pay an enhanced contribution rate of 2.75 percent of their salaries to preserve the financial integrity of the JSAS Fund. Should these new enrollees later retire from the bench, they, like all other retired judges participating in JSAS, will pay the contribution rate of 3.5 percent of their retirement salary.

Additionally, the bill would authorize Federal judges to voluntarily increase their contributions to JSAS in order to enhance the value of their survivors' annuities.

According to the Congressional Budget Office, this bill would carry a negligible cost as any impact on the JSAS system by the new enrollees would be entirely borne by the new enrollees.

Congress has previously authorized such a JSAS open season three times: in 1976, 1985 and 1992. It has been seventeen years since the last open season, and this bill is but a small step towards lightening what is often the financial burden of judicial public service.

The Senate unanimously passed this important legislation. I am proud to join the Senate and send this important measure to President Obama.

HONORING AND RECOGNIZING THE PASSING OF MR. YOSEMITE, NIC FIORE

HON. GEORGE RADANOVICH

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 30, 2009

Mr. RADANOVICH. Madam Speaker, I rise today to pay honor and respect to one of my friends and heroes, Mr. Nic Fiore, who lived a full 88 years of life, and passed away on June 16, 2009 from pneumonia.

Nic was a legendary ski instructor and community leader who taught nearly 140,000 people to ski at Yosemite's Badger Pass Ski Area. Nic served in several different capacities in Yosemite for 57 years after first coming to Yosemite in 1947 from his hometown in Montreal, Canada. Nic originally came to Yosemite for one season but fell in love with the crowned jewel of America's national parks and stayed for the rest of his life, building community, friendship, and family in the area. He is survived by his daughters, Cindy and Nicole, and eight grandchildren.

In describing his experience moving to Yosemite from Canada in 1947, Nic said, "I had never been in love, but the feeling hit me like a ton of bricks. Like a bolt of lightning. Right then and there, down deep, in the corner of my heart, I said to myself, 'I doubt you'll ever leave this place.' And I never have."

In 1956, Nic was named director of the Yosemite Ski School, and in 1963 he was appointed director of the Yosemite High Sierra Camps. During this time, Nic also managed the Wawona and Glacier Point hotels among other concession facilities.

Many of the aspects of Yosemite and Badger Pass Ski Area that are most beloved by myself and families everywhere who have the privilege to visit and enjoy Yosemite National Park can be attributed to Nic's legacy. Nic was a visionary in making the Badger Pass Ski Area the family-oriented teaching ski facility that it is today by preserving old skiing tradition.

I can attest to what Nic's Yosemite colleagues have said about Nic's generosity of heart, his ability to make everyone who met him feel as though they were his best friend, and his mastery of Yosemite. Nic had a special ability to share his passion and enthusiasm for skiing, and recreation with generations of visitors to Yosemite as well as the permanent Yosemite community.

The list of Nic's accomplishments is long. In 2006, Nic was chosen by the Yosemite Fund as their person of the year, and was designated as "Yosemite's Ambassador-at-Large." In January 2009, Nic was inducted into the California Outdoors Hall of Fame, an enshrinement award presented by the Sportsmen's Exposition. To be considered for this considerable award, nominees must have inspired thousands of Californians to take part in the great outdoors and must have taken part in an overriding range of adventures. I personally cannot think of a more qualified individual to fit that description than Nic.

Nic held the position of executive director of the Professional Ski Instructors of America (PSIA) Western Divison. He was recognized as the "Most Valuable Ski Instructor" of PSIA in 1971. Nic also received the "Charlie Proctor Award" in 1986, which honors individuals who have made outstanding contributions to the sport of skiing in Northern California and Nevada. It is the highest award given by the Sierra Chapter of the North American Ski Journalists Association. Additionally, in 1987, Fiore was nominated for the U.S. Ski Hall of Fame, as well as received the "Outstanding Contributions to the Sport of Skiing" award.

In addition to all of these accomplishments, Nic was also an author, writing a best selling book, "So You Want to Ski" along with a newspaper column titled "Ski Tips by Nic Fiore."

Again, Madam Speaker, I rise in recognition of my friend and Yosemite community builder Mr. Yosemite, Mr. Nic Fiore. Nic will be missed by many. His legacy in the Yosemite community will live on, as will his passion and enthusiasm for the sport of skiing.

CELEBRATING THE 120TH ANNIVERSARY OF BISHOP MUSEUM

HON. MAZIE K. HIRONO

OF HAWAII

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 30, 2009

Ms. HIRONO. Madam Speaker, August, 2009 marks the 120th anniversary of Bernice Pauahi Bishop Museum, the State of Hawai'i's Natural and Cultural History Museum. Founded more than a century ago, in the memory Princess Bernice Pauahi Bishop by her husband, Charles Reed Bishop, Bishop Museum has contributed to the world's understanding of the natural and cultural history of the Pacific and Hawai'i. It has collected and preserved nearly 25 million scientific animal and plant specimens and 2.4 million cultural objects that together help tell the full story of Hawai'i and the Pacific.

Bishop Museum recently completed a major restoration of one of its original buildings, Hawaiian Hall. Listed on the National Register of Historic Places, Bishop Museum's Hawaiian Hall has traditionally housed Hawai'i's most sacred and beloved artifacts. With its volcanic stone exterior and extensive use of native koa wood, Hawaiian Hall is considered a masterwork of late Victorian museum design.

With this important renovation, hundreds of thousand visitors and local residents will enter the world of Hawai'i. They will hear the oral tradition of oli and mo 'olelo. They will experience Hawai'i's deep connection between its natural and cultural worlds. Bishop Museum has served as an essential repository and education institution for over a century.

In honor of this important anniversary and the major restoration of Hawaiian Hall, Congressman ABERCROMBIE and I introduced H. Res. 541, which we are hoping will pass the House in the near future. I urge my colleagues to join me in commending the important efforts of the Museum and in celebrating the 120th anniversary of its founding with the restoration and reopening of its Hawaiian Hall. Mahalo!

BILL TO CLOSE OFFSHORE REINSURANCE TAX LOOPHOLE

HON. RICHARD E. NEAL

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 30, 2009

Mr. NEAL of Massachusetts. Madam Speaker, today I am pleased to come before the House to introduce legislation ending the use of excessive affiliate reinsurance by foreign insurance groups to strip their U.S. income into tax havens, avoid tax, and gain a competitive advantage over American companies. In the past, I have offered a number of bills to limit offshore tax avoidance. Today's bill follows on that trend but focuses specifically on one area of the financial services sector.

The financial services industry has, like all us, experienced a tough year with the economic upheaval. As businesses realign, merge, and in some cases, cease operations, the advantages of a no- or low-tax jurisdiction from which to operate is tempting. The benefits of being headquartered in a tax haven can be quite significant for a company with investment income over long periods of time. Use of affiliate reinsurance allows foreign-based companies to shift their U.S. reserves and their investment income overseas into tax havens, thereby avoiding U.S. tax.

The President has recently suggested a number of proposals tightening tax rules for U.S.-based companies operating overseas. Those proposals deserve a thorough review to assess their merits. But before we consider cracking down on the foreign earnings of U.S. companies, we should make sure we are taxing the earnings of foreign groups that do business in the United States the same way we do for those based here. Ending the tax advantage for foreign-based insurance groups from use of affiliate reinsurance was even a platform issue for candidate Obama last year.

There is no doubt that there is a legitimate role for reinsurance. It is a fundamental business technique for risk management and is to be fostered. However, reinsurance among affiliates can serve other purposes as well, including tax avoidance. Just as Congress and Treasury have attempted to measure what is legitimate in debt transactions between affiliates, there have been previous attempts to address the problem of excessive reinsurance between related entities. Unfortunately, as recent data shows, those attempts have been unsuccessful.

Since 1996, the amount of reinsurance sent to offshore affiliates has grown dramatically, from a total of $4 billion ceded in 1996 to $33 billion in 2008, including nearly $21 billion to Bermuda affiliates and over $7 billion to Swiss affiliates. Use of this affiliate reinsurance provides foreign insurance groups a significant market advantage over U.S. companies in writing direct insurance here in the U.S. We have seen in the last decade a doubling in the growth of market share of direct premiums written by groups domiciled outside the U.S., from 5.1 percent to 10.9 percent, representing $54 billion in direct premiums written in 2006. Again, Bermuda-based companies represent the bulk of this growth, rising from 0.1 percent to 4 percent. And it should be noted that during this time, the percentage of premiums ceded to affiliates of non-U.S. based companies has grown from 13 percent to 67 percent. Bermuda is not the only jurisdiction favorable for reinsurance. In fact last year, one company moved from the Cayman Islands to Switzerland citing "the security of a network of tax treaties," among other benefits.

Congress first recognized the problem of excessive reinsurance in 1984 and provided specific authority to Treasury under Section 845 of the tax code to reallocate items and make adjustments in reinsurance transactions in order to prevent tax avoidance or evasion. In 2003, the Treasury Department testified before Congress that the existing mechanisms were not sufficient. In 2004, Congress amended this provision to expand the authority of Treasury to not only reallocate among the parties to a reinsurance agreement but also to recharacterize items within or related to the agreement. Congress specifically cited the concern that these reinsurance transactions were being used inappropriately among U.S. and foreign related parties for tax evasion. Despite this grant of expanded authority, Treasury has still been unable to stem the tide moving offshore.

Recently, a coalition of U.S.-based insurance and reinsurance companies has been formed to express their concerns to Congress. With more than 150,000 employees and a trillion dollars in assets here in the U.S., I believe it is a message of concern that we should heed. Last month, they wrote to the leadership of the House and Senate tax-writing committees urging passage of my bill because, as they wrote, "This loophole provides foreign-controlled insurers a significant tax advantage over their domestic competitors in attracting capital to write U.S. business."

That is why I am again filing legislation to disallow deductions for excess reinsurance premiums with respect to U.S. risks paid to affiliated insurance companies that are not subject to U.S. tax. The excess amount will be determined by reference to an industry fraction, by line of business, which will measure the average amount of reinsurance sent to unrelated parties by U.S. companies. The bill allows foreign groups to avoid the deduction disallowance by electing to be treated as a U.S. taxpayer with respect to the income from affiliate reinsurance. Thus, the bill merely restores a level-playing field, treating U.S. insurers and foreign-based insurers alike. The legislation provides Treasury the authority to carry out or prevent the avoidance of the provisions of this bill.

My colleagues may be thinking that this sounds similar to another provision in the code, and they would be right. The tax code currently tries to limit the amount of earnings stripping—that is, sending U.S. profits offshore through inflated interest deductions—by disallowing the interest deduction over a certain threshold. In the reinsurance context, U.S. affiliates of foreign based reinsurance entities may be sending offshore excessive amounts of reinsurance to strip those premiums out of the purview of the U.S. tax system. My bill limits the deduction for those premiums to the extent the reinsurance to a related party exceeds the industry average.

I hope that in the coming weeks, my colleagues and experts in the industry will carefully review this new proposal and provide constructive commentary on it. A fuller technical explanation of the bill will be posted on my website, which will provide some background on the industry as well as a technical description of the bill. Madam Speaker, I appreciate the opportunity to address the House on this important matter and I assure my colleagues that I will continue my efforts to combat offshore tax avoidance, regardless of what industry is impacted.

THE GENERATING RETIREMENT OWNERSHIP THROUGH LONG-TERM HOLDING

HON. PAUL RYAN

OF WISCONSIN

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 30, 2009

Mr. RYAN of Wisconsin. Madam Speaker, I, along with Congressman ARTUR DAVIS and Congressman JOSEPH CROWLEY, re-introduce today the Generating Retirement Ownership Through Long-Term Holding ("GROWTH") Act of 2009. At a time when our economy is struggling to recover, this bipartisan bill would provide a valuable tool to hardworking Americans saving for retirement and other financial goals.

Mutual fund investors are overwhelmingly middle-income Americans investing for the long term. For many of these investors, mutual funds provide a low-cost, professionally managed, diversified opportunity in which they can save for their own retirement. Currently, investors who buy shares in a mutual fund and hold them for the long term find themselves taxed as they go—even though no fund shares were sold and no cash was received. This legislation allows mutual fund shareholders to keep more of their own money working for them longer by deferring capital gains taxes until they actually sell their investment. The GROWTH Act makes it easier for these individuals to meet their retirement savings goals.

Most of our Nation's mutual fund shareholders report that retirement is the primary reason why they are saving. More than 29 million Americans are saving through long-term mutual funds held in taxable accounts, either to supplement their employers' retirement plans, or because they do not have access to such plans. Seventy-six percent of mutual fund investors say that their primary financial goal is to save for retirement. At the same time, almost half—about 76.2 million of 158.1 million workers—are not offered any form of pension or retirement savings at work.

Meanwhile, the costs once in retirement are growing. For example, the Employee Benefit Research Institute estimates that, depending on their source of health insurance coverage and their comfort level with having a 50-percent, 75-percent, or 90-percent chance of having enough savings to cover health insurance premiums and out-of-pocket health care expenses in retirement, men retiring at age 65 in 2019 will need between $114,000–$634,000, while needed savings for women range from $164,000–$754,000.

Mutual fund investors who automatically reinvest are doing the right thing. They are saving for the longer term, contributing to our national economy, and building up their own retirement nest egg. These Americans should be encouraged to save not punished for doing so through a tax on automatic reinvestments. The tax code needs to help, not hinder, saving for retirement. I urge my colleagues to join us in this effort and cosponsor this legislation.

RECOGNIZING THE GREATER LEANDER CHAMBER OF COMMERCE

HON. JOHN R. CARTER

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 30, 2009

Mr. CARTER. Madam Speaker, I would like to recognize the Greater Leander Chamber of Commerce for its great efforts within the community and serving as a helpful resource for the Adopt-a-Unit Program in Leander. The city of Leander participated in adopting troops from the 4th Infantry Division, Fort Hood, Texas. The Program provided soldiers and their families back home with supplies, care packages and moral support during their deployment to Iraq over the last year.

I appreciate the hard work and commitment of the Greater Leander Chamber staff and look forward to what great things it will do in the future.

It is an honor to recognize the Greater Leander Chamber of Commerce and its staff.

EARMARK DISCLOSURES

HON. TOM LATHAM

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 30, 2009

Mr. LATHAM. Madam Speaker, pursuant to the new House Republican standards on earmarks, I am submitting the following information.

Bill Number: H.R. 3288—Transportation, Housing and Urban Development, and Related Agencies Appropriations Act, 2010

Project Name: Alice Road

Amount Provided: $750,000

Account: FHWA TCSP—Transportation & Community & System Preservation

Recipient: Iowa Dept of Transportation

Recipient's Street Address: 800 Lincoln Way Ames, IA 50010

Description: This funding would be used for the constructing of a 6-lane arterial blvd. as part of a north-south economic development corridor.

Bill Number: H.R. 3288—Transportation, Housing and Urban Development, and Related Agencies Appropriations Act, 2010

Project Name: Ames Intermodal Facility

Amount Provided: $350,000

Account: FTA—Buses & Bus Facilities

Recipient: Ames Transit Agency