Ms. JACKSON LEE of Texas. As I was traveling, Mr. Speaker, to Washington, I had the opportunity to read the local newspaper. It's a good time for us to reconnect with our community, those that we have not been able to see, to hear their stories. And I was impacted by a story of two students at the University of Texas from different walks of life who had had a passion for football in one instance and a passion for basketball in another instance.

Unfortunately, as they were aspiring to their dreams, both of them found that they had a congenital or a serious heart defect. Young men. One who had come out of the heart of Acres Home, a historically African American community, raised by his grandmother whom he loved; and he chose to stay close to home by going to UT Austin to play basketball. What a devastating blow to find out he could not play when he first got there. What about the young man, huge in size, that almost lost his life on the football field?

But the story is, in this month when we commemorate African American History Month, one was a Caucasian, and one was an African American. It just shows in this Nation how we can work together and come together. These young men have, in a sense, overcome their challenges, and they represent America's heroes. I pay tribute to these two athletes at the University of Texas and thank them for their leadership.

**FUNDING FOR THE PATIENT PROTECTION AND AFFORDABLE CARE ACT MUST BE DENIED**

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

Mr. BURGESS. Mr. Speaker, today, I sent a letter to Kathleen Sebelius, Secretary of Health and Human Services, asking, in light of Judge Vinson's ruling in Florida 2 weeks ago today where a declaratory judgment was issued that the Patient Protection and Affordable Care Act is indeed unconstitutional, that further implementation of this act not go forward.

In fact, Judge Vinson stated that officials of the executive branch will adhere to the law as declared by the court. As a result, the declaratory judgment is the functional equivalent of an injunction. There is no reason to conclude that this presumption should not apply here.

Now, I believe the judge is correct, that the administration should not proceed with implementation, and I've asked the Secretary for clarification

that that is indeed her position and will be her position going forward.

Of course we do have debate and a vote on the continuing resolution to fund the United States Government for the next 7 months. It is my expectation that funding for provisions of enacting the Patient Protection and Affordable Care Act will not be funded in the continuing resolution.

The American people have made it very clear, and even recently the Florida ruling confirmed that the health care law is unconstitutional, and Congress must do its job to make sure funding for this legislation is denied.

CONGRESS OF THE UNITED STATES,  
HOUSE OF REPRESENTATIVES,  
Washington, DC, February 11, 2011.

HON. KATHLEEN SEBELIUS,  
Secretary of Health and Human Services,  
Washington, DC.

DEAR SECRETARY SEBELIUS: I write to inquire of the Department of Health and Human Services your response to and specifically subsequent implementation decisions made by the Department in the wake of Judge Vinson's ruling in *The State of Florida v. United States Department of Health and Human Services*. As you are well aware, the plaintiff sought declaratory judgment that the Patient Protection and Affordable Care Act is unconstitutional as well as an injunction against its enforcement.

In his opinion, Judge Vinson relied on precedent in *Committee on Judiciary of U.S. House of Representatives v. Miers* to determine that when a court issues a declaratory judgment against federal officials, the "declaratory judgment is the functional equivalent of an injunction." He quoted a previous United States Court of Appeals decision which further addressed his point, "that officials of the Executive Branch will adhere to the law as declared by the court. As a result, the declaratory judgment is the functional equivalent of an injunction . . . There is no reason to conclude that this presumption should not apply here. Thus, the award of declaratory relief is adequate and separate injunctive relief is not necessary."

I would like to request information on how, in light of the declaratory relief issued by Judge Vinson, the Department plans to proceed in its implementation of the Patient Protection and Affordable Care Act.

Thank you for your time and consideration on this issue and I look forward to your response. Should you have any questions, please contact me in my Washington office at (202) 225-7772.

Sincerely,

MICHAEL C. BURGESS, M.D.,  
Member of Congress.

The SPEAKER pro tempore (Mr. CANSECO). Under the Speaker's announced policy of January 5, 2011, the gentleman from Missouri (Mr. AKIN) is recognized for 60 minutes as the designee of the majority leader.

**CONGRESSIONAL BLACK CAUCUS  
HOUR**

The SPEAKER pro tempore. Under the Speaker's announced policy of January 5, 2011, the gentlewoman from the Virgin Islands (Mrs. CHRISTENSEN) is recognized for 60 minutes as the designee of the minority leader.

Mrs. CHRISTENSEN. Mr. Speaker, I am pleased to lead this Special Order

for an hour on behalf of the Congressional Black Caucus and to have some of my distinguished colleagues join me.

But as we begin the Special Order to call attention to the travesty that the Republican leadership is proposing and the cuts that they will be trying to enact for the balance of this year, I want to say something that begins to put these cuts into a particular perspective.

I'm sure that everyone is aware that today is Valentine's Day, a day in which we supposedly celebrate love. As the Republican leadership begins the onslaught on some very important programs, I want to share with them and all of us something that Dr. Cornel West has been reminding us of as of late, that is, that justice is what love looks like in the public arena.

So on this day when we show those close to us we love them, we should also be showing the American people our commitment to justice. Mr. Speaker, the cuts being proposed with the continuing resolution are anything but just.

With that, I would like to yield first to our distinguished assistant minority leader, Mr. CLYBURN, the gentleman from South Carolina, who has been a leader for his State, for this Congress, and for our country, particularly a leader of high morals who leads this country in making sure that we stay true to the values that this country was founded on and continue to operate in that faith.

Mr. CLYBURN. I thank the gentle lady for yielding me this time and thank her for her tremendous leadership on this and many other areas that come before this Congress.

I want to take just a few moments to talk about an issue that's very, very important to a significant number of citizens in our great country. The Wharton School of Business recently held a conference named in honor of Whitney Young, a leader and friend in the struggle for social justice, equality, and civil rights. Whitney Young is probably known best for growing and transforming the Urban League from a sleepy little organization into one of the country's biggest and most aggressive crusaders for social justice.

What he is less known for is his call for a "domestic Marshall Plan," a program to eradicate poverty and deprivation in the United States, similar to the Marshall Plan that was launched to reconstruct Europe after World War II. I would like to use that call for a domestic Marshall Plan as a jumping-off point for my remarks this evening.

Some of Whitney Young's ideas were incorporated into President Lyndon Johnson's War on Poverty over 40 years ago, yet the scourge is still with us. Before the War on Poverty and the Great Society, we had the New Deal. All of these investments in America helped to move us forward as a Nation. But some communities have been left behind each time, and we have begun to call them "persistent poverty communities," places that have had more