United States of America

Congressional Record

PROCEEDINGS AND DEBATES OF THE 111th CONGRESS, SECOND SESSION

Vol. 156 WASHINGTON, WEDNESDAY, JANUARY 13, 2010 No. 3

Senate

The Senate was not in session today. Its next meeting will be held on Tuesday, January 19, 2010, at 11 a.m.

House of Representatives

WEDNESDAY, JANUARY 13, 2010

The House met at 10 a.m. and was called to order by the Speaker pro tempore (Ms. BERKLEY).

DESIGNATION OF THE SPEAKER PRO TEMPORE

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

WASHINGTON, DC,
January 13, 2010.

I hereby appoint the Honorable SHELLEY BERKLEY to act as Speaker pro tempore on this day.

NANCY PELOSI,
Speaker of the House of Representatives.

PRAYER

Rev. Samuel Tialavea, Congregational Christian Church of American Samoa, offered the following prayer:

God of the faith of our fathers and Lord of our homage, we embrace You and one another in heart and soul, thought and mind, giving You praise and trusting Your faithfulness. Bless this day and our activity in Your service.

O Lord, help us to remember that proclamation from ages past, ''Where there is no vision, people perish.''

Enable us, therefore, to be visionary in our decisionmaking, particularly with those resolved in Your wisdom by the leadership of our Nation. Grant this Congress the ability to see, the faith to believe, and the courage to leap forward in their journey of determination for tranquility and peace, upholding those virtues by which all may benefit from in our ''home of the brave and land of the free.''

God of the Most High, may Your will be done, Your vision be known, and Your righteousness prevail, both now and forever.

Amen.

THE JOURNAL

The SPEAKER pro tempore. 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 pro tempore. Will the gentleman from North Carolina (Mr. BUTTERFIELD) come forward and lead the House in the Pledge of Allegiance.

Mr. BUTTERFIELD led the Pledge of Allegiance as follows:

I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one nation under God, indivisible, with liberty and justice for all.

HONORING REV. SAMUEL TIKERI TIALAVEA OF AMERICAN SAMOA

The SPEAKER pro tempore. Without objection, the gentleman from American Samoa (Mr. FALEOMAVAEGA) is recognized for 1 minute.

There was no objection.

Mr. FALEOMAVAEGA. Madam Speaker, it is my great honor and pleasure to welcome Rev. Samuel Tialavea to the Chamber today. Rev. Tialavea, or ''Sam'' as he is popularly known in our Samoan community, is from my home district in American Samoa.

Rev. Tialavea is currently the General Secretary of the Congregational Christian Church of American Samoa, a position he has held now for some 8 years. He was appointed Secretariat of the Partnership Consultation Committee on Ministry and Mission of the United Church of Christ and the Congregational Christian Church, again, a post he has held for some 8 years now. He was ordained in the mid-1990s, where he became pastor of the Bread of Life Church in Honolulu prior to his election as the General Secretary of the CCCAS.

This is a historic occasion for my district. To my knowledge, Rev. Tialavea is the first ever Samoan to give the opening prayer to begin a regular House congressional session.

I would be remiss if I didn't acknowledge Rev. Tialavea's lovely wife, Fa'aipoipoga, who is present with us in the gallery. Also with her to witness this momentous occasion are Rev. Elder Leatulagi Faalevao, who is the vice chairman of the Congregational Christian Church, and his wife, Vagai; and Rev. Reupena Alo, who is the assistant to the General Secretary, and his wife, Deanne.

It is my distinct honor and privilege again to welcome to the House today my good friend, Rev. Samuel Tialavea, Sr.

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ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. The Chair will entertain up to 15 further requests for 1-minute speeches on each side of the aisle.

TAXING BANK BONUSES

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

Mr. KUCINICH. Yesterday, I introduced H.R. 4414, a bill that imposes a 75 percent tax on the outside bonuses bankers are paying themselves from windfall profits earned from massive Federal Government support.

This bill is necessary because bankers are about to pay out some of the largest bonuses in history. All banking corporations, whether they received direct assistance or not, received substantial benefits from government bailouts. Bankers' failures to self-regulate, let us remember, were the direct result of the crisis we're in today. They need to be told that the money they're making is a public trust, not something they've earned for good behavior.

Bank profits are the result of a deliberate Federal Government policy to restore banking capital and ultimately investment in American prosperity. Banking bonuses have nothing to do with these objectives, and payouts to bankers are a form of appropriation of public wealth.

Banks could be using their profits to do many things to improve the prospects of economic recovery, including strengthening their capital base, recognizing and writing off their real estate losses, reducing fees charged to customers, especially for seniors and struggling consumers, and increasing lending to small and medium-sized companies.

Support H.R. 1414.

PEOPLE MAKING A DIFFERENCE

(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. In South Carolina last week, I met with people making a difference promoting jobs by visiting the OneStop employment centers across the district. I visited the directors and staff, desk to desk, in Columbia, Lexington, Aiken, Barnwell, Orangeburg, Hampton, Ridgeland, and Beaufort. I want to thank the energetic, optimistic, and talented employees and commissioners of the Employment Security Commission for their dedication to helping put people back to work.

Another economic development is being announced for South Carolina today. The Estill Correctional Facility is adding 50 more jobs with a biomass contract with Ameresco. We welcome the recent economic commitments to our State from Four Star Industries, Boeing, DHL, Scotsman Ice, Dixie Narco, Ameresco at SRS, and now Estill Correctional Facility. The combination of low taxes, worker training, right-to-work protections, and less regulatory redtape is a sound recipe to attract business. This commonsense approach should be applied at the national level.

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

HONORING BOBBY SALCEDO

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

Ms. CHU. I rise today to speak of a shocking murder and a tragic loss to my California district. On New Year's eve, Bobby Salcedo was in a restaurant with family and friends in Durango, Mexico when gunmen burst in, took six of the men away, and shot each one to death execution style. Bobby was only 33 years old.

With Bobby, they murdered an exemplary U.S. citizen. He was an elected member of the El Monte City School District Board. He returned to his alma mater, Mountain View High School, to become its assistant principal. He was studying for his doctorate in education at UCLA. He dedicated his life to helping youth and was a rising star in our community.

Bobby's death shows that the violence done by Mexican drug cartels is not in some faraway land; its tentacles affect us in the U.S. all too closely. For the sake of Bobby Salcedo, we must end the violence of the Mexican drug cartels. My heart goes out to the family.

THE NEW ORLEANS SAINTS

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

Mr. CAO. Madam Speaker, the New Orleans Saints are having a historic season. This success has benefited our city tremendously. And with their first playoff game kicking off this Saturday, I wanted to give constituents a chance to honor them. Today's statement is from Jewelyn Wellborn.

Jewelyn writes: ''The reason we are proud of the Saints, the reason we rally behind them, has less to do with the scoreboard and more to do with the heart, soul, and fire of the city. Your average New Orleanian is characterized by different concepts that seem so opposite of one another. There are those who have always called New Orleans home and some who came for only a few years and fell in love.

''Watching the Saints helps us escape from rebuilding, yet reminds us of why we came home. The Saints are an exact reflection of us, our city, our home, and that's why the Saints are my home team.''

HEALTH CARE AND THE ECONOMY

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

Mr. BUTTERFIELD. Madam Speaker, the American people continue to struggle in this difficult economy. One of the counties in my North Carolina district is now suffering with the State's highest unemployment rate. Yes, people are hurting and need to be put back to work. The transformation of our Nation's health care system represents an enormous opportunity to create jobs and fuel economic growth.

Each year, our health care reform plan will create 250,000 to 400,000 jobs. These reforms will also allow small business to add an estimated 80,000 jobs. Without these reforms, the health care premiums paid by businesses in coming years will more than double. Money needlessly spent on health care premiums by small businesses is really needed to hire workers, increase salaries, and refuel the economy.

Madam Speaker, Americans cannot afford the status quo. Doing nothing is not an option. I urge my colleagues to join us in improving the health care delivery system.

AMERICAN CONSERVATION AND CLEAN ENERGY ACT

(Mr. TIM MURPHY of Pennsylvania asked and was given permission to address the House for 1 minute.)

Mr. TIM MURPHY of Pennsylvania. Madam Speaker, the U.S. is $800 billion in debt to China, and yet Congress continues to spend, having to raise the debt limit time and time again.

We do not grow America's jobs by borrowing hundreds of billions from China, sending hundreds of billions of dollars to OPEC for oil, or taking hundreds of billions more from Americans in new taxes.

What we can do, however, is by using some of our oil off our coast, we can use it to create jobs, restore our environment, use conservation and new technologies to cut waste and improve energy efficiency, develop innovative, efficient, and clean energy generation in all sectors, and rebuild America's inefficient transportation and energy infrastructure.

By putting our resources to work, we put millions of Americans to work here at home, and all this can be done without raising taxes. I encourage my colleagues to join the effort by supporting and being cosponsors of H.R. 2227, the American Conservation and Clean Energy Independence Act. It's about new jobs for a new, clean America.

HEALTH CARE REFORM

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

Mr. BACA. The House is back in session this week, and at the top of the agenda is health care. I am here to

make sure that the 217,000 uninsured in my district have affordable options to purchase health care coverage, as well as those across America.

Families across America will benefit greatly from the bill's extensive improvement to our health care system. We will finally end discrimination by insurance companies based on preexisting conditions. We will bring peace of mind to every parent out there who constantly worries about paying for high medical bills.

America is the land of freedom and opportunity. America must have the freedom and opportunity to purchase their own health insurance that is affordable for everyone. Doing nothing is unacceptable. We need to drive down the health costs and demand greater accountability for health insurance companies.

I urge my colleagues to support the health care reform and put the interest of our families first.

NORTHWEST LOUISIANA FOOTBALL STATE CHAMPIONS

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

Mr. FLEMING. Madam Speaker, recently, two teams in my district won football State championships. In Class 2A, the Evangel Eagles, led by Coach John Bachman, Sr., defeated John Curtis High School.

David Dee Duron completed an 8-yard touchdown pass in the third quarter to Trey Taylor to give Evangel the lead. The Eagles won the game by a final score of 18–13. David Dee Duron finished the game completing 25 of 39 passes for 273 yards and two touchdowns, setting 2A title game records for most completions, attempts and yardage.

In Class 1A, the Haynesville Golden Tornados, coached by David Franklin, beat South Plaquemines to win the title. Late in the third quarter, B'Air McGee had a 21-yard touchdown to give Haynesville the lead, and then the Golden Tornado defense intercepted a pass with only 23 seconds left in the game to preserve the 19–12 win.

Congratulations to the coaches and players of both Evangel and Haynesville on this tremendous accomplishment.

□ 1015

PEOPLE WITH ALBINISM

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

Mr. CONNOLLY of Virginia. Madam Speaker, I rise today to highlight an ongoing crime against humanity in East Africa and particularly in Tanzania: the butchering of people with albinism in order to sell their body parts for profit.

According to rumors spread by witch doctors, the body parts of people with albinism can bring good luck. A single limb of a person with albinism can sell somewhere from $500 to $2,000, a king's ransom in much of the countryside of Tanzania. I recently met with a survivor of this horrific crime who told me her dramatic story in her own words—Mariamu Stanford, a 28-year-old woman with albinism, from rural Tanzania.

One night in October of 2008, Mariamu was attacked in her sleep by a group of machete-wielding men who cut off both of her arms. In the end, she also lost her unborn child. Despite all this, she is a survivor who is relaying her story in the hopes that these brutal crimes against people with albinism will end.

To this extent, Madam Speaker, I will be introducing a House resolution recognizing the plight of people in East Africa with albinism, condemning their murder and mutilation, and calling for swift action by our country and that of Tanzania.

HONORING BARBARA STOFLET

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

Mr. PAULSEN. Madam Speaker, I rise today to honor Barbara Stoflet, a teacher at Gatewood Elementary School in Minnetonka.

At a recent White House ceremony, Barbara was awarded the Presidential Award for Excellence in Mathematics and Science Teaching, the Nation's highest honor for teaching in those fields. Barbara is one of only two Minnesota educators to receive such an honor.

She used her cutting-edge teaching methods and passion in the classroom to develop each student's potential for more than 20 years, even earning a Minnesota Teacher of the Year Award along the way.

Barbara's participation in the improvement of educational programs in the school as well as in the entire district ranges from instrumental classroom development to writing mathematical standards for Minnesota. For her development of innovative teaching strategies, her work to promote the key areas of math and science, and for her selfless commitment to an important profession, I am honored to recognize Barbara Stoflet before this body.

HEALTH CARE AND THE ECONOMY

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

Mrs. CAPPS. Madam Speaker, the two most pressing issues that our constituents want us to tackle are health care and the economy.

Last week, I convened a number of roundtables in my district with a variety of business leaders in order to discuss the economy and jobs. Health care costs were, as I expected, a top concern for all of them, and that's why I was proud to report that our health reform legislation will benefit them.

Our health reform bill will allow small business to add an estimated 80,000 new jobs because we are going to be lowering the cost of health insurance premiums. It is pretty simple: less money spent on health insurance premiums means the ability to hire new workers and to have salary increases for existing employees. Contrast that with the other side, which is to preserve the status quo: letting insurance premiums continue to rise and to cause further job loss.

We must enact meaningful health reform now in order to reduce health insurance costs, to protect jobs, and to enable small business growth.

CREATE JOBS AND MAKE HEALTH CARE MORE AFFORDABLE

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

Mr. GINGREY of Georgia. Madam Speaker, as we begin the second session of the 111th Congress, more than 15 million Americans are looking for work. Our Nation's unemployment rate is 10 percent—actually, 12 percent in the 11th District of Georgia, which is the highest level of unemployment since June of 1983.

Last year, Democrats promised that borrowing almost $1 trillion on the backs of our children and grandchildren would create jobs immediately and that unemployment would not rise above 8 percent. Clearly, that is not the case.

So as we start this session, I urge Democratic leaders to finally take some commonsense steps to create jobs and to make health care more affordable. That means putting an end to spending money that we don't have. It means not continuing to pass legislation that imposes job-killing taxes on our small businesses, and it means passing health care legislation that actually reduces health care costs for all Americans without cutting their benefits.

Madam Speaker, the American people cannot afford any more of the Democrats' agenda for killing jobs and for growing the Federal Government.

HEALTH CARE REFORM

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

Mr. YARMUTH. Madam Speaker, I would like to tell you about two of my constituents in Louisville who came up over the break and who told me why they were against health care reform.

The first one was a mother. She said she thought our health care reform bill was going to hurt too many people. When I asked her why or who, she said, Well, like my son. He had a kidney transplant, and I'm afraid he won't get

the care he needs. When I told her that under our bill we could very well save his life because he would never get insurance under the present situation and that he would never be denied coverage under our bill, she had a little bit of a conversion right on the spot.

A second was a woman who owned a gift shop in Louisville. She said she was against health care reform because she is a diabetic. She said, I can't wait until 2014 to get the help I need. She wasn't against health care reform. She needs it now, and she needs it desperately. Under our bill, there will be a high-risk pool so she can immediately get coverage that she can't get now.

The fact is health care reform as proposed by the House Democrats will save lives, will save money, will save jobs, and will save Medicare. It is time to pass health care reform.

GOOGLE'S INTENTION TO PULL OUT OF CHINA

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

Mr. WOLF. Madam Speaker, I rise today to voice my strong support of Google's intention to consider pulling out of China due to a ''highly sophisticated and targeted attack'' on its corporate infrastructure and email service. Google is making a principled stand reminiscent of the companies that pulled out of apartheid South Africa and fascist Germany.

The Washington Post reported today that Google said it has evidence that a primary goal of the attackers was accessing the gmail accounts of Chinese human rights activists. They found that the gmail accounts of literally dozens of brave human rights advocates ''appear to have been routinely accessed by third parties.''

This is unconscionable but is not surprising given China's long history of cracking down on free speech, human rights, and religious freedom. China is regressing. They are increasingly brazen in their human rights abuses.

This principled stand on the part of Google will surely give hope to the millions of Chinese people who yearn for freedom and who cry out for basic human rights.

NATIONAL URBAN LEAGUE

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

Mr. BOCCIERI. Madam Speaker, today I rise in recognition of the 100th anniversary of the National Urban League, an organization dedicated to bettering the lives and protecting the rights of minority groups across our country.

The National Urban League is the oldest and largest community-based organization in our Nation. Locally, the Greater Stark County Urban League, located in my northeastern Ohio district, formed out of the integration of the Massillon and Canton affiliates, has been serving our Stark County communities for over 90 years.

Under the direction of interim president and CEO Vince Watts, the work of the Greater Stark County Urban League is bettering Stark County at precisely the time we need it. Ohio's unemployment is still high, and we are recovering slowly, but now more than ever, as we are rebuilding our local economy for future success, the Greater Stark County Urban League is connecting minority groups in our communities to the employment and housing services and to the health and youth programming necessary.

Last year, the local Urban League began a new scholarship program for 20 high school juniors and seniors. This year, they hope to provide 30 scholarships. The League is also offering classes this year to help 60 people in Stark County obtain their GEDs.

I commend the Stark County Greater Urban League for making critical investments in our people, in our country, and in our future. This is the type of service that we all talk about here and should applaud every day on the floor of the House of Representatives.

BURMESE AMERICAN IMPRISONED

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

Mr. PITTS. Madam Speaker, an American citizen is being held illegally and unjustly by the Burmese Government today, and we should do all we can to return him to the United States and to his family.

Nyi Nyi Aung has been imprisoned in Burma since September 3, and has been held under a revolving array of charges—all bogus. Aung has been deprived of food and sleep, has been beaten, then has had medical treatment withheld, and he remains in prison while his trial is pending.

The Burmese Government has ignored its obligations under international treaty, and it violates the standards of human rights and basic decency.

Aung has a heart for the oppressed people of his native country, a heart to bring true democracy to Burma, and his offense is promoting freedom in a country that is like a vast prison camp.

I urge Secretary Clinton to publicly call for Aung's release and to use all possible diplomatic means to return him to the United States where he can receive medical care. His life hangs in the balance, and we cannot afford to wait.

HONORING THE LIFE OF MIEP GIES AND HER IMPACT ON THE WORLD

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

Mr. COHEN. Madam Speaker, last week, a lady died, named Miep Gies, a Dutch lady. She died at age 100.

The reason her death is worth noting is that she was a Dutch Catholic who, with her husband, hid the Frank family—Anne Frank, Otto Frank, that family—and another Jewish family for 25 months in Amsterdam when the Nazi regime came and was taking Jewish people from Amsterdam and throughout Europe to concentration camps. For 25 months, their family protected the Franks. They were then betrayed, the Frank family, and sent to concentration camps where all died but Otto Frank.

Ms. Gies found the diary of Anne Frank. She preserved it and gave it to Otto Frank when he was released from his concentration camp—the only surviving Frank. It was published, the story of a young girl and her hopes during the Nazi occupation of Amsterdam and the persecution of Jews.

There are people today who do not believe that the Anne Frank diary was real. It was indeed real. This lady saved it. She saved history and taught us what people can do, just ordinary citizens, in acts of heroism to protect others in the face of injustice. I am pleased to recognize her in the United States Congress. We are lucky she came this way. She had a significant impact on the world.

RECOGNIZING THE 188TH FIGHTER WING AND ITS ROLE IN THE GLOBAL WAR ON TERROR

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

Mr. BOOZMAN. Madam Speaker, more than 8 years after the September 11 attacks, our country is still fighting against terrorism. The attempted attack on Christmas Day has renewed the discussion of how to keep our country and its citizens safe and our Nation's interests protected. Our military is fighting every day to protect the world from these extremists.

Arkansans have proudly served to defend our country since the global war on terror began. Most recently, last week, 50 members of the 188th Fighter Wing, based in Fort Smith, Arkansas, left for a 120-day deployment in Afghanistan. These men and women are continuing the Arkansas tradition of service to our Nation. In the coming months, an additional 250 members of the 188th will deploy to provide close air support for ground troops in Afghanistan. This is an important mission that I am confident these men and women will accomplish successfully.

I ask my colleagues to keep the members of the 188th and their families and friends in their thoughts and prayers during this time.

THE EARTHQUAKE DEVASTATION IN HAITI

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

Mr. PAYNE. Madam Speaker, I was deeply saddened to learn yesterday of the 7.0 Richter scale earthquake that struck Haiti yesterday. As I speak, President Obama is preparing to address the Nation about our response and support. My heart goes out to the Haitian people.

I would also like to express our condolences to the United Nations peacekeeping organization there. Currently, it is expected there will be casualties from Brazil, China, Jordan, France, and other countries. The Montana Hotel, where I have been, was one of the places where the soldiers stayed and where many of the deaths were.

So as an earthquake of this magnitude and this aftershock have wrought extensive damage to Port-au-Prince, we say that we are here to add our support, and our prayers go out to the people of Haiti.

□ 1030

DEPUTY KENT MUNDELL, JR.

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

Mr. REICHERT. Madam Speaker, the people of the State of Washington are in a state of shock once again. They are in disbelief at the news that yet another police officer has been shot and killed in the line of duty. That makes six in the last 2 months in western Washington.

As a former cop myself, I will never forget the devastating time that we have gone through in the last couple months in losing these cops.

Last week, I attended the memorial for Pierce County Deputy Kent Mundell. He was 44 years old, and he died after being shot in the line of duty. He was able to kill the suspect, save other family members, his partner Sergeant Nick Hauser, and the community he had sworn to serve and protect. He paid the ultimate price.

Visiting at the hospital and attending his service and memorial, it is clear that Deputy Mundell had a heart full of life. He was willing and ready to serve. He was full of compassion for other human beings. And, now, that heart is silenced, and we all mourn this profound loss.

Deputy Mundell leaves behind his mom, his wife, his son and daughter, his partner, his entire law enforcement community, countless friends and loved ones. I ask this body, please, to keep them all in your prayers.

Deputy Kent Mundell, out of service, gone, but not forgotten.

JOBS

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

Mrs. KIRKPATRICK of Arizona. Madam Speaker, 2010 may be a new year, but our top priorities remain the same: jobs, jobs, and jobs. We must stay focused on job creation to end this economic downturn.

With our national debt well over $12 trillion, we cannot just rely on more spending to achieve our goals. Washington has to find the right balance between investing in our future and doing more with less.

This year, I will continue to push for projects that require common sense, not millions of dollars; projects that help communities attract new industries that will create jobs, get folks back to work, and put the economy back on track. I will also work to remove barriers to success for small businesses and curb excessive regulations that can slow growth.

These low-cost job creation efforts will spur economic recovery without further increasing the debt. I urge my colleagues to join me in supporting them.

FOUR KEY HEALTH CARE MESSAGES FOR VOTERS 55 AND OLDER

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

Ms. FOXX. Madam Speaker, seniors who express concern about the Democrat plans for a government takeover of health care in our country are correct to be concerned for at least four reasons:

The Democrat health plans do not address the fundamental concern of lowering the cost of health care. Indeed, the Democrat plans do exactly the opposite by raising health care costs.

Not only will the Democrat health care plans cause health care costs to go up, they will raise taxes, increase the deficit, raise premiums, and hurt the quality of health care that Americans receive.

The funding mechanisms envisioned to pay the cost of Democrat health care will harm Medicare and devastate Medicare Advantage.

Passing the Democrats' health care bill will harm our economy at a time when we need to focus on creating jobs. I urge seniors to tell their Democrat representatives to vote ''no'' on this job-killing, deficit-raising bill.

ONE HUNDRED WAYS TO A HEALTHIER JOB MARKET

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

Mrs. MALONEY. Madam Speaker, the Joint Economic Committee, which I chair, has just launched a nonpartisan outreach looking for new and creative ideas to accelerate job creation in our struggling economy.

The JEC is looking for ideas that come from outside the bubble of the Beltway and that may be outside the box of conventional thinking. We are surveying executives at Fortune 100 companies as well as at leading small businesses across America looking for their ideas and innovations.

The administration has already identified some of the things we must do to create jobs, including the passage of health care reform.

Under the status quo, the soaring costs of medical care serves as a hidden tax on employers in the form of higher health care premiums. But we are committed to doing more, and we are eager to hear the best ideas from the sharpest minds in the country, looking for innovative new ways to create jobs and produce an economy that is stronger, fairer, and brighter.

HEALTH CARE REFORM AND JOBS

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

Mr. ELLISON. Madam Speaker, Democrats in Congress have devoted job creation as the number one top priority that we are focusing on in this period.

The fact is that the Republican recession has created some of the worst economic conditions since the Great Depression. But it is important to note that the American Recovery and Reinvestment Act has actually helped our economy begin to recover, and it is important to make sure that Americans know this.

It is important for Americans to know that the Recovery Act has created more than 640,000 jobs since it was enacted almost a year ago, and could produce as many as 1.6 million jobs.

More is needed, but the Recovery Act has reduced job losses, reduced unemployment rates and the increase in the unemployment rate, and increased the gross domestic product.

So, Madam Speaker, the Democratic caucus will continue to focus on job creation and will continue to work well, and we hope to do this in a bipartisan way. But even if we can't, we will continue to make jobs first on the agenda.

VIETNAM

(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. Madam Speaker, I rise today representing the voice of my Vietnamese American constituency to once again bring attention to the deteriorating human rights conditions in Vietnam.

Last Wednesday, a number of Catholics were attacked by the police for reporting an incident where Vietnam Government officials destroyed a holy cross at the Dong Chiem parish. The removal of the cross was only one incident in a series of violent actions

taken by the Vietnamese Government to unlawfully seize church property which has belonged to the parish for over 100 years.

And I ask myself, why have we not put this country, Vietnam, on the list of countries of particular concern, those who prosecute and persecute religious beliefs? I find it absolutely appalling that the Vietnamese Government continues to get away with these human rights violations, and we should do something about it.

In 2010 I hope that the United States will finally take a stand and show the world that this behavior is unacceptable. It is time for Vietnam to be held accountable.

HAITI

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

Mr. ENGEL. Madam Speaker, the devastating earthquake which hit Haiti last night is something that pains all of us.

The millions of Haitian Americans in this country and people who care about Haiti all over the world need to see what we can do to get aid as quickly as possible to the beleaguered people of Haiti.

The earthquake was 7.0 on the Richter scale, the largest earthquake ever to hit Haiti. And this comes on top of devastating hurricanes a little more than a year ago. The people of Haiti are going to need the United States to help.

As chairman of the Western Hemisphere Subcommittee, I will leave no stone unturned to try to get aid to people of Haiti. And I know that President Obama and Secretary Clinton have already made statements and promised and pledged lots of and lots of aid.

Probably thousands upon thousands of people are devastated and killed, and this is going to touch all of us. So I call on this House, I call on the American people, I call on our government to do whatever we can to send aid to help the beleaguered people of Haiti. Now is the time.

I urge the American people to listen, to send donations to those organizations that can get aid in as quickly as possible. Money donations are probably what is needed right now. Only the United States is in a very, very unique position. And, again, we want to tell the Haitian people that the United States of America, the U.S. Congress is there with you. We will leave no stone unturned to try to save lives.

The next 72 hours is crucial in terms of saving lives, in terms of preventing any kind of epidemics, in terms of keeping food going and the water clean and making sure that there is no disease, looting, things like that. We need to do everything we can. I know we will. And, again, we will leave no stone unturned.

As chairman of the Western Hemisphere Subcommittee, I know that our committee will be right in there with our sleeves rolled up and do everything we can to help the people of Haiti.

VETO MESSAGE ON HOUSE JOINT RESOLUTION 64, FURTHER CONTINUING APPROPRIATIONS, FISCAL YEAR 2010

The SPEAKER pro tempore (Ms. BALDWIN). Pursuant to the order of the House of January 12, 2010, the unfinished business is the further consideration of the veto message of the President on the joint resolution (H.J. Res. 64) making further continuing appropriations for fiscal year 2010, and for other purposes.

The Clerk read the title of the joint resolution.

The SPEAKER pro tempore. The question is, Will the House, on reconsideration, pass the joint resolution, the objections of the President to the contrary notwithstanding?

(For veto message, see proceedings of the House of January 12, 2010, at page H11.)

The SPEAKER pro tempore. The gentleman from Wisconsin (Mr. OBEY) is recognized for 1 hour.

GENERAL LEAVE

Mr. OBEY. Madam Speaker, I ask unanimous consent all Members may have 5 legislative days to revise and extend their remarks on H.J. Res. 64.

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

There was no objection.

Mr. OBEY. Madam Speaker, I am the only speaker for our side of the aisle and I plan to be brief. So I will yield the customary 30 minutes to the gentleman from Florida (Mr. YOUNG) for the purpose of debate only.

I reserve the balance of my time.

Mr. YOUNG of Florida. Madam Speaker, I yield myself such time as I might consume.

I wanted to rise in support of the position taken by my friend, Mr. OBEY. He didn't say what that position was exactly; so I am assuming that we are going to vote ''no,'' that we are going to support the President's veto. And I think, on our side, we fully support this issue.

I find it a bit ironic that here we are having to defend the constitutional prerogatives of the Congress on a joint resolution that was originally sent to the President to respect his constitutional prerogatives.

Under Article I, section 7 of the Constitution, the President has up to 10 days to review legislation before deciding whether to sign it into law. However, when a continuing resolution is to keep the government functioning if the appropriations bill is set to expire, the continuing resolution is sent to the President to give him the opportunity to review the appropriations bill. As a matter of courtesy to the President, Congress, on a bipartisan basis, traditionally submits a short-term ''signing'' CR to preserve the President's ability.

That is exactly what the situation here is today. Basically, it is a moot question other than the constitutional requirements. And so we are here to say to my friend Mr. OBEY and to you, Madam Speaker, that assuming that Mr. OBEY is going to recommend a ''no'' vote, we are going to also vote ''no.''

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

Mr. OBEY. Madam Speaker, I think the gentleman from Florida has summed up the situation pretty well.

In December, the House and Senate passed a 5-day continuing resolution in order to give the President time to sign the Defense appropriations bill. The President received the CR and the Defense appropriations bill on the same day, December 19. He signed the Defense bill, thereby avoiding the need for the stopgap funding in the CR.

Since the President signed the Defense appropriations measure quickly, I agree that the CR was not needed to keep the government open.

The President sent the CR back to the House, as the gentleman indicated, with his veto. But in that veto message, he suggested in some ways that he had, in fact, pocket vetoed the legislation.

But the fact is clear that the Congress was here to receive a message, and we do not consider it a pocket veto. Therefore, we feel that the appropriate action to be taken is to sustain the veto and take this action to demonstrate that, in our judgment, a pocket veto is not appropriate, that the President exercised a regular veto and it should be treated as such.

Mr. LEWIS of California. Madam Speaker, I fully support my friends on the other side of the aisle taking action to protect the constitutional prerogatives of the legislative branch in this matter.

As the gentleman from Florida stated, it is ironic that the executive branch has chosen to use an action taken by the Congress as a courtesy to them against this very body. I think this should give all of us pause when we are faced with similar situations in the future.

As the gentleman from Florida has stated, the Constitution allows the President to take some time to review the legislation sent to him. However, when we are dealing with appropriations bills and operating under a continuing resolution to keep the government running, sometimes timelines don't match up neatly. As a matter of courtesy to the President, Congress on a bipartisan basis traditionally transmits a short term ''signing'' CR to preserve the President's ability to review final appropriations bills without triggering a government shutdown.

That is exactly what occurred in this situation. The Congress did not send the President the final defense appropriations bill until December 19, the day the existing CR was to expire, leaving the President no time to review the defense bill unless he wanted to shut the Department of Defense down. So, the Congress unanimously passed and transmitted a short term CR solely as a matter of courtesy. The President could have easily followed his

predecessors' practice and signed both bills. The substantive effect would have been the same as it is today.

But that is not what the President chose to do. So we are here today, as the Congress, to deal with the first veto issued by President Obama.

Is it a veto based over substantive policy disagreements like President Bush's veto of stem cell legislation, or President Clinton's veto of legislation lifting the arms embargo for Bosnia and Herzegovina?

No, it is not. It is a veto that simply uses a now moot piece of legislation to re-ignite a battle between the legislative and executive branches dating back to the Nixon administration, a battle that the courts have generally sided in favor of the legislative branch.

I hope that in the future the President will exercise his veto power on substantive issues important to the American people such as vetoing bills that continue us on a path of reckless government spending.

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

The SPEAKER pro tempore. All time for debate has expired.

The question is, Will the House, on reconsideration, pass the joint resolution, the objections of the President to the contrary notwithstanding?

In accord with the Constitution, the yeas and nays are ordered.

Pursuant to clause 8 of rule XX, further proceedings will be postponed.

□ 1045

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, the Chair will postpone further proceedings today on motions to suspend the rules on which a recorded vote or the yeas and nays are ordered, or on which the vote incurs objection under clause 6 of rule XX.

Record votes on postponed questions will be taken later today.

SUPPORTING CONTINUED POLITICAL AND ECONOMIC DEVELOPMENT IN UKRAINE

Mr. TANNER. Madam Speaker, I move to suspend the rules and agree to the resolution (H. Res. 981) supporting continued political and economic development in Ukraine.

The Clerk read the title of the resolution.

The text of the resolution is as follows:

H. RES. 981

Whereas in 1991, Ukraine re-established its independence, and began the process of developing democratic institutions and a market economy;

Whereas the Ukrainian people bravely demonstrated their desire for a free, democratic, and prosperous country through nonviolent protest during the 2004 Orange Revolution;

Whereas the United States and Ukraine have a strong relationship, as evidenced by the United States-Ukraine Charter on Strategic Partnership, signed in December 2008 by Secretary of State Condoleezza Rice with the objective of expanding cooperation on defense, trade, energy, democratic development, and cultural exchange;

Whereas during the July 2009 visit of Vice President Biden to Kyiv, the United States and Ukraine agreed to create the Strategic Partnership Commission to help implement the Charter, which held its inaugural meeting in Washington, DC, on December 9, 2009, during the visit of the Ukrainian Foreign Minister;

Whereas a strong, sovereign, independent, democratic, and economically prosperous Ukraine is important to the interests of the United States and to achieving peace, prosperity and stability in Europe;

Whereas Ukraine has been a staunch partner of the United States and NATO (North Atlantic Treaty Organization) allies, as demonstrated by Ukraine's participation in the International Security Assistance Force in Afghanistan and the NATO Training Mission in Iraq and by NATO's declaration at the Bucharest Summit in April 2008 that Ukraine will become a member of the Alliance;

Whereas the United States and the European Union provide assistance to help Ukraine foster peace and security, strengthen its democratic institutions, further economic growth, and counter HIV/AIDS and other deadly diseases;

Whereas the United States, the United Kingdom, and Russia gave security assurances to Ukraine in the Budapest Memoranda of December 5, 1994, following Ukraine's commitment to eliminate all nuclear weapons from its territory and its accession to the Treaty on Non-Proliferation of Nuclear Weapons as a non-nuclear weapons state as well as the entry into force of the START Treaty;

Whereas the Joint Statement on the Expiration of the START Treaty issued by the United States and Russia on December 4, 2009, affirmed that ''the assurances recorded in the Budapest Memoranda will remain in effect after December 4, 2009'';

Whereas, as Vice President Biden stated when he was in Kyiv, the effort to reset the United States relationship with Russia ''will not come at Ukraine's expense,'' and ''the more substantive relationship we have with Moscow, the more we can defuse the zero-sum thinking about our relations with Russia's neighbors.'';

Whereas Ukraine and the Ukrainian people have suffered from the world financial crisis, and the government has sought and received assistance from international financial institutions, but still needs to overcome internal political and economic stalemates that prevent it from fulfilling its requirements and hinder its ability to achieve greater financial stability;

Whereas Ukraine will hold a presidential election on January 17, 2010, with a possible run-off election on February 7, 2010, if needed;

Whereas the initial 2004 presidential elections in Ukraine were marred by widespread irregularities, including fraud, intimidation, falsification of results, and media bias; and

Whereas it is vital for Ukraine's democratic development that the 2010 elections be free, fair, transparent, and untainted: Now, therefore, be it

Resolved, That the House of Representatives—

(1) reaffirms the strong relationship between the United States and Ukraine, and encourages continued efforts to implement the provisions of the United States-Ukraine Charter on Strategic Partnership;

(2) expresses its support for the efforts of the Ukrainian people to consolidate democratic institutions, rule of law, respect for human rights, and economic reforms;

(3) recognizes the suffering of the Ukrainian people due to the downturn in the world economy, and supports measures by the international financial institutions to assist Ukraine;

(4) urges all parties in Ukraine to seek resolution of disputes and to take active measures to enable necessary political and economic reforms;

(5) urges the Government of Ukraine and all political parties to ensure that the 2010 election is conducted freely, fairly, transparently, and without manipulation;

(6) encourages the Government of Ukraine and all political parties to welcome the participation of the Organization for Security and Cooperation in Europe (OSCE) and other international election monitors, cooperate fully with them, and provide them unimpeded access to all aspects of the election process; and

(7) reiterates its enduring support and friendship for Ukraine and the Ukrainian people.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Tennessee (Mr. TANNER) and the gentleman from Arkansas (Mr. BOOZMAN) each will control 20 minutes.

The Chair recognizes the gentleman from Tennessee.

GENERAL LEAVE

Mr. TANNER. Madam Speaker, I ask unanimous consent that all Members may have 5 legislative days to revise and extend their remarks and include extraneous material on the resolution under consideration.

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

There was no objection.

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

This Sunday, Ukrainians will go to the polls to elect a new President. The successful conduct of these elections is important to our country, the United States. As Vice President BIDEN said during his visit to Kiev last summer, ''we consider Ukraine to be a vital European partner for advancing stability, prosperity, and democracy on the Continent.''

Six years ago, the Orange Revolution demonstrated the Ukrainian people's desire for freedom, democracy, and prosperity. Since that time, Ukraine has made great strides in developing a vibrant civil society, an open and free press, and a government accountable to its citizens. We welcome the government's registration of over 450 international observers for the elections, including from the OSCE and the International Republican Institute. We would take this means and opportunity to urge all parties in the elections to cooperate fully with the observers and ensure the elections are conducted without manipulation.

The United States and Ukraine have a strong bond, not least due to the fact that over 1 million Americans trace their roots back to Ukraine. These ties were solidified in the Charter on Strategic Partnership, which was signed in December of 2008 and which outlined numerous areas of engagement and cooperation. Last month, the Strategic

Partnership Commission held its first meeting here in Washington during the visit of the Ukrainian Foreign Minister.

Madam Speaker, Ukraine has been a key partner in the efforts of the Transatlantic Alliance to ensure international security, contributing forces to the NATO mission in Afghanistan and training mission in Iraq. In addition, on December 16, Ukraine formally agreed to allow the transit of cargo through its territory to support the NATO ISAF operations in Afghanistan. Access to the landlocked country of Afghanistan is vital, and we applaud Ukraine in assisting to turn the tide against the Taliban and prevent safe haven for al Qaeda. NATO has made clear that Ukraine will become a member of the Alliance at some point, if it so desires.

Following the 60th anniversary of the NATO summit in Strasbourg-Kehl, I visited Kiev, Ukraine, as chairman of the U.S. delegation to NATO and as president of the NATO Parliamentary Assembly to underline NATO's ongoing commitment to Ukraine's process of Euro-Atlantic integration. While meeting with the leaders of Ukraine, I expressed the conviction that NATO's door should remain open and encouraged the implementation of reforms necessary to bring this integration to fruition.

In order for Ukraine to remain on this positive path of political development and Euro-Atlantic integration, it is critical that this upcoming election be free, fair, and untainted by the fraud and irregularities that beset the 2004 polls.

Also, we recognize that Ukraine, like much of the world, has suffered greatly from the global financial crisis. Unfortunately, political divisions have hampered Ukraine's effort to overcome this crisis and to implement the reforms necessary to cement its progress on the road to prosperity. These elections are particularly important to ensure the Ukrainian Government has a clear mandate from its people that would enable it to carry out the difficult decisions necessary to put the country on such a path.

Madam Speaker, given the importance of Ukraine as a vital friend and strategic partner of the United States, I would urge support for this resolution.

I reserve the balance of my time.

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

I rise in support of House Resolution 981, introduced by Chairman BERMAN, and expressing our support for the continued political and economic development of Ukraine.

Almost 20 years have passed since the Ukrainian people gained their independence by breaking free from the oppressive authoritarian Soviet communist regime. Despite continuing challenges, both internal and external, Ukraine has made significant progress in establishing a democratic political system and implementing market-based economic reforms. Since becoming an independent state, Ukraine has evolved into an increasingly important partner for the United States and for our European allies.

Ukraine's participation in the international mission in Afghanistan and in the NATO training mission in Iraq are examples of contributions that Ukraine has made and is making in its effort focused on promoting stability and defeating Islamic extremists. In recognition of Ukraine's commitment, the NATO heads of state at their Bucharest summit in April, 2008, agreed to and declared Ukraine will become a member of the NATO Alliance in the future. In December, 2008, then-Secretary of State Condoleezza Rice signed the U.S.-Ukraine Charter on Strategic Partnership, which aims to expand cooperation between our two countries on issues relating to democracy, defense, energy, and trade.

Significant challenges continue to confront Ukraine, including serious financial troubles it now faces as a result of the global financial crisis. One very serious challenge to the stability of Eastern Europe, as well as the future independence and prosperity of Ukraine, lies in the apparent interest on the part of some in neighboring Russia to ensure that Ukraine is held within a sphere of influence dominated by Russia. It's important to Ukraine, to Europe, and to the transatlantic community that Russia refrain from any effort to provoke instability by fomenting territorial divisions, as it did in Georgia, or interfere in Ukraine's domestic policies and politics, either overtly or through less visible corrupt activities.

In the wake of the Russian invasion of Georgia in August, 2008, such concern over Russian intentions toward Ukraine is no small matter. The Kremlin needs to accept the right of Ukraine to its independence and to its right to live as a peaceful political democracy free of intimidation. The United States has a strong interest in seeing the rise of a sovereign, free, democratic, and prosperous Ukraine. The presidential elections scheduled to take place next week in Ukraine need to be conducted in a free and fair manner. The victor in those elections needs to lead Ukraine in a democratic and noncorrupt manner in order to solidify the hard-won progress already made by the Ukrainian people.

I urge my colleagues to render their full support for this resolution.

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

Ms. KAPTUR. Madam Speaker, as an original cosponsor of this resolution, I stand in full support and in strong friendship of Ukraine and her people.

In a region which struggles to produce a stable democracy, Ukraine is poised to become a shining example of a strong and viable democratic state. Upon establishment of its independence in 1991, Ukraine moved towards becoming a free society through the creation of democratic institutions and a fledgling market economy.

More recently, the Orange Revolution of 2004 showed the Ukrainian people's desire for a more open, free, and prosperous country—for a resolute democracy. Since its independence, Ukraine has been an ally of the United States. The signing of the United States-Ukraine Charter on Strategic Partnership in 2008 expands our already existing cooperation on defense, energy, democratic development, and cultural exchange.

However, obstacles exist which threaten to derail Ukraine's progress. The global financial crisis has taken a harsh toll on the country, causing the government to seek international assistance. Ukraine must take the difficult internal steps necessary to maintain her financial independence, to ensure that she is not beholden to outside financial institutions and interests.

It is imperative to the future of Ukraine that this month's elections be free, fair, and transparent. Without elections that accurately express the will of the people, Ukraine's democracy cannot, and will not, achieve its full potential.

Given the determination of Ukraine to maintain itself as a democratic nation, it is more important now than ever for the United States to support Ukraine's continued political and economic development.

We stand by Ukraine as she continues her endeavor to become a standard bearer for democracy. In strong support of Ukraine and her people, I urge my colleagues to vote ''yes'' on this resolution.

Mr. DAVIS of Illinois. Madam Speaker, I rise to acknowledge the importance of continued political and economic development in Ukraine. The United States-Ukraine Charter on Strategic Partnership, signed in December 2008 by Secretary of State Condoleezza Rice, signifies the strong relationship between the United States and Ukraine. We continue to support the expanding cooperation on defense, trade, energy, democratic development, and cultural exchange.

During the IX Lvov International Economic Forum, international experts noted Ukraine's strong areas and the areas that are worth working on. Areas of strength include the market's scope, the system of higher education, macroeconomic stability, and effectiveness of the job market. The following drawbacks, however, were noted: lack of preparedness for the introduction of new technologies, the financial sector, the instability of government institutions and the country's policies as a whole, and the ineffectiveness of the commodities market.

Ukrainians have a strong presence in Chicago and have greatly contributed to the city. There are almost 14,000 Ukrainians living within city limits and more than 45,000 Ukrainians living within the greater Chicago metropolitan area. The core Ukrainian neighborhood in the city is known as Chicago's ''Ukrainian Village.'' Even though Ukrainian Chicago extends far beyond the Ukrainian Village, this area continues to function as its hub with three major Ukrainian churches, two Ukrainian banks, a Ukrainian grammar school, the Ukrainian National Museum, a Ukrainian Cultural Center, two Ukrainian youth organizations, and many Ukrainian restaurants, stores and businesses.

I am honored to represent such a diverse and multi-cultured congressional district, and I

continue to welcome the people of the Ukrainian Village and honor them for their continued service and dedication to Chicago.

Mrs. MILLER of Michigan. Madam Speaker, I rise today in strong support of H. Res. 981, supporting continued political and economic development in Ukraine.

It has been 18 years since Ukraine joined the family of free and independent nations, much of that due to the commitment shown by the people of Ukrainian heritage living throughout the world including those in Southeast Michigan.

And today, Ukraine is a great friend and ally of the United States and a model for nations who made the transformation from tyranny to freedom. They have been stalwart partners in the War on Terror—sending troops to support International Security Assistance Force in Afghanistan and Iraq.

The U.S.-based human rights watchdog Freedom House designated Ukraine as a free country for the fourth consecutive year in its 2010 Freedom in the World survey. It is all the more encouraging because according to Freedom House, 2009 marked the fourth consecutive year in which global freedom suffered a decline.

It is time that we gave the people of Ukraine the recognition they deserve for their exemplary economic progress and continued democratic ambitions, especially as their presidential elections approach next week.

The Ukrainian people bravely demonstrated their desire for a free, democratic, and prosperous country through nonviolent protest during the 2004 Orange Revolution and this year's election is a testament to the enduring strength of the Ukrainian democracy. It is my sincere hope that the elections are conducted in a fair, free and transparent manner.

The Ukrainian population in Southeast Michigan is one of the largest—if not the largest, in the nation. These Ukrainian Americans are great citizens and great Patriots, and for years Ukrainians fought against Soviet oppression on behalf of freedom, so it is my honor to serve the 10th Congressional District and the Ukrainian-Americans who live there; and this Nation is proud to call Ukraine and her people friends and allies.

A strong, sovereign, independent, democratic, and economically prosperous Ukraine is important to the interests of the United States and to achieving peace, prosperity and stability in Europe, so I urge my colleagues to support this bill.

Mr. GERLACH. Madam Speaker, I rise today in strong support of H. Res. 981, which supports the continued political and economic development in Ukraine. This important resolution represents another step in our continued efforts to support the Ukrainian people in their efforts to fully integrate into the Euro-Atlantic community of democratic nations.

On January 17th, Ukraine will hold its presidential election with a subsequent run-off held on February 7th. This election represents a critical moment not only for Ukraine, but for the region as a whole. As Ukraine continues along the path of economic and political integration, it is my hope that the presidential election will be conducted in a free, fair, and transparent manner.

As a co-chair of the Congressional Ukrainian Caucus, I believe it is important to encourage closer ties between the United States and Ukraine. This relationship must be one that is continually fostered and strengthened, both politically and economically. By expressing our support for free and democratic elections, Congress can assist the Ukrainian people in their efforts to join the larger Euro-Atlantic community of democratic nations.

I would like to thank the Chairman and Ranking Member for their continued support of legislation aimed at strengthening the ties of the United States with a key ally in Eastern Europe and encouraging fair and democratic elections. In light of the recent economic struggles of Ukraine, our support and continued friendship is critical.

Madam Speaker, I urge my colleagues to vote in favor of H. Res. 981 and in favor of continued friendship and support for Ukraine and the Ukrainian people in their efforts to fully integrate into the Euro-Atlantic community of democratic nations.

□ 1100

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

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Tennessee (Mr. TANNER) that the House suspend the rules and agree to the resolution, H. Res. 981.

The question was taken; and (two-thirds being in the affirmative) the rules were suspended and the resolution was agreed to.

A motion to reconsider was laid on the table.

CONGRATULATING MARK INGRAM ON WINNING THE 2009 HEISMAN TROPHY

Mr. KILDEE. Madam Speaker, I move to suspend the rules and agree to the resolution (H. Res. 970) congratulating Flint native, University of Alabama sophomore, and running back Mark Ingram on winning the 2009 Heisman Trophy and honoring both his athletic and academic achievements.

The Clerk read the title of the resolution.

The text of the resolution is as follows:

H. RES. 970

Whereas Mark Ingram was raised in Flint, Michigan;

Whereas Mark Ingram attended Grand Blanc Community High School and Flint Southwestern Academy, where he distinguished himself as a running back and cornerback;

Whereas Mark Ingram was a 4-year starter in high school, and rushed for 4,926 yards and 58 touchdowns in his final 2 seasons;

Whereas, during his high school football career, Mark Ingram was honored with the Saginaw Valley MVP Award, named Area Player of the Year, and was an All-State selection;

Whereas, in 2009, Mark Ingram led the University of Alabama to the Southeastern Conference (SEC) Championship and rushed 113 yards and scored 3 touchdowns in the championship game;

Whereas, in 2009, Mark Ingram broke the University of Alabama single-season rushing record with 1,542 yards, was named the SEC offensive player of the year, scored 18 total touchdowns, and finished the season with 322 receiving yards;

Whereas, in 2009, Mark Ingram was named an All SEC First Team Selection, a Walter Camp 1st team All-American, and an American Football Coaches Association All-American;

Whereas Mark Ingram is the first Heisman Trophy winner from the University of Alabama;

Whereas Mark Ingram is only the third sophomore in history to win the Heisman Trophy;

Whereas Mark Ingram has made the Dean's List at the University of Alabama;

Whereas Mark Ingram's Heisman win brings tremendous pride to his hometown of Flint, Michigan;

Whereas, December 12, 2009, has been declared Mark Ingram Day in the City of Flint;

Whereas the sport of football is an important national pastime that helps foster teamwork, leadership skills, sportsmanship, and camaraderie; and

Whereas football can help build self-esteem and promote exercise and a more active and healthy lifestyle: Now, therefore, be it

Resolved, That the House of Representatives congratulates Flint native and running back Mark Ingram on winning the 2009 Heisman Trophy and honors both his athletic and academic achievements.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Michigan (Mr. KILDEE) and the gentleman from Kentucky (Mr. GUTHRIE) each will control 20 minutes.

The Chair recognizes the gentleman from Michigan.

GENERAL LEAVE

Mr. KILDEE. Madam Speaker, I request 5 legislative days during which Members may revise and extend and insert extraneous material on H. Res. 970 into the RECORD.

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

There was no objection.

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

I rise today in support of House Resolution 970, honoring Mark Ingram, 2009 Heisman Trophy winner and pride of my hometown, Flint, Michigan.

Madam Speaker, with an unemployment rate of close to 30 percent, Flint has been going through some tough times. Our young people need a role model they can look up to, someone who can show them that through hard work and perseverance their dreams are within reach and that greatness can be achieved.

Madam Speaker, Mark Ingram is that inspiration for our community. Since he began his football career in Grand Blanc Community High School and Flint Southwestern Academy where he was a 4-year starter and distinguished himself as a running back and a cornerback, he has continuously excelled.

This season, Mark broke the University of Alabama single season rushing record with 1,542 yards, was named the Southeastern Conference offensive player of the year, scored 18 touchdowns and finished one season with 322 receiving yards. He led his team to the SEC championship, rushing for 113 yards and scoring three touchdowns in the championship game.

He is the first Heisman winner from the University of Alabama and only the third sophomore in history to win the Heisman Trophy. Just last Thursday, Mark led the Alabama Crimson Tide to the national championship and was named the game's offensive most valuable player.

Beyond his athletic accomplishments, Mark is a dean's list student at the University of Alabama where he is pursuing a degree in communications.

Madam Speaker, I introduced H. Res. 970 to congratulate Mark on all his remarkable achievements, and I am pleased to call Mark Ingram the pride of Flint. I urge immediate passage of this resolution.

I reserve the balance of my time.

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

I appreciate the gentleman from Flint here today, and I know the people of the State of Alabama appreciate having Mark Ingram in their State and going to school at the university. I rise today to support this House resolution, congratulating the Flint native Mark Ingram, University of Alabama sophomore and running back, on winning the 2009 Heisman Trophy, honoring both his athletic and academic achievements.

And that's important. The idea to award the most outstanding college football player was originally conceived by members of the Downtown Athletic Club who appointed a club trophy committee charged with conducting the first award presentation at the conclusion of the 1935 football season. In 1936, following the death of John W. Heisman, the Downtown Athletic Club trophy renamed the award the Heisman award.

On Saturday, December 12, 2009, University of Alabama student and running back Mark Ingram was elected as the 75th winner of the Heisman Memorial Trophy as the most outstanding college football player in the United States for 2009. This season, Mark rushed 249 times for 1,542 yards with 15 touchdowns, while catching 30 passes for 322 yards, leading Alabama to an undefeated regular season and a number one national ranking.

Mark was named the AP Offensive Player of the Year as well as the SEC Offensive Player of the Year, and his rushing total established a single season record at Alabama. Mark has been recognized as a superior college football player, but his team and coaches also deserve recognition. Ingram is the University of Alabama's first Heisman Trophy winner.

The team's head coach, Nick Saban, and all Alabama fans share in Ingram's excitement. On January 7, led by Coach Saban, the University of Alabama football team enjoyed the perfect end to a perfect season, winning the BCS championship game against the University of Texas. Mark was recognized as offensive MVP of the national championship game, running 116 yards and scoring two touchdowns.

Just 6 months ago, Mark was a new starting running back, not the household name that he is today. Watching Mark deliver his humble and heartfelt acceptance speech gave us all insight into this outstanding young man and student athlete that Mark truly is. His dedication to the team and school as well as his hard work is the reason he received this exceptional award.

In his acceptance speech when he received the Heisman Trophy, he congratulated his offensive line, and I have a special connection there. I had a classmate from high school that I graduated with whose son was on the offensive line. I graduated with the young man's father. His mother is a friend of mine as well, and his family is a close friend of mine. His name is Barrett Jones. So we congratulate them. As any running back knows, that's why you win Heisman Trophies, because you have a great offensive line.

People that I know that are close to the University of Alabama football program talk about what an outstanding young man Mark Ingram is. He is not just great on the football field, but he is great on the campus. He represents the university well, and he represents Flint, Michigan, well by not just by being a great running back but by being a great person.

I extend my congratulations to Mark Ingram, to Head Coach Saban, to the players and the fans, to the University of Alabama; and I ask my colleagues to support this resolution.

Madam Speaker, I yield to the gentleman from Alabama (Mr. BACHUS) such time as he may consume.

Mr. BACHUS. Madam Speaker, I commend Mark Ingram. The whole State of Alabama is very proud of Mark and Flint, Michigan. The State of Michigan I know is very proud of their native son, and they should be. I commend Congressman KILDEE for bringing this resolution. The State of Michigan has overcome many challenges, and I think it's fitting that Mark Ingram comes from a State that has overcome so many challenges.

I rise to recognize Mark Ingram as representing the citizens of Alabama. He is the first Heisman Trophy winner to ever win the award at the University of Alabama. Now, think about the University of Alabama, Bear Bryant, and the storied program at the university; yet he is the first recipient of the Heisman Trophy at the University of Alabama. Many names come to mind at the University of Alabama, many all-Americans; yet he is the first to accomplish that. And as Congressman KILDEE said, he did so in his sophomore year.

A ''Sports Illustrated'' cover story called Mark ''the Pride of the Tide.'' He did set an Alabama single-season rushing record of over 1,542 yards. He led the Nation with 38 runs of 10 yards or more, and he caught 30 passes in addition to that. When the game was on the line, Mark Ingram was at his best.

What statistics don't measure and what Congressman GUTHRIE and what Congressman KILDEE have properly emphasized is the person that Mark Ingram is. You know, in life, it's not so much your accomplishments on the field. It's what you do with that opportunity. It's what you do with that talent. And Mark's greatest asset is his spirit. He stands as an example for all young people of what can be achieved through hard work, through determination of overcoming adversity and putting others first.

In his acceptance speech, he put others first. He recognized his four competitors. He talked about how much he enjoyed getting to meet them, what fine young men they were; and we know that that's true. We know of Tim Tebow. We know of all that Tim has done off the field. He is an inspiration to all of us with his values and his spiritual commitment.

Prior to the Alabama-Texas game, Alabama fans who visited California had many conversations with the University of Texas fans. Both before the game, during the game, and after the game, the respect, the kindness, and the hospitality between those two teams and between their fans should be an example for all of us. There was such a spirit of friendliness. And Colt McCoy, many of us learned that he spends as much as 2 or 3 hours on certain days visiting children with terminal illnesses and with severe illnesses. What a fine young man. What a fine young man Tim Tebow is.

Mark Ingram is a better person because of the challenges of those young men and their examples. I think he will be a better example for others. And how wonderful it is that our young people can look to people like Mark Ingram, Tim Tebow, Colt McCoy to be role models.

I think the story that Mark has that is a little special is dealing with the family challenges. Mark has been a model of grace and loyalty. As a dean's list student, he has balanced his record on the football field with excellence in the classroom. He demonstrated his humility and his spirit of sportsmanship during his speech at the Heisman Trophy award ceremony. He thanked his teachers. He thanked his coaches. He thanked his teammates. And as I said earlier, he thanked his competitors and talked about what fine young men they were.

So today I think we not only congratulate Mark Ingram, but we congratulate Tim Tebow, Colt McCoy, and college football for producing so many fine young men that are examples off the field as well as on the field. And college football is better because of Mark Ingram. It's better because of them. It's better because of people back in Flint, Michigan, the grandfather and mother and teachers who made Mark Ingram the person he is today. And he had the intelligence and the character to recognize them.

Mark was the most valuable player of the national championship game. Not only was he that; he was a Heisman

award winner, and he won the national championship. That is something that no other player has done, no other player in the history of college football. Matt Leinart of the University of Southern Cal was a Heisman Trophy winner, and he played for USC in the national championship game. However, he was not the most valuable player. As I said, the Alabama and Texas fans came together to support their teams, two storied programs. They were respectful of each other, and they are an example of the high plane that college athletes can reach.

□ 1115

The way that Mark Ingram has conducted himself and represented his team and the university is perhaps his greatest accomplishment. It is a source of pride for all supporters of Alabama football but also for Auburn supporters. I can tell you that we are all, in the State of Alabama and throughout the country, proud of Mark Ingram. From President Robert Witt to Coach Nick Saban to all citizens of the State.

In conclusion, Madam Speaker, we congratulate Mark Ingram for his achievements for his hard work. And it did take hard work; it was not given to him. He has earned every accolade.

Mr. KILDEE. First of all, I would like to thank the gentleman from Alabama (Mr. BACHUS) for recognizing the ability and the character of Mr. Ingram. We are very proud of him in Flint, Michigan, and we are so happy that Alabama can share our pride.

I thank you for your kind words.

I reserve the balance of my time.

Mr. GUTHRIE. Madam Speaker, I yield such time as he may consume to another gentleman from Alabama (Mr. BONNER).

Mr. BONNER. Madam Speaker, I want to personally thank Mr. KILDEE on behalf of Alabama fans all across the Nation for bringing this important resolution to the House floor today.

Mark Ingram is an exceptional athlete. As my colleagues have noted, he won the Heisman Trophy for the first time in the history of the University of Alabama to bring this honor and distinction to our storied and beloved university. But Mark Ingram is also an outstanding young man. I know the people of Michigan, and especially the people of Flint, are proud of what he has accomplished. But people all across America, especially young people, as we look to so many athletes and actors and politicians who sometimes disappoint us, here you have a young man, 19 years old, who on the night that he received the highest athletic award that can be bestowed upon a college football player, stood with tears in his eyes and proudly thanked God, thanked his family, thanked even his teachers, the professors at the University of Alabama for helping to give him this opportunity. He thanked, as my friend from Kentucky said, the offensive line and the quarterback and the others who helped make this not just an individual award but a team award.

As I think about my own children, my 14-year-old daughter, Lee, and my 11-year-old son, Robins, I like to know there are young role models like Mark Ingram out there for children all across America to be proud of and to look up to.

Yes, Mark Ingram is a tremendous athlete. And as my colleagues have already noted, he has already set the single season rushing record at the University of Alabama, and when you think about the great names who have played running back—Johnny Musso, Shaun Alexander, and Bobby Humphrey—that is saying a lot. But Mark Ingram is also a dean's list student. My sister, Judy, is the provost at the University of Alabama, the chief academic officer, and she says that the faculty at the university look at Mark with awe at what he does not only on the athletic field but in the classroom as well. He is a dean's list student, and he is certainly setting the highest standard of any student at the University of Alabama.

So it goes without saying, Madam Speaker, that we are all proud, the people of Michigan, the people of Alabama, and people all across this country, that a young man can come to the University of Alabama, someone who didn't even know if he would be starting at the running back position at the beginning of the year, and contribute to his team to win the 13th National Championship and the first ever Heisman Trophy.

We are proud of Mark Ingram, and I thank the gentleman from Michigan and the gentleman from Kentucky for allowing all of us to pause for just a moment and say: We salute you, Mark, we are proud of you, and we know you have a great future in front of you.

Mr. KILDEE. Madam Speaker, I want to thank Mr. BONNER for his kind remarks.

What is exciting to me is that Mark Ingram's family back in Flint is watching this live right now. Alabama is proud of him; Michigan is proud of him; and he makes this whole Nation proud of him. His depth of decency really sets an example for all of us.

I reserve the balance of my time.

Mr. GUTHRIE. Madam Speaker, I yield myself the balance of my time to close.

Mark Ingram was an outstanding young man to watch. I watched most of the games he played on television, and actually had a chance to see the BCS game myself. He just seemed like an outstanding person. And like I said, the people whom I know who are close to the program—my in-laws live in Alabama—said this couldn't have happened to a better person. He is a person who exudes leadership on the football field, and I was told he is not just somebody that you want to just cheer for, but somebody who you want to be around. That says a lot for him.

I urge the passage of this resolution.

I yield back the balance of my time.

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

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Michigan (Mr. KILDEE) that the House suspend the rules and agree to the resolution, H. Res. 970.

The question was taken; and (two-thirds being in the affirmative) the rules were suspended and the resolution was agreed to.

A motion to reconsider was laid on the table.

CONGRATULATING ILLINOIS MATHEMATICS AND SCIENCE ACADEMY

Mr. KILDEE. Madam Speaker, I move to suspend the rules and agree to the resolution (H. Res. 862) congratulating the staff, students, and faculty at the Illinois Mathematics and Science Academy for winning the 2009 Star Innovator in the Intel Schools of Distinction Competition, as amended.

The Clerk read the title of the resolution.

The text of the resolution is as follows:

H. RES. 862

Whereas the United States House of Representatives has repeatedly recognized in passed legislation the importance of science, technology, engineering, and math education at all levels as a necessary part of strengthening the future of scientific research in the United States;

Whereas the Intel Corporation holds an annual ''Intel Schools of Distinction'' competition in which schools compete for grants by demonstrating an environment and curricula that demonstrates 21st century teaching and learning, with a focus on mathematics and science;

Whereas the annual Intel School of Distinction awards recognize United States schools that implement innovative math and science programs and serve as role models for other schools;

Whereas each year, only one school across the country is selected through this competition as the ''Star Innovator'' among the 18 finalists receiving the Intel Schools of Distinction honor;

Whereas, on September 15, 2009, the Illinois Mathematics and Science Academy, a State-supported boarding school serving 650 of Illinois' top high school mathematics students, was selected as the 2009 Star Innovator in the Intel Schools of Distinction competition;

Whereas Illinois Mathematics and Science Academy alum are currently working at the head of their fields in such diverse industries as aerospace engineering, biotechnology, forensic science, and academic institutions across the globe;

Whereas Leon Lederman, the recipient of the Nobel Prize in Physics in 1988, worked to create the Illinois Mathematics and Science Academy as a school that could not only provide children with an invaluable education in science and mathematics, but also to train thousands of Illinois teachers in the art of teaching those skills; and

Whereas the Illinois Mathematics and Science Academy has clearly demonstrated a continued dedication to offering the kind of education necessary to create future generations of scientists in the United States, and thus secure the future of scientific research in the United States: Now, therefore, be it

Resolved, That the House of Representatives—

(1) congratulates the staff, students, and faculty at the Illinois Mathematics and Science Academy on this award and wish them well in all their future endeavors; and be it further; and

(2) directs the Clerk of the House of Representatives to make available enrolled copies of this resolution to the Illinois Math and Science Academy for appropriate display.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Michigan (Mr. KILDEE) and the gentleman from Pennsylvania (Mr. PLATTS) each will control 20 minutes.

The Chair recognizes the gentleman from Michigan.

GENERAL LEAVE

Mr. KILDEE. Madam Speaker, I request 5 legislative days in which Members may revise and extend their remarks and insert extraneous material into the RECORD on H. Res. 862.

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

There was no objection.

Mr. KILDEE. Madam Speaker, I recognize the gentleman from Illinois (Mr. FOSTER) for such time as he may consume.

Mr. FOSTER. Madam Speaker, I am here on the floor today to speak in support of H. Res. 862 honoring the Illinois Math and Science Academy for its receipt of the Intel Corporation's Star Innovator Award. The Illinois Mathematics and Science Academy is a school of outstanding academic quality in my district, but I am also speaking in support of bringing the attention of this body to the importance of education in science, mathematics, and other quantitative fields.

The Illinois Mathematics and Science Academy was first proposed by Leon Lederman, the recipient of the Nobel Prize in Physics in 1988 as a way of ensuring that top flight and motivated Illinois children receive an invaluable education in science and mathematics, and also to train thousands of Illinois teachers in the art of teaching those skills. Under the guidance of Stephanie Pace Marshall, this institution blossomed into an institution that has graduated many famous and accomplished graduates, including the inventor of the original Web browser, Mosaic, the founder of YouTube, and dozens of surgeons, teachers, fighter pilots, scientists, and, yes, even financial services experts. We employ an IMSA graduate in our congressional office today.

The award that this school received last September, Intel Corporation's Star Innovator award, has its own rich history of promoting science in the United States. The progenitor of this award was first given out in 1942, then referred to as the Westinghouse Science Talent Search. This award was given out under this name for over 50 years and was highly recognized as the highest scientific honor that any high school student could receive.

A decade ago, this program was taken over by Intel, the company that invented the microprocessor and a company that recognizes the crucial importance of math and science education to the economic future of our country. The name of the award and its primary sponsor may have changed, but the award itself and the high academic honor associated with it continue to this day.

Under Intel's guidance, the program now includes awards honoring not only students and teachers, but innovative institutions specializing in math and science education as well. As a scientist myself, I see the need for recognizing and congratulating scientific achievement at all ages. We need not just this award, not just corporate sponsorships, not just economic awards, but also a new cultural appreciation for the value of individuals with extensive quantitative skills in math, science, and engineering, and other technical disciplines.

But I also have a special reason to be proud of this award. As it turns out, my daughter is one of the many proud alums who call IMSA their alma mater. My daughter recently graduated from Stanford, and I am happy to report that she is now gainfully employed doing work she enjoys, certainly one of the key milestones in any parent's lifetime.

While the Illinois Math and Science Academy lies in the Illinois 14th Congressional District that I represent, I am proud to be joined in this congratulation by the entire Illinois delegation. And in particular, I would like to thank the gentlewoman from Illinois (Mrs. BIGGERT), IMSA's neighbor to the east, who has always been a strong supporter of math and science education, as well as the Illinois Math and Science Academy.

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

Madam Speaker, I rise today in support of H. Res. 862 congratulating the staff, students, and faculty at the Illinois Mathematics and Science Academy for winning the 2009 Star Innovator in the Intel Schools of Distinction competition.

Math and science education at all levels is a necessary part of strengthening the future of scientific research in the United States. As a result of the changing nature of the global economy, American economic competitiveness is now at the forefront. Emphasizing math and science education will ensure a competitive 21st century workforce.

Madam Speaker, I would now like to yield such time as she may consume to the distinguished gentlewoman from Illinois (Mrs. BIGGERT).

Mrs. BIGGERT. I thank the gentleman for yielding me this time.

Madam Speaker, I rise today in strong support of H. Res. 862, which congratulates the Illinois Mathematics and Science Academy, commonly known as IMSA, which is located in Aurora, Illinois, for winning the 2009 Star Innovator award. And I would like to commend the gentleman from Illinois (Mr. FOSTER) for offering this resolution and also for all of the work he has done in math and science and in education. We really do need to continue to work to have more scientists, more engineers, and more mathematicians if we are going to compete in the global economy.

IMSA was founded in 1985. It does enroll the most talented 10th through 12th graders in the State of Illinois. Since its founding, it has graduated 4,000 students, including many from nearby communities. I have had the opportunity to have many of those students come from my district. IMSA students go on to pursue exciting careers in the latest cutting-edge fields: mathematics, engineering, and science. And just a few more facts on where these IMSA alumni have gone. They were founding teams for many Web sites, many Web site innovations, including Netscape, PayPal, and YouTube, as the gentleman from Illinois recognized.

Each year Intel gives this Star Innovator award to a school that provides high quality, cutting-edge math and science instruction in a unique and enriching environment. It is a boarding school, but the kids have the opportunity to go home on the weekend, but they work really, really hard and concentrate on their studies and they come out with a great education and are able to move forward.

I am a long-time advocate also of science, technology, engineering, and mathematics, or STEM education, and I have been since my tenure here in Congress. I am really delighted to see that this school is recognized for its innovative curriculum, its administration, its teachers, and the high caliber of graduates that it produces. If we are really to strive to develop a workforce for the 21st century and be able to participate in the global economy—we always think of our country as having the innovation and the creativity—well, this is where it comes from. It is from schools like this that produce the graduates that are able to carry forth in these fields.

I hope that IMSA will be a model for other schools throughout the country. I think the more recognition it gets, the more we will find that these schools are so important to our economy.

Please join us in supporting this important resolution in encouraging excellence among our Nation's schools and giving those best students the opportunity to participate in something like this.

□ 1130

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

Mr. KILDEE. Madam Speaker, I recognize myself for such time as I may consume.

First of all, it is always a privilege to follow Mrs. BIGGERT to the microphone, particularly when she speaks on

education. Her support of education at every level is well known well beyond the borders of Illinois. And this country's educational system is much better off because of her devotion to education.

Madam Speaker, I rise today in support of H. Res. 862, congratulating the staff of the Illinois Mathematics and Science Academy for winning the 2009 Star Innovator in the Intel Schools of Distinction Competition.

Each year the Intel Corporation holds an annual ''Intel Schools of Distinction'' competition. The awards recognize schools in the United States that implement innovative math and science programs and serve as role models for other schools. Among the 18 schools that qualify for the Intel Schools of Distinction honor, one school is selected to receive the highly prestigious Star Innovator award. Finalists, Winners, and the Star Innovator all receive a cash grant from the Intel Foundation. The Star Innovator is given a $25,000 grant. On September 15, 2009, the Illinois Mathematics and Science Academy was selected as a 2009 Star Innovator.

Established in 1985, the idea, as Mr. FOSTER mentioned, was first created by Nobel Prize winner Leon Lederman, who set out to craft a school that not only would provide children with an invaluable education in science and mathematics, but also train thousands of Illinois teachers in the art of teaching those skills.

Students at the Illinois Math and Science Academy design and conduct hands-on experiments, make observations, analyze data, draw conclusions, and communicate evidence-based principles. Students are able to delve into the scientific literature and build understanding by blending information and investigation through writing. Students are given opportunities to partner with cutting-edge scientists on diagnostics, nanotechnology, medical research, and more.

At the center of achievement at Illinois Mathematics and Science Academy is an excellent staff. They utilize cutting-edge facilities and technology to advance student achievement. Of the 18 science faculty members, 11 have a Ph.D. Numerous alumni are currently working at the head of their fields in such diverse industries as aerospace engineering, biotechnology, forensic science, and academic institutions across the globe.

The Illinois Mathematics and Science Academy has clearly demonstrated a continued dedication to offering the kind of education necessary to create future generations of scientists in the United States, and thus secure the future of scientific research in this country. Awarding them the Star Innovator award not only credits them for doing an outstanding job educating our youth in math and science, but also helps grant them the funds to continue their success.

Madam Speaker, once again I express my support and congratulations for the Illinois Mathematics and Science Academy in winning the 2009 Star Innovator in the Intel Schools of Distinction Competition, and I urge my colleagues to support this resolution.

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

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Michigan (Mr. KILDEE) that the House suspend the rules and agree to the resolution, H. Res. 862, as amended.

The question was taken; and (two-thirds being in the affirmative) the rules were suspended and the resolution, as amended, was agreed to.

A motion to reconsider was laid on the table.

CONGRATULATING NORTH CENTRAL COLLEGE

Mr. KILDEE. Madam Speaker, I move to suspend the rules and agree to the resolution (H. Res. 1001) congratulating North Central College on winning the 2009 NCAA Division III men's cross country championship.

The Clerk read the title of the resolution.

The text of the resolution is as follows:

H. RES. 1001

Whereas the North Central College Cardinals' men's cross country team won the NCAA Division III National Championship on November 21, 2009;

Whereas all seven North Central College team members that competed in the championship earned All-American status;

Whereas the 2009 championship Cardinals team is comprised of Neal Klein, Michael Spain, Ryan Carrigan, Nathaniel Hird, Kyle Brady, Nathan Rutz, Sean Carlson, and head Coach Al Carius;

Whereas the North Central College Cardinals compete in 22 intercollegiate sports and study more than 55 different majors;

Whereas North Central College, located in Naperville, Illinois, is a four-year liberal arts college with students from 31 States and 23 countries; and

Whereas the North Central College men's cross country team national title is one example of the excellence students have demonstrated in athletics, as well as academics and all areas of collegiate life: Now, therefore, be it

Resolved, That the House of Representatives—

(1) congratulates North Central College and its athletes, coaches, faculty students, and alumni on the winning of the 2009 NCAA Division III men's cross country championship; and

(2) recognizes North Central College for excellence in academics, athletics, and collegiate life.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Michigan (Mr. KILDEE) and the gentleman from Pennsylvania (Mr. PLATTS) each will control 20 minutes.

The Chair recognizes the gentleman from Michigan.

GENERAL LEAVE

Mr. KILDEE. Madam Speaker, I request 5 legislative days during which Members may revise and extend and insert extraneous material on H. Res. 1001 into the RECORD.

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

There was no objection.

Mr. KILDEE. Madam Speaker, I yield myself as much time as I may consume.

Madam Speaker, I rise today in support of H. Res. 1001, which recognizes and congratulates the North Central College Cardinals' men's cross country team for winning the 2009 NCAA Division III men's cross country championship, and for pursuing athletic and academic excellence.

For the entirety of the 2009 season, the North Central College Cardinals' men's cross country team held onto their ranking as number one among NCAA Division III teams, and by the U.S. Track and Field and Cross Country Coaches Association. The team won their first Illinois Intercollegiate Championship this season, edging out the University of Illinois by 16 points, while winning the NCAA Midwest Regional by an 84-point margin.

On November 21, 2009, the team applied the lessons learned during their successful season and displayed their outstanding athletic skills by winning the NCAA Division III National Cross Country Championship. It was the Cardinals' 13th team men's cross country championship in their school's history, and its first since 1999. The team won with 50 points, and the margin of victory was the largest in the history of the Division III men's national meet. In addition, all seven of the Cardinal team's national championship competitors earned All-American honors.

I would like to recognize each one of them individually, and congratulate: Neal Klein, Michael Spain, Ryan Carrigan, Nathaniel Hird, Kyle Brandy, Nathan Rutz, and Sean Carlson on their athletic excellence. Special congratulations are due to Coach Al Carius who, along with leading the team to win their championship, guided the Cardinals to eight invitational wins this season.

In addition to an outstanding season of coaching, the day after winning the championship the U.S. Track and Field and Cross Country Coaches Association named Carius the 2009 NCAA Division III National Cross Country Coach of the Year. Carius, also a member of the U.S. Track and Field Cross Country Coaches Association Hall of Fame, has led his athletes to a total of 18 national titles during his tenure at North Central, and four championships in outdoor track and field, and one in indoor track and field.

North Central College succeeds not only on the cross country trails, but in its classrooms as well. Founded in 1861 in Naperville, Illinois, North Central College has 2,333 full-time undergraduates, hailing from 31 States and 23 foreign countries. NCC offers over 55 different majors. North Central College empowers students to choose or design

nontraditional concentrations, and offers a wide range of field experiences, independent studies, and internships. It is an institute of higher learning from which its graduates include its athletes, which go on to accomplish great things and make important contributions to our Nation.

Madam Speaker, once again I congratulate the North Central men's cross country team and its coaches on its 2009 Division III NCAA championship title, and I wish the program much success in the 2010 season.

I reserve the balance of my time.

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

Madam Speaker, I rise today in support of House Resolution 1001—Congratulating North Central College on winning the 2009 NCAA Division III men's cross country championship.

North Central College is a private 4-year liberal arts college located in Naperville, Illinois. North Central has 2,333 full-time undergraduate students and a 15:1 student-faculty ratio. Students at North Central have excelled both academically and athletically. NCC was recently named a "College of Distinction" and was named one of "America's Best Colleges" by US News and World Report. The NCC Cardinals have won 24 national championships and is the only school in their conference to win four national championships in four different sports.

North Central College athletics are best known for their Men's Track and Field and Cross Country teams. The Cardinals men's cross country team has been excelling for over 40 years. The first Cardinal was named All American in 1964 and the team won their first NCAA Division III Championship in 1975.

On November 21, 2009 the North Central College men's cross country team swept the NCAA Division III championships for the 13th time. The Cardinals took first place by a 131-point margin of victory, the largest ever in the history of the championship. Each of the team's seven competing players were named All American and Head Coach Al Carius was named National Coach of the year.

The North Central College men's cross country team is one example of collegiate excellence. Congratulations to Head Coach Al Carius, the team members Neal Klein, Michael Spain, Ryan Carrigan, Nathaniel Hird, Kyle Brady, Sean Carlson, and Nathan Rutz, the faculty, staff and North Central students on this victory.

Today, we recognize and commend North Central College for its pursuit and achievement of athletic, academic and collegiate excellence.

I urge my colleagues to support House Resolution 1001.

Madam Speaker, I yield such time as she may consume to the sponsor of this legislation, the distinguished gentlelady from Illinois, JUDY BIGGERT.

Mrs. BIGGERT. I thank the gentleman for yielding.

Madam Speaker, I rise today in support of House Resolution 1001, recognizing North Central College in Naperville, Illinois, my district, for exceptional athletic and academic achievements.

On November 21, 2009, the North Central men's cross country team won its 13th NCAA Division III National Championship. Team members, and I am going to go over their names again because I think this is so important, Neal Klein, Michael Spain, Ryan Carrigan, Nathaniel Hird, Kyle Brady, Nathan Rutz, and Sean Carlson earned All-American status, placing them in an elite group of national athletes. Additionally, head coach Al Carius was named 2009 NCAA Division III National Cross Country Coach of the Year by the U.S. Track and Field and Cross Country Association.

These dedicated young men of the team spent countless hours training and preparing for their outstanding cross country season, ultimately winning nearly every meet in which they participated. The success of the North Central men's cross country team is but one example of the high caliber of the college students in both athletic and academic pursuits.

I think this resolution is a great opportunity to encourage excellence among our Nation's best students. When you think of sports, they say, oh, this is athletics, this isn't academics. But they really go hand in hand. I think as we have learned how important exercise is, it doesn't really have to be athletics, but exercise is in improving the capabilities of our brains. And I think that so many times that you think, oh, well, this is just kind of a little aside. But it really is important.

I am proud to say that Illinois really is the only State in the Union that requires gym or some sort of athletics for every student in the State. And I wish more States could have the same opportunity for the kids to pursue their sports. So this is a great opportunity to talk about excellence in both athletics and academics. I would urge my colleagues to join me in recognizing the North Central men's cross country team for their victory at the NCAA Division III National Championship.

Mr. PLATTS. Madam Speaker, I urge a "yes" vote in support of House Resolution 1001, and yield back the balance of my time.

Mr. KILDEE. Madam Speaker, first of all, I am sure the students and faculty and coaches and all those at North Central College are very pleased that Mrs. BIGGERT is the chief sponsor of this resolution. And it is our pleasure to, in a few minutes, pass that so they can keep it in their archives forever.

I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Michigan (Mr. KILDEE) that the House suspend the rules and agree to the resolution, H. Res. 1001.

The question was taken; and (two-thirds being in the affirmative) the rules were suspended and the resolution was agreed to.

A motion to reconsider was laid on the table.

HONORING THE LIFE AND WORK OF DR. MARTIN LUTHER KING, JR.

Mr. KILDEE. Madam Speaker, I move to suspend the rules and agree to the resolution (H. Res. 1002) honoring the life and work of Dr. Martin Luther King, Jr. and encouraging the continued commitment to the Martin Luther King, Jr. Day as a national day of service.

The Clerk read the title of the resolution.

The text of the resolution is as follows:

H. RES. 1002

Whereas the King Holiday and Service Act, a law designating Martin Luther King, Jr. Day as a national day of volunteer service, was signed into law in 1994;

Whereas millions of individuals have been inspired by the life and work of Dr. Martin Luther King, Jr. to serve their neighbors and communities every 3rd Monday of January;

Whereas the 2009 Martin Luther King, Jr. Day of Service marked a milestone in the service movement, bringing together more than 1 million volunteers who served in more than 13,000 projects nationwide;

Whereas serving one's community for the betterment of every individual speaks to the high character, transformative world view, and everyday practice of Dr. Martin Luther King, Jr.;

Whereas the efforts of national service volunteers have been a steadfast foundation of our Nation's infrastructure, supporting not only individuals and families in need, but acting in response to national catastrophes and natural disasters;

Whereas the importance of service was recognized through the signing of the Edward M. Kennedy Serve America Act (Public Law 111–13) in April 2009;

Whereas individuals have the opportunity to participate in thousands of scheduled community service projects and events all across the Nation, as well as to create and implement community service projects where a need for such projects has been identified;

Whereas the Corporation for National and Community Service is working with the Martin Luther King, Jr. Center for Nonviolent Social Change and thousands of other nonprofit, community, national service, and education organizations across the Nation to encourage individuals to serve on this holiday and throughout the year; and

Whereas leaders at the Federal, State, and local level are planning to use Martin Luther King, Jr. Day to rally our Nation to commit to serve and make an ongoing commitment to service: Now, therefore, be it

Resolved, That the House of Representatives—

(1) encourages all individuals in the United States to pay tribute to the life and works of Dr. Martin Luther King, Jr. through participation in community service projects on Martin Luther King, Jr. Day;

(2) recognizes the inherent value of community service and volunteerism in the creation of civil society and as a means of nonviolent community progress consistent with the works of Dr. Martin Luther King, Jr.;

(3) recognizes the benefits of the collaborative work by the many organizations that promote, facilitate, and carry out needed service projects nationwide;

(4) encourages its members and colleagues to urge their constituents to participate in community service projects; and

(5) acknowledges that by serving one's country, one's community, and one's neighbor our Nation makes progress in civility,

equality, and unity consistent with the values and life's work of Dr. Martin Luther King, Jr.

□ 1145

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Michigan (Mr. KILDEE) and the gentleman from Pennsylvania (Mr. PLATTS) each will control 20 minutes.

The Chair recognizes the gentleman from Michigan.

GENERAL LEAVE

Mr. KILDEE. Madam Speaker, I request 5 legislative days during which Members may revise and extend and insert extraneous material on H. Res. 1002 into the RECORD.

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

There was no objection.

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

Madam Speaker, I rise in support of House Resolution 1002, which honors the life and work of Dr. Martin Luther King, Jr. and encourages the continued commitment to Martin Luther King, Jr. Day as a national day of service.

January 18, 2010, marks an important holiday for our country; it is a day in which our Nation reflects on the life and teachings of an inspirational and courageous leader, Dr. Martin Luther King. Dr. King devoted his life to the causes of equality and social justice, believing that unity in nonviolence and service to our fellow man would empower individuals and strengthen our communities and our country.

Dr. King once said, ''Life's most urgent and persistent question is: What are you doing for others?'' As the King Day of Service approaches, I encourage my peers, colleagues, and every American citizen to answer Dr. King's call to service by volunteering within your communities.

Last year, the 2009 King Day of Service brought together more than 1 million volunteers across the Nation to work on more than 13,000 projects. This year, public and private entities alike, including the Corporation for National and Community Service, the Martin Luther King, Jr. Center for Nonviolent Social Change, Clear Channel, UPS, City Year, and Habitat for Humanity, are committed to building on last year's success and generating an even larger show of unity and service in this country.

Service and volunteerism are fundamental American values demonstrated by our citizens throughout history. In good times or in our hour of greatest need, fellow citizens have always come together with great spirit and generosity. As a country, we have looked to national service for healing and hope as well as joy and laughter.

The inherent value of service to our communities was acknowledged and affirmed by Congress and President Obama when in April, 2009, the Edward M. Kennedy Serve America Act was signed into law. This legislation has jump-started a new era of service, creating a continuum of service for which Americans of all ages and from every background can lend their experience and skills to uplift our communities and transform this Nation.

Since its passage, organizations like AmeriCorps have been able to significantly expand their membership, receiving more applications than they have capacity for at a ratio of four to one. This year's King Day of Service provides each of us with the opportunity to follow in Dr. King's footsteps through service to our communities on this day and throughout the year to come.

Madam Speaker, I proudly support this resolution and thank Congressman PLATTS for bringing this bill forward. I urge my colleagues to support this bill.

I reserve the balance of my time.

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

Madam Speaker, I rise today in support of House Resolution 1002, which promotes Martin Luther King, Jr. Day as a day of national service and recognizes the efforts of the countless Americans who will volunteer their time and efforts on behalf of many worthy causes.

I am proud to have introduced this resolution with my fellow co-Chairs of the National Service Caucus, Representatives DORIS MATSUI, VERN EHLERS, and DAVID PRICE; as well as Education and Labor Committee Chairman GEORGE MILLER, Representative JOHN LEWIS, and numerous other colleagues.

It was in 1994 that Congress designated the Martin Luther King, Jr. Federal holiday as a national day of service in recognition of Dr. King's selfless and courageous service to his fellow citizens. Since then, we have seen a growing number of individuals embrace this day as a day on, not a day off.

In 2009, millions of Americans spent Martin Luther King, Jr. Day serving in over 13,000 projects all across the country. This year, the Corporation for National and Community Service is again working with the King Center and six other grantees to promote the King Day of Service. In years past, organizations like the Capital Area Food Bank, Habitat for Humanity, and the Boys and Girls Club all benefited from the volunteer efforts of everyday Americans. I am looking forward to again volunteering myself at the Crispus Attucks Association of York back in my home town.

As January 18 quickly approaches, I encourage my fellow Members of Congress and constituents to take advantage of the countless service opportunities available in your local communities. A list of opportunities can be found at Serve.gov as well as MLKday.gov. In addition to the day's activities, families and individuals will be given resources as to how they can serve their communities throughout the year.

As we reflect on the great gift of compassion and selflessness that Dr. King has given us both in his life and in passing, may we remember his words, ''Everybody can be great because anybody can serve.''

I urge all of my colleagues to support this resolution.

I reserve the balance of my time.

Mr. KILDEE. Madam Speaker, I yield such time as he may consume to the gentleman from Georgia (Mr. LEWIS).

Mr. LEWIS of Georgia. Madam Speaker, I want to thank my colleague for presenting this resolution.

Madam Speaker, I rise in tribute to Dr. Martin Luther King, Jr. Dr. King was a man I knew personally and regarded as a brother, friend, colleague, prophet, and my hero. He was a simple human being filled with love, peace and compassion for all humankind. He was a ray of hope who preached a doctrine of nonviolence and civil disobedience to combat segregation, discrimination, and racial injustice.

Dr. King's speech at the March on Washington transformed the steps of the Lincoln Memorial into a modern day pulpit. On that day, he shared his dream of the beloved community, a truly interracial democracy. I can still hear him say, ''I have a dream today, deeply rooted in the American Dream.''

It is fitting and appropriate that we pause, as a Nation and as a people, to remember the life of Dr. Martin Luther King, Jr. He inspired a Nation and changed America forever. It is also fitting that while remembering his life and his contributions, that we commit ourselves to serving our communities, to become the change that we all wish to see in the world.

Madam Speaker, today we encourage all citizens, especially our young people, to take the time to reflect on the teaching and the leadership of Dr. Martin Luther King, Jr. We encourage all people to do something today for your neighbor, for your community, for your country that will move us closer to Dr. King's dream of creating a beloved community.

I urge all Members to reflect on this day of service and peace. Remember Dr. Martin Luther King, Jr.'s legacy this weekend; make a difference in your own community, and continue Dr. King's great legacy of service and make it your own.

Mr. PLATTS. Madam Speaker, I yield such time as he may consume to the distinguished gentleman from California (Mr. DANIEL E. LUNGREN).

Mr. DANIEL E. LUNGREN of California. I thank the gentleman for the time and I thank him for bringing this bill to the floor. And I thank the gentlemen on the other side of the aisle for their support of this bill.

Madam Speaker, I rise as one who was part of the bipartisan coalition who established in this Chamber the Martin Luther King holiday some two and a half decades ago. That was a glorious day here, and it was a day in which we acted for the right reasons.

Martin Luther King, Jr. was born January 15, 1929. Perhaps it is fitting that Dr. King was born in that year, for while the great Crash of 1929 would shake the economic and financial fundamentals of our country and our society, Dr. King's life and work would just as dramatically shake this Nation into reconfirming our commitments to our moral and constitutional foundations.

Madam Speaker, in honor of Dr. King, we do not have the time to recount the entire complex history of civil rights in this country, but Dr. King knew and appreciated the shoulders upon which he stood. Slavery was our founding fault, and segregation our enduring national stain. Dr. King knew these truths in his soul, and knew many we could discuss today that fought their struggles for civil rights and laid the groundwork for Dr. King's life work. The gentleman from Georgia is one of those people. We have individuals like Harriet Tubman, Frederick Douglas, the African Americans who so nobly, heroically, and tragically served in Congress after the Civil War, Booker T. Washington, the early founders of the NAACP, Emmett Till, Medgar Evers, the tirelessly persistent, transportation-less souls in Montgomery, the brave individuals in Birmingham, Alabama and Philadelphia, Mississippi, those who tried to cross the Edmund Pettus Bridge, and many, many more.

We think of those 180,000 African Americans who served and fought for this country during the Civil War, those who fought bravely against the suffering, the unspeakable lynchings, the violence, the de facto and de jure segregation and the enforced callousness and ruthlessness of being second-class citizens in a Nation founded upon liberty.

Many could have been bitter. Those who succeeded were not bitter, but they called us to our better spirits. Martin Luther King, Jr. stood on these precedents, rightly admonishing us to look to their example, and we should all take pride in their and his commitment to equality and to civil rights.

Madam Speaker, Dr. King's letter from a Birmingham jail is one of the finest articulations of the moral prerequisites of the rule of law and its fundamental necessity to our legal, political, and societal foundations ever written. When I talk to school children, oftentimes I tell them to take a look at that letter. When you realize that letter was written without any access to books at the time, that he wrote under very difficult circumstances in a sparse jail cell, you appreciate even more the wisdom and the grace of the language that Dr. King used. His articulation of natural rights guided by natural law, of just and unjust laws, and of the objective and nonarbitrary basis for the rule of law, just government, and moral order is, in my judgment, without comparison.

So as we call, in this resolution, people of this Nation, particularly young people, to dedicate a portion of that day to service to their country, let us remember the vision of Dr. King as he understood the true basis for laws in this country.

When asked by some of the other ministers in Birmingham why he would interfere, he basically answered that it was his obligation to stand up against injustice. He said that he was a man of the law, but we were called to follow just laws, not unjust laws. He answered the question as to the difference between the two. And he, in my judgment, made a very, very specific reference to natural law in which he said that there are those laws which violate the laws of God, that we know them to be unjust, and therefore we must work against them.

I also remember in that letter he said to these ministers, who were similarly Christian ministers, when they accused him of being an outside agitator, and I can only paraphrase his words, but he said words to this effect: He said, What was Christ but an outside agitator for love? What was Christ but someone who attempted to seek justice? And are not we called upon to do the same thing?

So as we, in this resolution, call upon young people and others of this country to commit some time in the service of others, let them understand that Dr. King's appeal went deeper than just serving another; it was serving another for the right reason, it was for fighting for justice, not only in your community, but anywhere that you saw injustice.

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There are few heroes in any lifetime that you have; but certainly, for those of us old enough to have been alive during Dr. King's lifetime, even though we may not have marched with him, we were honored to be part of a generation that saw his life and his commitment and his call to justice and truth and, fundamentally, to a full application of the Constitution of the United States and the foundations upon which this country is based.

I thank you for the time.

Mr. KILDEE. Madam Speaker, I continue to reserve the balance of my time.

Mr. PLATTS. Madam Speaker, again, I urge a ''yes'' vote in support of the resolution. I am honored to join with the gentlemen from Michigan and Georgia, and I am certainly delighted and honored to associate myself with the remarks of the gentleman from California and his work in establishing the Martin Luther King, Jr. Federal holiday. I urge a ''yes'' vote.

Mr. HONDA. Madam Speaker, I rise in support of H. Res. 1002, honoring the life and work of Dr. Martin Luther King, Jr. and encouraging the continued commitment to Martin Luther King, Jr. Day as a national day of service. Through the Martin Luther King, Jr. National Day of Service, we honor Dr. King's noble vision of equality and message of compassion.

Dr. King preached peace in the fight for equality, shaking the foundations of segregation with love for others, even those who sought to oppose his vision. His unyielding commitment to non-violent resistance anchored his messages, and his ''I Have a Dream'' speech changed America and sparked a movement that embraced civil rights, justice, equality and human dignity for all. This is a movement that we must continue to fight for and protect.

We have celebrated considerable successes due to Dr. King's Dream. Housing, schools and transportation are now accessible by all Americans. Indeed, in 2008 Americans took another great step toward realizing Dr. King's vision by electing America's first African-American President, Barack Obama. These achievements were not easily won, but Dr. King's Dream has proven resilient and it has persevered.

As a Representative of Silicon Valley, one of the most ethnically diverse areas of the country, I appreciate Dr. King's message of equality. As Chair of the Congressional Asian Pacific American Caucus, CAPAC, I recognize the great strides that have been made since Dr. King sparked the historic civil rights movement, and CAPAC has continued to vigilantly ensure equal opportunity remains accessible to all. For his vision and sacrifices, we owe Dr. King a great debt of gratitude for his service and leadership to our Nation, and there is no better way to express that gratitude than through our own personal service to the Nation.

The Martin Luther King, Jr. Day of Service will serve to remind Americans that we should all take the time to contribute to our communities. This day continues to pay tribute to the life and actions of a great man, as we continue to foster brotherhood and service amongst our friends, neighbors, and communities. Since its designation as a federal holiday in 1994, Americans have Dr. King's birthday to act on his ideals. It has been a day to improve lives, bridge social barriers, and change our Nation into the ''Beloved Community'' that Dr. King had hoped to see during his life. Thanks in part to the commitment we have shown to honor Dr. King, the Day of Service continues to grow in popularity as a chance for citizens, business leaders, and public officials alike to contribute to their communities. In 2009 alone, over 13,000 Martin Luther King, Jr. Day of Service projects occurred throughout the Nation, honoring the Dream of Dr. King.

I am pleased that the constituents of California's 15th District have answered this call to service as a tribute to Dr. King's life. Constituents of all backgrounds volunteer to remove graffiti, pick up litter, improve parks, and engage in other activities that aim to selflessly improve the world around them. Though each individual's effort may be small, the Martin Luther King, Jr. Day of Service provides the medium to combine an individual's energies with those of his or her neighbors. The resulting collaboration is an impactful and tangible celebration of Dr. King's messages.

As we near the day of remembrance, we must recognize that the fight goes on. Dr. King's Dream embodies an ideal for our Nation to pursue—Americans of all ethnicities and creeds, living together with dignity and hope. To admire Dr. King's life requires us to follow his legacy. Let us honor his life by working together to continue to build an America where every child enjoys all the privileges of equal opportunity and freedom.

Ms. SCHAKOWSKY. Madam Speaker, I rise today to join my colleagues in recognizing the extraordinary life of Dr. Martin Luther King, Jr.

As our nation prepares to celebrate Dr. Martin Luther King's birthday this weekend, we are reminded of his remarkable accomplishments as a civil rights leader and as a lifelong advocate for human justice and peace. More than 40 years have past since Dr. King delivered his famous ''I Have a Dream'' speech on the steps of the Lincoln Memorial. Yet today, Dr. King's words and his life's work help inspire Americans to think differently about race and human rights.

Sadly, Dr. King's life ended tragically and prematurely, but his dream lives on. As the election of President Barack Obama demonstrates, America has made significant progress in the last 40 years and there is no question that Dr. King's remarkable work for fairness and equality under the law led profoundly to this historic moment for our country.

Yet, more work must be done. We need to honor Dr. King's call to make our communities, our nation and the world more just. As we face high unemployment rates, increased child poverty, and unprecedented number of Americans who go to bed hungry, we need to remember not just Dr. King's words but his call to action.

I am particularly reminded about that call as we stand on the precipice of passing historic health care reform. Dr. King's words are used by health care justice groups across the country. As he said, ''Of all the forms of inequality, injustice in healthcare is the most shocking and inhumane.''

We must pass health care legislation that not only ends health care disparities but provides health care justice. Every person must have access to affordable health coverage. Every person must receive the highest quality care. And every person must be able to get a medical education if they choose to make a career of caring for others.

Madam Speaker, Dr. King was a visionary, a man ahead of his time, and his words of wisdom and contributions to our country will never be forgotten. Again, I urge my colleagues to support this resolution.

Mr. DAVIS of Illinois. Madam Speaker, I rise today in full support of honoring and continuing to recognize Dr. Martin Luther King, Jr.'s birthday as a national holiday.

Dr. King's birthday was first recognized in the great state of Illinois in 1973, 5 years after being introduced to Congress by my good friend JOHN CONYERS. Dr. Martin Luther King, Jr. was a very prominent African-American clergyman and political leader of the twentieth century; the most prominent member of the civil rights movement of the 1950s and 1960s, during that time he became famous through his promotion of nonviolent methods of opposition to segregation, such as boycotts of segregated city buses, or sit-ins at lunch counters that would not serve Black people, and organized marches that will forever be remembered in our nation's history. One such demonstration was the march at Marquette Park, in Chicago, IL, where Dr. King was struck in the head by a rock for protesting the open housing laws in the city. When asked why he put himself at risk he said ''I have to do this—to expose myself—to bring this hate into the open.'' The marches led to an accord that year between the protesters and the Chicago Real Estate Board, which helped start the cultural change in Chicago. Dr. King's most memorable march was the March on Washington in 1963 where he delivered his ''I Have A Dream'' speech; it was a speech of hope and determination, epitomizing the day's message of racial harmony, love, and a belief that Blacks and Whites could live together in peace. Even after his death, he has evolved from a prominent civil rights leader into the symbol for the civil rights movement in the United States. He is studied by schoolchildren of all backgrounds; monuments have been dedicated in his honor and institutions such as the Center for Nonviolent Social Change in Atlanta which bears his name, have been established to carry on his work. The message of racial harmony and equality for all is a message I still believe in and fight for everyday, so it is an honor to support this resolution honoring Dr. Martin Luther King, Jr., his life and legacy.

Mr. JOHNSON of Georgia. Madam Speaker, I rise today to express my strong support for H. Res. 1002 which honors the life and work of Doctor Martin Luther King, Jr. and encourages the continued commitment to the Martin Luther King, Jr. holiday as a national day of service. I would also like to commend Representative PLATTS, the sponsor of this resolution, for his continued commitment to preserving the accomplishments of Doctor Martin Luther King, Jr. I urge my colleagues to support this resolution.

Madam Speaker, ten years ago, thanks to the hard work of Chairman JOHN CONYERS, all fifty states for the first time officially observed the federal holiday in Dr. King's honor. This was certainly a milestone for the United States. Efforts to memorialize Dr. King's life with a holiday have been ongoing since shortly after his assassination on April 4, 1968 and I am proud to say we have come a long way from that time.

It is an honor to be a representative from Georgia where Dr. Martin Luther King, Jr. began his work and, as an African-American I am proud to be a part of Dr. King's legacy. It is through Dr. King's efforts to codify civil rights in both the law and the heart of America that I am able to have the privilege of representing the great state of Georgia in the House of Representatives today. Dr. King's work continues to influence millions of people today. His call for nonviolence and civic engagement has inspired people to positive action to better their station and their communities. As Dr. King once said, ''Everybody can be great, because everybody can serve.'' These words embody the spirit we need to remember during the upcoming holiday.

Madam Speaker, as the third Monday in January approaches and Dr. Martin Luther King Jr's. message of service, unity and equality for all continues to resonate with people around the world, let us not forget what Dr. Martin Luther King, Jr. did for America and the world and let us recognize the importance of this holiday and of service to our community.

I strongly support H. Res. 1002.

Ms. MCCOLLUM. Madam Speaker, I rise today in strong support of H. Res. 1002 which recognizes the efforts of who those who serve their communities on Martin Luther King Day and promotes the holiday as a day of national service.

During his life, Dr. Martin Luther King, Jr. recognized the power of service to strengthen communities. In 1994, Congress made Martin Luther King Day a national day of community volunteerism to further commemorate Dr. King's legacy of peace, community, and justice.

On January 18, 2010, people of all backgrounds across the country will come together to improve lives, bridge social barriers, and continue the pursuit of achieving Martin Luther King's vision of a fair and equitable society for all Americans.

At home in Minnesota, and across the nation, many will volunteer to serve their communities by working at food banks, helping the homeless, and improving schools. Minnesotans have a proud tradition of civic engagement. In a study conducted by the Corporation for National and Community Service, Minneapolis-St. Paul was ranked number one for volunteer rates in a large city.

Martin Luther King, Jr. once said ''An individual has not started living until he can rise above the narrow confines of his individualistic concerns to the broader concerns of all humanity.'' As we begin this New Year at a time when many of our neighbors are struggling to find employment, I can think of no better way to strengthen our nation than to come together and create positive change in our communities. I encourage everyone to get involved this Martin Luther King Day and to browse http://www.usaservice.org for volunteer opportunities. Every American who will volunteer on Monday and those that continue to serve throughout the year deserve our gratitude and appreciation.

Ms. EDDIE BERNICE JOHNSON of Texas. Madam Speaker, I rise today in recognition of Martin Luther King, Jr. and to honor this great civil rights leader by supporting and continuing the tradition of a national day of service in his memory.

As a profoundly diverse country, our greatest strengths are evident when we come together in the spirit of community and work toward a greater good. This notion of service was remarkably evident in Dr. King's work, and it is fitting that we honor his legacy by working with our neighbors and fellow citizens to better our communities and country. When Dr. King saw injustice, he worked diligently and by peaceful means to bring about positive change. Today, it is important to remember that all of us can make a difference and emulate Dr. King's efforts by working together.

In my district, there are major celebrations planned to honor the life of Dr. King, including a candle-lighting ceremony and a parade. Students in the Dallas Independent School District have submitted essays that discuss the life and work of Dr. King, and additionally, people across the area will participate in service-oriented projects and volunteer for various organizations. I am proud of the hard work they are doing to make North Texas a better place.

Today, we move forward by honoring Martin Luther King, Jr. and his great dream with renewed optimism. It is my hope that this Day of Service will be a true reflection of his legacy and serve as a catalyst for good across the country.

Ms. MATSUI. Madam Speaker, I rise today to honor and recognize Monday, January 18, 2010, as the Martin Luther King, Jr. National Day of Service, and to thank Mr. PLATTS and my fellow Co-Chairs of the National Service Caucus for introducing this resolution.

Dr. King taught our nation about compassion and tolerance. He inspired us to look past

our differences. He challenged us to speak out against hate and injustice, wherever and whenever we saw it, and to embrace the common elements that unify us all.

Madam Speaker, the Martin Luther King, Jr. National Day of Service and the resolution before us encourages all of us to continue his fight; to make our country a better, more equal place for our children and grandchildren.

This year more than ever, let us recommit ourselves to strengthening our communities and our nation.

Hundreds of volunteers will be participating in service events in Sacramento and communities across the country this coming Monday.

I look forward to doing my part and encourage my colleagues to join me as we honor the life and work of Dr. King, by giving back to our communities and supporting the underlying resolution.

Mr. AL GREEN of Texas. Madam Speaker, I would like to express my support for H. Res.1002, a resolution honoring the life and work of Dr. Martin Luther King, Jr. which encourages the continued commitment to Martin Luther King, Jr. Day as a national day of service.

Martin Luther King, Jr. Day is a holiday marking the birth of Rev. Dr. Martin Luther King, Jr., which is celebrated on the third Monday of January each year.

President Ronald Reagan declared Dr. King's birthday a national holiday and signed it into law on January 15, 1983. Not only does January 15 mark the day this Civil Rights Leader was born, but it is one of four United States federal holidays to commemorate an individual person in this country.

Dr. King was the chief architect for nonviolent activism in the Civil Rights movement, which successfully protested racial discrimination in federal and state law.

During the time of the Civil Rights movement, many challenges and controversies arose, but Dr. King's commitment to democracy, freedom, and equality did not waver.

Dr. King challenged us to give back to a community we have accepted so much from. With his leadership, our nation made great strides against racial discrimination and toward increased civil rights.

It is in the spirit of solidarity that we recognize Dr. King's Day as a national day of service which was first encouraged by Congress in 1994 through passage of the King Holiday and Service Act. On this day, our nation has the opportunity to bond together and serve our local and global community, with no expectation of reward in return. The dream is a special type of service our nation needs. This type of service not only brings our nation together, but it creates an environment of people committed to helping one another achieve the dream.

I urge my colleagues to support H. Res. 1002.

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

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

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Michigan (Mr. KILDEE) that the House suspend the rules and agree to the resolution, H. Res. 1002.

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. KILDEE. Madam Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

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

SUPPORTING THE INITIATIVES OF CHICAGO WILDERNESS

Mr. KILDEE. Madam Speaker, I move to suspend the rules and agree to the resolution (H. Res. 860) supporting the initiatives of Chicago Wilderness and the Children's Outdoor Bill of Rights, as amended.

The Clerk read the title of the resolution.

The text of the resolution is as follows:

H. RES. 860

Whereas in 2007, the Chicago Wilderness, an alliance of over 240 organizations contributing to the quality of life in Chicago, launched the ''Leave No Child Inside'' initiative with the goal to get more children outside and to increase the amount and quality of time they spend there;

Whereas unstructured, outdoor play is important for the wholesome, balanced development of the cognitive, emotional, social, and physical skills of children;

Whereas research has demonstrated that outdoor play helps children manage stress;

Whereas it is shown that natural spaces stimulate children's limitless imagination and foster creativity;

Whereas children who connect with nature become more inventive and better problem-solvers due to the hands-on learning that outdoor environments provide;

Whereas participation in summer camp has been shown to increase the self-esteem scores of children from low-income areas;

Whereas hiking and walking activities have been shown to lower high blood pressure, decrease anxiety, and combat obesity;

Whereas being active in outdoor activities, such as fishing, is correlated with reduced Attention-Deficit Disorder symptoms;

Whereas the presence of natural amenities near the homes of low-income urban children is associated with higher levels of cognitive functioning;

Whereas children who grow up spending time in nature are also more likely to be strong advocates for the environment when they reach adulthood;

Whereas the Children's Outdoor Bill of Rights joint resolution passed the State of Illinois; and

Whereas the Illinois General Assembly proclaimed June as ''No Child Left Inside Month'': Now, therefore, be it

Resolved, That the House of Representatives—

(1) recognizes and encourages the Children's Outdoor Bill of Rights commitment to ''Leave No Child Inside'' and fight obesity, physical disorders, and unawareness of natural amenities by promoting quality outdoor activities for children and adults; and

(2) encourages the President to issue a proclamation in support of the goals and ideals of the Children's Outdoor Bill of Rights

The SPEAKER pro tempore (Ms. MCCOLLUM). Pursuant to the rule, the gentleman from Michigan (Mr. KILDEE) and the gentleman from Pennsylvania (Mr. PLATTS) each will control 20 minutes.

The Chair recognizes the gentleman from Michigan.

GENERAL LEAVE

Mr. KILDEE. Madam Speaker, I ask unanimous consent that all Members may have 5 legislative days to revise and extend their remarks and to insert extraneous material on H. Res. 860 into the RECORD.

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

There was no objection.

Mr. KILDEE. I yield myself as much time as I may consume.

Madam Speaker, I rise today in support of House Resolution 860, supporting the initiatives of Chicago Wilderness and the Children's Outdoor Bill of Rights.

With more and more children growing up in a world where the Internet, cell phones and video games are at their fingertips, the need for children to play and to explore outside has become even more important. Research has shown that unstructured outdoor play is a key element in the wholesome, balanced development of the cognitive, emotional, social, and physical skills of children.

The Chicago Wilderness, a coalition of over 240 organizations, is committed to adding biodiversity to the Chicago metropolitan area and to creating a better quality of life in the community. Based on the idea that people's lives are improved by a strong connection with nature, the coalition sets out to increase and to diversify public participation in environmental stewardship.

The Chicago Wilderness especially recognizes the value of connecting children to nature. In fact, in 2007, they launched the Leave No Child Inside initiative and the Children's Outdoor Bill of Rights with the goal of increasing awareness and of encouraging more children to explore their outdoor environments.

Getting more children outside enjoying nature, encouraging their curiosity and developing their creativity is essential. Playing outdoors not only helps children learn in new ways to improve academically; it also helps them thrive both socially and emotionally. Studies have shown that outdoor play helps children manage obstacles such as stress, as well as helping them become more inventive and better problem-solvers. Many health risks are also lowered when outdoor activities become a part of a child's daily life, and children who connect with nature have even shown to improve their inner-personal relationships and behavior. In some cases, outdoor activity, something as simple as fishing, has been correlated with reducing the symptoms of attention deficit disorder.

This resolution encourages us all to recognize and to support the Children's Outdoor Bill of Rights—a commitment to fight obesity, physical disorders—and an awareness of natural amenities by promoting quality outdoor activities for both children and adults. This

is a truly worthy commitment. Simple and fun outdoor activities can have a great impact on our Nation's children and families.

Madam Speaker, once again, I express my support of H. Res. 860. I thank Representative QUIGLEY for bringing this bill forward, and I urge my colleagues to support this measure.

I reserve the balance of my time.

Mr. PLATTS. I yield myself such time as I may consume.

Madam Speaker, I rise today in support of House Resolution 860, supporting the initiatives of Chicago Wilderness and the Children's Outdoor Bill of Rights.

I want to commend the sponsor of this resolution, the gentleman from Chicago (Mr. QUIGLEY), for his leadership on this issue.

Most of us here today can remember ample time during our childhoods which was spent outdoors. In fact, to this very day, the child in me still enjoys hikes in the woods and tent-camping. In fact, for my wife, Leslie, and our two boys, T.J. and Tom, some of our most wonderful vacations have been tent-camping in our national parks throughout our great Nation.

Unfortunately, however, many children today do not have these same opportunities. Due to a lack of safe outdoor play areas, an abundance of video games and television time and, unfortunately, little encouragement to play outdoors, many children today do not experience the benefits of outdoor activities.

Research indicates that being active outdoors benefits children in countless ways. Active outdoor play has been shown to help children manage stress, to lower their blood pressure, and to help children develop cognitive skills.

The Children's Outdoor Bill of Rights encourages children to participate in outdoor activities and to explore opportunities—to discover the wilderness, to learn to swim, to follow a trail, and to explore other outdoor resources. The Children's Outdoor Bill of Rights highlights the importance of outdoor activities to the development and nourishment of children.

Our Nation boasts some of the world's most beautiful parks and natural monuments, an array of wildlife not found elsewhere, and abundant natural resources. Certainly, children should be encouraged to take advantage of these unique opportunities and resources.

For most of us, outdoor play was a regular part of growing up. Unfortunately, again, this is not true today. By supporting the Children's Outdoor Bill of Rights, we highlight the importance of children participating in outdoor activities. In doing so, we will bless not just our Nation's children but our Nation as a whole. Again, I am honored to support this resolution, and I urge a ''yes'' vote.

I reserve the balance of my time.

Mr. KILDEE. Madam Speaker, I yield such time as he may consume to the sponsor of this legislation, the gentleman from Illinois (Mr. QUIGLEY).

Mr. QUIGLEY. I appreciate the remarks from the gentleman from Pennsylvania, and it bears truth that Philly fans and Cub fans can unite on common goals.

Madam Speaker, earlier this year, the House passed the No Child Left Inside Act, a bill and an initiative I support wholeheartedly. This past summer, following our congressional footsteps, the Illinois General Assembly proclaimed June ''No Child Left Inside Month.''

The Chicago Wilderness, a network of over 240 organizations statewide, makes giant strides to promote this initiative. The organization works to get more children outside, and it increases the amount and quality of the time they spend there. Children who grow up with an understanding of the land, air and water surrounding them grow into environmentally conscious adults, and it makes them more physically fit.

These individuals are people who are actively involved in efforts to clean, restore, and preserve our precious resources. The Chicago Wilderness knows this, and it works hard to better the lives and communities of everyone in the Chicago-land area. The Chicago Wilderness should be commended and recognized for their efforts to promote environmental literacy and healthy living.

I urge you to join me in support of this resolution on the House floor today. As it is my first resolution, I wish to thank my staff for their efforts.

Mr. PLATTS. Madam Speaker, before I conclude, I would just reference that on a family visit to Chicago this past summer, we think of Chicago as an urban center and city, and what a wonderful city it is, but my boys also had the chance to fish in the Chicago River as part of a City of Chicago fishing program, encouraging just what we're talking about in this resolution, getting kids outdoors and enjoying the activities of the outdoors. The fish they caught in the Chicago River may not have been big, but they still caught some; and they remember that visit very well.

Again, I urge a ''yes'' vote, and I thank the gentleman from Illinois (Mr. QUIGLEY) for sponsoring this resolution.

Mr. DAVIS of Illinois. Madam Speaker, I wish to take a moment to voice my strong support for a bill offered by the gentleman from Illinois and my delegation colleague, Mr. QUIGLEY. H. Res. 860, supports two key environmental initiatives within Illinois: the Chicago Wilderness and the Children's Outdoor Bill of Rights.

Chicago Wilderness is alliance of public and private organizations dedicated to promoting conservation and strengthening the natural ecosystems of the Chicago region. With over 240 members, the alliance includes government agencies, conservation organizations, scientific organizations, cultural institutions, schools, universities, and business partners. A few such members with whom I have worked closely over the years include: Blacks in Chicago; the Chicago Park District; the Chicago Botanic Gardens; the Chicago Metropolitan Planning Agency; the Chicago Zoological Society; the Metropolitan Water Reclamation District; and the Village of Oak Park.

Chicago Wilderness has four long-term efforts: The Green Infrastructure Vision initiative promotes the creation and maintenance of green, open spaces; the Leave No Child Inside initiative promotes environmental education and experiences for children and youth; the Restoring the Health of Local Nature initiative engages in active restoration and land management to improve the health of natural areas as well as their plants and animals; and the Climate Change initiative involves examining, making recommendations, and taking action to limit the Chicago area's impact on global climate change.

The Children's Outdoor Bill of Rights is a joint resolution passed by the Illinois General Assembly to establish goals for children to experience nature. The Children's Outdoor Bill of Rights states that every child should have opportunities to ". . . discover wilderness—prairies, dunes, forests, savannas, and wetlands; camp under the stars; follow a trail; catch and release fish, frogs, and insects; climb a tree; explore nature in neighborhoods and cities; celebrate heritage; plant a flower; play in the mud or a stream; and learn to swim."

Understanding and interacting with nature are positive ways for children and youth to develop their minds and bodies. Outdoor play encourages independent learning and creativity and develops public awareness about the critical, interdependent relationship humans have with nature. As a child, I remember fondly the time I spent outside with my siblings, exploring my rural community, studying animals, and learning about nature. These experiences contributed to my appreciation of and commitment to improving the environment.

I join Mr. QUIGLEY in recognizing the importance of and supporting these two Illinois environmental initiatives—the Chicago Wilderness and the Children's Outdoor Bill of Rights.

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

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

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Michigan (Mr. KILDEE) that the House suspend the rules and agree to the resolution, H. Res. 860, as amended.

The question was taken.

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

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

The yeas and nays were ordered.

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

E.V. WILKINS POST OFFICE

Mr. LYNCH. Madam Speaker, I move to suspend the rules and pass the bill

(H.R. 3892) to designate the facility of the United States Postal Service located at 101 West Highway 64 Bypass in Roper, North Carolina, as the ''E.V. Wilkins Post Office''.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 3892

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. E.V. WILKINS POST OFFICE.

(a) DESIGNATION.—The facility of the United States Postal Service located at 101 West Highway 64 Bypass in Roper, North Carolina, shall be known and designated as the ''E.V. Wilkins Post Office''.

(b) REFERENCES.—Any reference in a law, map, regulation, document, paper, or other record of the United States to the facility referred to in subsection (a) shall be deemed to be a reference to the ''E.V. Wilkins Post Office''.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Massachusetts (Mr. LYNCH) and the gentleman from Missouri (Mr. LUETKEMEYER) each will control 20 minutes.

The Chair recognizes the gentleman from Massachusetts.

GENERAL LEAVE

Mr. LYNCH. Madam Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks and to add any extraneous material.

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

There was no objection.

Mr. LYNCH. I yield myself such time as I may consume.

Madam Speaker, as chairman of the House subcommittee with jurisdiction over the United States Postal Service, I present H.R. 3892 for consideration.

This legislation will designate the facility of the United States Postal Service located at 101 West Highway 64 Bypass in Roper, North Carolina, as the ''E.V. Wilkins Post Office.''

At this time, I yield such time as he may consume to the chief and lead sponsor of this resolution, the gentleman from North Carolina (Mr. BUTTERFIELD).

Mr. BUTTERFIELD. To the distinguished chairman of the subcommittee, my friend from Massachusetts (Mr. LYNCH), and to the minority member who is managing the bill—and I do not recall your name right now and I apologize for that—thank you very much for allowing us to have this time today.

Madam Speaker, I rise to recognize a friend, the late Elmer V. Wilkins, who was an outstanding educator, mayor, councilman, State board of education member, and a lifelong North Carolinian.

□ 1215

In North Carolina, we remember E.V. as one with a strong philosophy of tolerance and civic responsibility and educational achievement. Because of his public service, I introduced this bill to name the United States Post Office located in Roper, North Carolina, as the ''E.V. Wilkins Post Office.''

Thanks to the overwhelming support of the entire North Carolina delegation—and I understand that Mr. ETHERIDGE, who is my colleague from North Carolina, may be on the floor in a few minutes, and they were, of course, friends—we are one step closer to this bill becoming a reality. The people of Roper, North Carolina, and throughout the county of Washington and even the surrounding counties deeply appreciate this naming opportunity.

Elmer Vanray, ''E.V.,'' Wilkins was born on Independence Day of 1911, and to many who knew him, this was no coincidence. He was a staunch defender of constitutional rights and would become a well-known voice for civil rights and voting rights for every citizen. E.V. was the second of 10 children born to Mr. T.L. and Mrs. Maggie Wilkins in Roper.

After graduating from my alma mater, North Carolina Central University, in the 1930s, E.V. returned to his hometown of Roper to teach mathematics at J.J. Clemmons High School. He soon became the school's principal, a position he held for more than 30 years.

In 1946, Madam Chair, E.V. led an effort to provide bus rides to and from school for African American children living in his community. Prior to his activism, white children were the only students having access to a bus, forcing African American students to walk, sometimes miles, to and from their school. He solicited small donations from fair-minded white citizens and from African American citizens, and even accepted bushels of potatoes from those who were unable to give money. Those potatoes were sold and the proceeds were used in what was called the ''bus fund.''

In the mid-1950s, frustrated with the inability of African American citizens to vote, E.V. Wilkins, along with the local branch of the NAACP, initiated a lawsuit to compel elections officials to allow African American citizens to register to vote. As a result, E.V.'s father, Mr. T.L. Wilkins, was able to vote for the first time in 1956.

It was clear to E.V. that political empowerment for the African American community could make a real difference in their lives, and so in 1967, 2 years after the Voting Rights Act, E.V. made history by becoming the first African American since Reconstruction to be elected to the town council.

Sensing an opportunity to better serve the town and its citizens, E.V. was then elected mayor of Roper in 1975, again making history as the first African American to hold that position. E.V. served as mayor for 20 years until his retirement.

E.V. was a well-known progressive voice in eastern North Carolina. In addition to serving as mayor, he served as a delegate to the Democratic National Convention in 1972, 1980, and 1984, helping to nominate George McGovern, Jimmy Carter, and Walter Mondale as nominees for his political party.

E.V. was a tireless and stalwart public servant throughout his life. In addition to his service as teacher, principal, councilman, and mayor, he served on numerous boards, including the State Board of Education for North Carolina, State Economic Development Commission, North Carolina Secondary Road Council, North Carolina Railroad Board of Directors, North Carolina State Ports Authority, Advisory Board for the Rural Education Institution at ECU, which is East Carolina University, and Elizabeth City State University Board of Trustees.

During his life, E.V. received many honors and awards, including the North Carolina Distinguished Citizen Award, the Order of the Long Leaf Pine, the Service Award by the North Carolina Leadership Caucus, the North Carolina Distinguished Service Award, and the North Carolina Human Relations Commission's Libby D. Koontz Award in recognition for his dedication and leadership in the areas of education, civil rights, and human rights.

He was also honored by Elizabeth City State University with the naming of the university's computer center as the E.V. Wilkins Academic Computer Center several years ago. Further, Elizabeth City State University established the E.V. Wilkins Endowed Chair in the university's School of Education and Psychology Department in 1996.

E.V. Wilkins passed away, Madam Speaker, on June 2, 2002, at the age of 90 years old. His commitment to enriching the lives and standing up for those less fortunate are qualities that I hope we all emulate. His integrity and the values for which he fought do great honor to the post office that will bear his name.

His greatest fortune is his two daughters, Bunny and Joy. Bunny was also called to public service, I might say, much like her father. She is currently the mayor of Roper, North Carolina, and is an outspoken advocate for her town and its citizens.

Again, I want to thank my friend Mr. LYNCH and the ranking member and all of my colleagues for their support. I respectfully request an ''aye'' vote on H.R. 3892.

I yield back the balance of my time.

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

I rise today in support of H.R. 3892, designating the United States Postal Service facility located at 101 West Highway 64 Bypass in Roper, North Carolina, the ''E.V. Wilkins Post Office.''

Born in Roper, North Carolina, on July 4, 1911, Elmer Vanray Wilkins spent his childhood in Roper before attending North Carolina Central University, where he received a bachelor of science and master of arts degree.

Upon graduation, Mr. Wilkins returned home to Roper, where he taught mathematics at J.J. Clemmons High School. During the time he was serving as a teacher, Mr. Wilkins met his wife, Elizabeth, also a fellow teacher.

As a result of his success as a teacher, in 1941 he was promoted to principal of Clemmons High School, a position he held with distinction for over 30 years.

Throughout his decades of service at Clemmons High School, Mr. Wilkins was described as a mentor to many of his students.

In the 1950s, Mr. Wilkins began his involvement in politics. He worked with the NAACP to file a lawsuit that eventually ensured that African Americans in his home county of Washington County were allowed the right to vote. He continued his work in politics, and in 1967 he became the first post-Reconstruction African American member of the Roper town council.

Mr. Wilkins broke down more racial barriers in 1975 when he became the first African American mayor of Roper. He served as mayor for 20 years until he retired. During his time as mayor, he was a delegate to the Democratic National Convention three separate times.

His years of public service earned him many different awards and honors. His passion for helping others and dedication to the town of Roper was a model for young people in the community that he helped grow and change. He was given the North Carolina Distinguished Citizen Award, the Service Award by the North Carolina Leadership Caucus, the North Carolina Distinguished Service Award, and the North Carolina Human Rights Commission's Libby D. Koontz Award in recognition of his dedication and leadership in the areas of education, civil rights, and human rights.

Elizabeth City State University dedicated its computer center to Mr. Wilkins and created an endowed faculty chair in his honor in its School of Education and Psychology.

Mr. Wilkins' personal accomplishments are an inspiration to many in Roper and throughout North Carolina, including his daughter, Bunny Sanders, who is the current mayor of Roper.

I urge my colleagues to support this resolution to honor E.V. Wilkins' life and successes. I ask my fellow Members to join me in supporting H.R. 3892.

I reserve the balance of my time.

Mr. LYNCH. Madam Speaker, at this time I yield 2 minutes to the gentleman from Illinois (Mr. DAVIS) to speak on Mr. BUTTERFIELD's resolution.

Mr. DAVIS of Illinois. Madam Speaker, let me, first of all, thank Chairman LYNCH for yielding. And I want to commend Representative BUTTERFIELD for introducing such as outstanding resolution paying tribute to such an outstanding individual as Mr. Wilkins.

As I listened to Representative BUTTERFIELD talk about Mr. Wilkins, I couldn't help but be reminded of my own parents, my uncles and aunts, who were all part of that generation of individuals who did outstanding work that has been unheralded in many instances. So I simply want to congratulate Representative BUTTERFIELD for recognizing such an outstanding person.

I also want to take this opportunity to commend Representative PLATTS for his resolution honoring the work of Dr. Martin Luther King, who lived in the neighborhood where I lived the little time that he spent in Chicago, and I got a chance to know him and to see him. And so I simply recommend that all of us spend a day of service and a day of work in his memory.

Mr. LUETKEMEYER. Madam Speaker, I urge all Members to support the passage of H.R. 3892.

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

Mr. LYNCH. Madam Speaker, first, I want to thank Mr. LUETKEMEYER for his articulate comments and his support of this resolution. I want to thank the lead sponsors, Mr. BUTTERFIELD, and also Mr. ETHERIDGE I understand is a sponsor as well. I ask our colleagues on both sides to support this resolution.

Mr. ETHERIDGE. Madam Speaker, I rise today in support of H.R. 3892 to name the post office at 101 West Highway 64 bypass in Roper, North Carolina after my friend, a fierce education advocate and civil rights champion, Elmer Vanray "E.V." Wilkins. I would like to thank my friend Congressman BUTTERFIELD for offering this legislation to provide a well-deserved honor to one of North Carolina's native sons.

I had the distinct privilege of working with E.V. during my tenure as State Superintendent of Public Instruction in North Carolina. I will remember E.V. for his unique style in handling tough situations and his passion for education. E.V. was born in Roper on July 4, 1911, to Tom and Maggie Wilkins. He received both his Bachelor of Science and Masters degrees from North Carolina Central University in Durham, North Carolina and later returned to Roper to teach mathematics at J.J. Clemmons High School. While at Clemmons High School, E.V. Wilkins met his beautiful wife, Elizabeth, who was also a teacher there. In 1941, E.V. became principal of Clemmons High School, a position he held for 33 years. E.V. was an institution at Clemmons, a positive influence and mentor to his students, always encouraging them to succeed.

Perhaps E.V.'s most lasting legacy will be his work bringing races together in North Carolina. Back in the days when white children had a bus to take to school and African-American students did not, E.V. began his efforts by raising money for a school bus for Clemmons High School in 1946. He was able to get donations from African Americans and whites, and even sold bushels of potatoes to raise funds. But this was only the first of his successes fighting for civil rights.

In the mid-1950s, Wilkins continued his fight for equality against white town leaders' refusal to allow African Americans to vote. Wilkins led a lawsuit with the National Association for the Advancement of Colored People on behalf of the town's black residents and in 1956 won a court order enforcing their right to vote. Wilkins' father was able to vote for the first time in his life. E.V. was committed to the idea that all people deserve equal rights, and he dedicated his life to this cause.

In 1967, E.V. Wilkins became the first African American since reconstruction to be elected to the Roper Town Council and then in 1975 he became the first African American elected as Mayor of Roper. He held this position for 20 years.

A committed public servant, throughout his life E.V. found time to serve as a member of the Board of Trustees of the North Carolina School of Science and Mathematics, the Advisory Board for the Rural Education Institution at East Carolina University, and of the Elizabeth City State University Board of Trustees, serving as Chair from 1989 to 1994. He was also active in the Democratic Party and served as a delegate to the National Democratic Convention in 1972, 1980, and 1984.

E.V. Wilkins died on June 2, 2002 and is survived by his daughters, Bunny Sanders and Joy Price, son-in-law, Ralph Price, and two grandchildren. Madam Speaker, this is a fitting tribute for an extraordinary man whom I was proud to call my friend, and honored to work with in support of education for all of North Carolina's children. I thank Congressman BUTTERFIELD for offering this legislation and urge my colleagues to support it.

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

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Massachusetts (Mr. LYNCH) that the House suspend the rules and pass the bill, H.R. 3892.

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. LYNCH. Madam Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

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

SERGEANT MATTHEW L. INGRAM POST OFFICE

Mr. LYNCH. Madam Speaker, I move to suspend the rules and pass the bill (H.R. 4139) to designate the facility of the United States Postal Service located at 7464 Highway 503 in Hickory, Mississippi, as the ''Sergeant Matthew L. Ingram Post Office''.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 4139

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SERGEANT MATTHEW L. INGRAM POST OFFICE.

(a) DESIGNATION.—The facility of the United States Postal Service located at 7464 Highway 503 in Hickory, Mississippi, shall be known and designated as the ''Sergeant Matthew L. Ingram Post Office''.

(b) REFERENCES.—Any reference in a law, map, regulation, document, paper, or other record of the United States to the facility referred to in subsection (a) shall be deemed to

be a reference to the ''Sergeant Matthew L. Ingram Post Office''.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Massachusetts (Mr. LYNCH) and the gentleman from Missouri (Mr. LUETKEMEYER) each will control 20 minutes.

The Chair recognizes the gentleman from Massachusetts.

GENERAL LEAVE

Mr. LYNCH. Madam Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks and add any extraneous materials.

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

There was no objection.

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

As chairman of the House subcommittee with jurisdiction over the United States Postal Service, I am pleased to present H.R. 4139 for consideration. This legislation will designate the United States Postal Service facility located at 7464 Highway 503 in Hickory, Mississippi, as the ''Sergeant Matthew L. Ingram Post Office.''

H.R. 4139 was introduced by my colleague Representative GREGG HARPER of Mississippi on November 19, 2009, and reported out of the Oversight and Government Reform Committee on December 10, 2009, by a voice vote. In addition, the legislation enjoys the support of the entire Mississippi House delegation.

A native of Pearl, Mississippi, Sergeant Ingram was serving in support of Operation Enduring Freedom in Afghanistan as a proud member of the 2nd Battalion, 12th Infantry Regiment, 4th Brigade Combat Team, 4th Infantry Division out of Fort Carson, Colorado. Regrettably, Sergeant Ingram was killed in action in Kunar province, Afghanistan on August, 21, 2009, after an improvised explosive device detonated near his vehicle and his unit came under small arms fire from enemy forces. Sergeant Ingram was 25 years old at the time of his death.

Following his graduation from Newton County High School in Decatur, Mississippi, Sergeant Ingram enlisted in the United States Army in 2003 to fulfill his lifelong goal of serving his country. One year later, Sergeant Ingram was deployed to Iraq and served two tours of duty, with distinction, in support of Operation Iraqi Freedom from 2004 to 2005 and from 2006 to 2007. In recognition of his exemplary service, Sergeant Ingram received an Army Commendation Medal, an honor bestowed on soldiers who distinguish themselves through heroism, meritorious achievement, or meritorious service.

On May 26, 2009, Sergeant Ingram began a tour of duty in Afghanistan in support of Operation Enduring Freedom and remained in service to his country until his passing on August 21 of last year.

Madam Speaker, those that were fortunate enough to know Sergeant Matthew Ingram remember him as a loyal, hardworking, and positive young man whose dedication to serving his country was only surpassed by his devotion to his loving family. In the words of his loving father, James, Sergeant Matthew Ingram was a ''mighty good man.''

As noted by his beloved wife, Holly, Sergeant Ingram was a soldier at heart, whose service in the United States Army afforded him the opportunity to do exactly what he loved to do. However, Sergeant Ingram always considered being a good dad to his daughter, Chloe, now over 1 year old, as his most important mission in life. ''He loved his baby and would do anything for her,'' recalled Holly Ingram upon her husband's passing.

Similarly, Sergeant Ingram's classmates and teachers at his alma mater, Newton County High School, remember their fallen friend as a dedicated and courageous young man.

□ 1230

As noted by Sergeant Ingram's former teacher, Sue Geter, I am very honored to have taught him. And the fact that he gave the ultimate price is something I am proud of, that I had an opportunity to teach him.

Madam Speaker, the life of Sergeant Matthew L. Ingram stands as a testament to the courage and dedication of all our brave servicemen and women who have made the ultimate sacrifice in defense of our Nation. Let us pay tribute to the life and service of Sergeant Matthew L. Ingram through the passage of this legislation, H.R. 4139, to designate the Hickory, Mississippi, postal facility in his honor. I urge all of my colleagues to join us in supporting H.R. 4139.

I reserve the balance of my time.

Mr. LUETKEMEYER. Madam Speaker, I yield such time as he may consume to my distinguished colleague, the gentleman from the State of Mississippi (Mr. HARPER).

Mr. HARPER. Madam Speaker, I rise today in support of H.R. 4139, a resolution to designate the facility of the United States Postal Service located in Hickory, Mississippi, as the ''Sergeant Matthew L. Ingram Post Office.''

As a child, Matthew was thought of by his mother, Patricia, as the one giving the orders. She explains he would tell his older brother what to do. ''He's always been a leader, not a follower,'' explains Patricia. ''He did not want to be mediocre.'' As Matthew grew older, he saw many advantages to military service. For starters, he saw the Army as a way to serve the country that he loved, pay for his education, and, as his mother added, see the world.

Ingram joined the Army in the summer of 2003, fulfilling his basic training requirements at Fort Benning, Georgia. Matthew served as a member of the 2nd Battalion, 12th Infantry Regiment, 4th Brigade Combat Team, 4th Infantry Division, based in Fort Carson, Colorado. Soon after basic training his brigade was reassigned to South Korea, where he spent 10 months prior to his first deployment to Iraq for a 1-year tour.

Stationed in Colorado after returning from Iraq, Ingram would meet his future wife, Holly. Their 2006 marriage preceded his return for a second Iraq tour. However, this time he had been promoted to sergeant. In 2007, Sergeant Ingram returned to Colorado from theatre wearing an impressive military decoration. He wore one of the highest honors presented to soldiers who have been wounded while serving our country, the Purple Heart. As his mother would describe, ''That was his most prized possession.'' Sergeant Ingram's next call to duty was in Afghanistan in May of 2009, and for the first time he left not only a wife, whom he loved, but also a beautiful baby girl, Chloe. His departure would be the last time this brave young soldier would embrace his family that he loved so much.

On August 20, 2009, Army Sergeant Matthew Ingram died from wounds suffered from an IED detonated near his vehicle during combat in Afghanistan. The blast occurred while his unit was under small-arms fire from enemy forces. At the time of his death, the fighting in Afghanistan was so brutal that Admiral Mike Mullen, the chairman of the Joint Chiefs of Staff, described the situation as ''serious and deteriorating.'' Although this would be his last mission, combat had become familiar to this brave, 25-year-old Purple Heart recipient.

Naming this facility will present a constant reminder of the sacrifices Sergeant Ingram and other Mississippians have made through their service to our country. Matthew's love for his country and able leadership took him from Hickory, Mississippi, to Afghanistan, and his courage and sacrifice will never be forgotten. I urge you to support this resolution.

Mr. LUETKEMEYER. Madam Speaker, I urge the Members to support the passage of House Resolution 4139.

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

Mr. LYNCH. Madam Speaker, I ask all Members on each side as well to support this resolution, which will designate the facility of the United States Postal Service located in Hickory, Mississippi, in honor of Matthew L. Ingram.

I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Massachusetts (Mr. LYNCH) that the House suspend the rules and pass the bill, H.R. 4139.

The question was taken; and (two-thirds being in the affirmative) the rules were suspended and the bill was passed.

A motion to reconsider was laid on the table.

FDR DOCUMENTS ACT

Mr. LYNCH. Madam Speaker, I move to suspend the rules and pass the bill (S. 692) to provide that claims of the United States to certain documents relating to Franklin Delano Roosevelt shall be treated as waived and relinquished in certain circumstances.

The Clerk read the title of the bill.

The text of the bill is as follows:

S. 692

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. TREATMENT OF OWNERSHIP OF CERTAIN DOCUMENTS RELATING TO FRANKLIN DELANO ROOSEVELT.

(a) IN GENERAL.—If any person or entity makes a gift of any property described in subsection (b) to the National Archives and Records Administration, then any claim of the United States to such property shall be treated as having been waived and relinquished on the day before the date of such gift.

(b) PROPERTY DESCRIBED.—Property is described in this subsection if such property—

(1) is a part of the collection of documents, papers, and memorabilia relating to Franklin Delano Roosevelt or any member of his family or staff; and

(2) was in the possession of Grace Tully and retained by her at the time of her death.

(c) DATE OF GIFT.—The date of a gift referred to in subsection (a) is any date specified by the donor so long as such date is subsequent to the physical delivery of the property described in subsection (b) to the National Archives and Records Administration.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Massachusetts (Mr. LYNCH) and the gentleman from Missouri (Mr. LUETKEMEYER) each will control 20 minutes.

The Chair recognizes the gentleman from Massachusetts.

GENERAL LEAVE

Mr. LYNCH. Madam Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks and add any extraneous materials.

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

There was no objection.

Mr. LYNCH. I yield my such time as I may consume.

Madam Speaker, on behalf of the Committee on Oversight and Government Reform, I present Senate bill 692 for consideration.

This legislation will facilitate the donation of the Grace Tully Archive to the National Archives and Records Administration. Senate bill 692 is the Senate companion to H.R. 1506, which was introduced by Representative LOUISE SLAUGHTER. H.R. 1506 passed the House by voice vote on November 16, 2009, after it was approved by the Committee on Oversight and Government Reform by voice vote on October 29, 2009. Senate bill 692 is identical to H.R. 1506, and was introduced by Senator CHUCK SCHUMER on March 25, 2009. The legislation was reported out of the Senate Committee on Homeland Security and Governmental Affairs without amendment on October 5, 2009, and was passed by the United States Senate on October 14, 2009, by unanimous consent.

Madam Speaker, Ms. Grace Tully served as the personal secretary of President Franklin Delano Roosevelt from June of 1941 to April of 1945. In her capacity as personal secretary to the President, Ms. Tully preserved an assortment of personal papers and other historical items related to President Roosevelt that have come to form a historically significant collection. While the private owner of the Grace Tully Collection would like to donate the materials to the Franklin Delano Roosevelt Presidential Library, the National Archives and Records Administration, which administers the Roosevelt Library, has asserted a claim to a portion of the collection. The claim asserted by the National Archives impacts whether the private owner may claim a tax deduction for the donation. In order to facilitate the donation of the Grace Tully Archive, Senate bill 692 waives the government's claim to the records and will thereby allow the collection to be gifted to the Roosevelt Library.

Madam Speaker, the Grace Tully Archive represents an important part of American history. Through the passage of Senate bill 692, we will ensure that this collection will be properly preserved and made publicly available through the Roosevelt Library.

I'd also like to note that this legislation enjoys the support of the National Archives. As noted by former Acting Archivist Adrienne Thomas in a letter sent to the Oversight Committee in October of 2009, ''I write to express my strong support for the ongoing legislative effort to facilitate the donation to the Franklin D. Roosevelt Presidential Library of the Tully Archive.'' Ms. Thomas went on to say that, ''It is very important to the National Archives and Records Administration, and for future historians that might want to study these papers, for the Tully Archive to be kept intact and made fully accessible to the American people in a public government archives.''

Madam Speaker, I urge my colleagues to join me in supporting Senate bill 692.

I reserve the balance of my time.

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

S. 692 is identical to House Resolution 1506, which passed the House on November 16. Therefore, I want to reiterate the points made previously during debate on the House bill. This bill will waive certain claims of the United States to specific documents, known as the Tully Collection, relating to Franklin Delano Roosevelt. Grace Tully served in Franklin Roosevelt's secretarial staff for several decades, and in 1941, became his personal secretary. After her death, her collection of papers passed through a number of hands and finally to the current owners, Sun Times Media, who bought the collection for $8 million in 2001.

In 2004, the National Archives asserted a claim to a portion of the documents. Sun Times Media wishes to donate the collection to President Roosevelt's Presidential Library in Hyde Park, New York, and take a tax deduction. Due to the Archives claim, Sun Times Media is prevented from receiving a tax deduction on the donation. This bill waives the legal claims of the United States and the Archives, thereby clearing the way for the tax deduction and the donation.

I understand the Archives has offered to support this legislation in a letter to the committee. Nevertheless, I want to again highlight two points: The majority moved this bill without a hearing. We should have had a better understanding of legislation relinquishing the Federal Government's claims while benefiting certain private entities through tax breaks. Given the multiple, ongoing instances of mismanagement of the Archives, we should have the opportunity on the committee to review all legislation relating to this agency.

Mr. LUETKEMEYER. Madam Speaker, I urge the Members to support the passage of S. 692, and I yield back the balance of my time.

Mr. LYNCH. Likewise, Madam Speaker, I urge support of Senate bill 692, and I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Massachusetts (Mr. LYNCH) that the House suspend the rules and pass the bill, S. 692.

The question was taken; and (two-thirds being in the affirmative) the rules were suspended and the bill was passed.

A motion to reconsider was laid on the table.

GOVERNMENT ACCOUNTABILITY OFFICE IMPROVEMENT ACT OF 2009

Mr. LYNCH. Madam Speaker, I move to suspend the rules and pass the bill (H.R. 2646) to amend title 31, United States Code, to enhance the oversight authorities of the Comptroller General, and for other purposes.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 2646

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the ''Government Accountability Office Improvement Act of 2009''.

SEC. 2. AUTHORITY TO OBTAIN INFORMATION.

(a) AUTHORITY TO OBTAIN RECORDS.—Section 716 of title 31, United States Code, is amended in subsection (a)—

(1) by striking ''(a)'' and inserting ''(2)''; and

(2) by inserting after the section heading the following:

''(a)(1) The Comptroller General is authorized to obtain such agency records as the Comptroller General requires to discharge his duties (including audit, evaluation, and investigative duties), including through the bringing of civil actions under this section. In reviewing a civil action under this section, the court shall recognize the continuing force and effect of the authorization in the preceding sentence until such time as the authorization is repealed pursuant to law.''.

(b) COPIES AND INTERVIEWS.—Section 716(a) of title 31, United States Code, as amended by subsection (a), is further amended in the second sentence of paragraph (2) by striking ''inspect an agency record'' and inserting ''inspect, and make and retain copies of, an agency record and interview agency officers and employees''.

(c) RULES OF CONSTRUCTION.—Section 716 of title 31, United States Code, is amended by adding at the end the following new subsection:

''(f) No provision of any law in existence on the date of the enactment of this section or enacted after such date shall be construed to limit, amend, or supersede the authority of the Comptroller General to obtain any information, to inspect any record, or to interview any officer or employee under this section, except to the extent such provision expressly and specifically refers to this section and provides for such limitation, amendment, or supersession.''.

SEC. 3. ADMINISTERING OATHS.

Paragraph (4) of section 711 of title 31, United States Code, is amended to read as follows:

''(4) administer oaths to witnesses, except that, in matters other than auditing and settling accounts, the authority of an officer or employee to administer oaths to witnesses pursuant to a delegation under paragraph (2) shall not be available without the prior express approval of the Comptroller General (or a designee).''.

SEC. 4. AGENCY REPORTS.

Section 720(b) of title 31, United States Code, is amended—

(1) in the matter preceding paragraph (1), by inserting ''or planned'' after ''action taken''; and

(2) by amending paragraph (1) to read as follows:

''(1) the Committee on Homeland Security and Governmental Affairs of the Senate, the Committee on Oversight and Government Operations of the House of Representatives, the congressional committees with jurisdiction over the agency program or activity that is the subject of the recommendation, and the Government Accountability Office before the 61st day after the date of the report; and''.

Mr. KUCINICH. Madam Speaker, I rise to claim time in opposition.

The SPEAKER pro tempore. Is the gentleman opposed to the motion?

Mr. KUCINICH. As it is presently.

The SPEAKER pro tempore. Is the gentleman from Missouri opposed to the motion?

Mr. LUETKEMEYER. No, I am not.

The SPEAKER pro tempore. The gentleman from Ohio will control the time in opposition.

Pursuant to the rule, the gentleman from Massachusetts (Mr. LYNCH) and the gentleman from Ohio (Mr. KUCINICH) each will control 20 minutes.

The Chair recognizes the gentleman from Massachusetts.

GENERAL LEAVE

Mr. LYNCH. Madam Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks and add any extraneous materials.

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

There was no objection.

Mr. LYNCH. I yield myself such time as I may consume.

Madam Speaker, on behalf of the Committee on Oversight and Government Reform, I rise in strong support of H.R. 2646, the Government Accountability Office Improvement Act of 2009. This legislation, introduced by the chairman of the Oversight Committee, Representative ED TOWNS of Brooklyn, will increase the effectiveness of the GAO by clarifying and strengthening the GAO's authority in several critical areas, including its access to records.

Congress relies heavily on the GAO as a force multiplier in carrying out the investigative and oversight functions vested in the legislative branch. The GAO helps inform the Congress and executive agencies and the public about areas and programs within the Federal Government that are performing well and those that need to be improved or are vulnerable to waste, fraud, and abuse. General Accounting Office audits provide reliable assessments as to whether the taxpayers are receiving full value from important government programs. This legislation is necessary to ensure that GAO can successfully carry out all of these important functions for the Congress.

□ 1245

Specifically, the GAO Improvement Act addresses a 2002 Federal court decision that limited the GAO's ability to question agency access determinations in court. The bill explicitly provides the Comptroller General with standing to pursue litigation if the Comptroller General determines that the performance of her official duties has been harmed by an agency improperly withholding information.

The bill also clarifies the GAO's access to information in two important areas. First, it confirms the GAO's right to make and retain copies of records, which has been denied by Federal agencies in some cases. And it provides the GAO with the right to interview agency officers and employees. The bill also says that the GAO's access to agency information should be limited only if an act passed by the Congress expressly and specifically extends to limit such access.

Additionally, the bill clarifies GAO's authority to administer oaths, an important tool in conducting audits and taking statements. Lastly, it provides agencies more flexibility in reporting to Congress in their responses to GAO recommendations. The Committee on Oversight and Government Reform reported H.R. 2646 favorably on a voice vote on June 4, 2009.

At the committee markup, a bipartisan amendment was added to the bill that would have allowed the GAO to conduct reviews of certain actions taken by the Federal Reserve that previously have been exempt from GAO review. However, similar language was included in the Wall Street Reform and Consumer Protection Act which passed the House before the holiday recess.

Therefore, the legislation that we are considering today is the bill introduced by Representative TOWNS on June 4 and is without the committee's amendment related to the Federal Reserve.

Madam Speaker, the Congress and the American people need the GAO to help us remain informed about what's being done well and what needs to be improved within the Federal Government. The GAO can only do this effectively if it has access to all the information it needs. This bill strengthens the GAO in this manner. It is an important good-government initiative that will improve the effectiveness of government operations.

I urge all Members to support the legislation, and I reserve the balance of my time.

Mr. KUCINICH. As has been recounted by my friend from Massachusetts, the amendment which was in the bill that would have given the GAO the ability to audit the Fed was taken out of the bill; and the bill, as it was introduced originally, is before this Congress. I question the wisdom of moving on this bill, absent a provision to audit the Fed prior to the Senate acting because suppose the Senate, which has the ability to go any direction on this, suppose the Senate strips out the provision that I did support, the Ron Paul provision, the Senate strips that out, and then we have stripped out a provision in our bill. It just sends a signal to the Fed that it's business as usual.

That's the reason I am raising this question right now, because it hasn't passed the Senate. If it passed the Senate, I would not be on the floor challenging this legislation. Because if it had been passed, it went through conference, then finally at last the Fed is going to be held accountable; but we aren't that far along yet.

So I bring on the first day of legislative action in this second session of the 111th Congress a bill to the floor that essentially gives the Fed what they want, which is they don't want any oversight at all. And why was this brought forward in the first place? Because Congress and our committee, particularly, depend on the Government Accountability Office and the audits and the reviews they perform to assist us in helping us justify our oversight responsibilities.

But GAO currently, unless the law changes, cannot perform audits or conduct reviews of the various credit facilities that the Federal Reserve created. And due to an express prohibition on auditing monetary activities of the Fed containing section 714 of title 31, GAO isn't allowed to assist Congress in conducting oversight on the Fed's role.

Now, this Congress voted for the financial reforms. A majority of Members of Congress signed on to Mr. PAUL's very strong proposal to audit the Fed. I was one of those signatories. So this isn't a question of whether we want to audit the Fed or not. A majority of the Members of Congress agree on that. Well, why start off this new year with a bill that strips that provision out long before the Senate acts? Let's see what the Senate is going to do. That's why I didn't want to see this bill brought to the floor at a time when the Senate hasn't acted on the Fed language; and if we go ahead and take that language out of our bill, some could read it in the Senate as a green light to strip out the Paul provision, which is a much stronger provision than what I brought forward in my amendment.

So those are the concerns that I wanted to bring forward and air them publicly, and just ask Members—a cautionary note here about what's happening with respect to the Fed. Since a majority of Members of Congress already want to audit the Fed, why should we go and weaken our position by passing a bill that strips out audit provisions before the Senate has acted on the bill that contains the Paul amendment?

With that, I reserve the balance of my time.

Mr. LYNCH. Madam Speaker, I yield 10 minutes to the gentleman from Missouri (Mr. LUETKEMEYER).

Mr. LUETKEMEYER. As noted all year, oversight and accountability are critically important. This bill provides GAO additional process authorities regarding access to information and enhances GAO's ability to carry out its mission. The GAO has done a longstanding right-of-access to agency records. On occasion, its efforts have been frustrated and delayed by agencies refusing to provide GAO with copies of necessary records or by a lack of willingness on the part of agency officers and employees to discuss the content of records or provide background information relevant to programs under review.

This bill augments the GAO's existing access authority by confirming GAO's right to make and retain copies of records and by providing GAO with the right to interview agency officers and employees. In addition, the bill requires agencies to interpret statutes as requiring disclosure of information to GAO unless the statute expressly prohibits disclosure to GAO. Finally, the bill makes some commonsense changes to the Comptroller General's ability to administer oaths as well as agency reporting requirements.

Madam Speaker, Congress looks to the GAO to assist with the investigative and oversight functions vested in the legislative branch. This bill is intended to increase the effectiveness of GAO by ensuring that the agency is not unnecessarily restricted in its efforts to secure necessary information when performing these necessary and important functions.

I urge my colleagues to support this legislation, and I thank the gentleman from Massachusetts for yielding his time.

Mr. LYNCH. Madam Speaker, in closing, before I yield back, I just want to say that I understand the spirit in which the gentleman from Ohio has brought this issue forward. I do understand the central role that oversight and investigation have in this Congress. It is the only way that we can make sure that the executive follows the legislative mandate of Congress and that the resources provided by the taxpayer are properly used to limit fraud, waste and abuse. So I understand the spirit in which he acts.

I think his desire for transparency is spot on, and I agree with it. I think the position of the chairman, Mr. TOWNS of New York, is that we have included a provision in another bill recently passed that would provide for all of that. I understand, however, that the belt-and-suspenders approach that the gentleman would like to see, which is, let's put it in every bill that we send over there, is germane. And I respect that urgency.

However, I do in this case agree with the chairman that we have addressed those concerns in the other bill, and we will need to be diligent in making sure that the effect of that language is carried into law.

Mr. KUCINICH. I want to say to my friend from Massachusetts, you and I both support our Chair. We support the oversight function of our committee and of the Congress, and that is the spirit in which I rise. Also, I think it's critical that we track this financial reform legislation as it moves through the Senate to make sure that the provisions that were put in by Representative PAUL are not going to be stripped. I would not want the Senate to misinterpret the stripping of a Federal audit provision from a government oversight bill as being an indication of the weakening of the intention of Congress to hold the Fed accountable.

So it's for that reason that I raise that issue, and I appreciate the gentleman's remarks.

I yield back the balance of my time.

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

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Massachusetts (Mr. LYNCH) that the House suspend the rules and pass the bill, H.R. 2646.

The question was taken; and (two-thirds being in the affirmative) the rules were suspended and the bill was passed.

A motion to reconsider was laid on the table.

NATIONAL AND COMMERCIAL SPACE PROGRAMS

Mr. COHEN. Madam Speaker, I move to suspend the rules and pass the bill (H.R. 3237) to enact certain laws relating to national and commercial space programs as title 51, United States Code, ''National and Commercial Space Programs''.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 3237

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. TABLE OF CONTENTS.

The table of contents for this Act is as follows:

Sec. 1. Table of contents.
Sec. 2. Purpose; conformity with original intent.
Sec. 3. Enactment of title 51, United States Code.
Sec. 4. Conforming amendments to other laws.
Sec. 5. Transitional and savings provisions.
Sec. 6. Repeals.

SEC. 2. PURPOSE; CONFORMITY WITH ORIGINAL INTENT.

(a) PURPOSE.—The purpose of this Act is to codify certain existing laws related to national and commercial space programs as a positive law title of the United States Code.

(b) CONFORMITY WITH ORIGINAL INTENT.—In the codification of laws by this Act, the intent is to conform to the understood policy, intent, and purpose of Congress in the original enactments, with such amendments and corrections as will remove ambiguities, contradictions, and other imperfections, in accordance with section 205(c)(1) of House Resolution No. 988, 93d Congress, as enacted into law by Public Law 93–554 (2 U.S.C. 285b(1)).

SEC. 3. ENACTMENT OF TITLE 51, UNITED STATES CODE.

Title 51, United States Code, ''National and Commercial Space Programs'', is enacted as follows:

TITLE 51—NATIONAL AND COMMERCIAL SPACE PROGRAMS

Subtitle I—General

Chap.		Sec.
101.	Definitions	10101

Subtitle II—General Program and Policy Provisions

201.	National Aeronautics and Space Program	20101
203.	Responsibilities and Vision	20301

Subtitle III—Administrative Provisions

301.	Appropriations, Budgets, and Accounting	30101
303.	Contracting and Procurement	30301
305.	Management and Review	30501
307.	International Cooperation and Competition	30701
309.	Awards	30901
311.	Safety	31101
313.	Healthcare	31301
315.	Miscellaneous	31501

Subtitle IV—Aeronautics and Space Research and Education

401.	Aeronautics	40101
403.	National Space Grant College and Fellowship Program	40301
405.	Biomedical Research in Space	40501
407.	Environmentally Friendly Aircraft	40701
409.	Miscellaneous	40901

Subtitle V—Programs Targeting Commercial Opportunities

501.	Space Commerce	50101
503.	Commercial Reusable In-Space Transportation	50301
505.	Commercial Space Competitiveness	50501
507.	Office of Space Commercialization	50701

Subtitle VI—Earth Observations

601.	Land Remote Sensing Policy	60101
603.	Remote Sensing	60301
605.	Earth Science	60501

Subtitle VII—Access to Space

701.	Use of Space Shuttle or Alternatives	70101

703. Shuttle Pricing Policy for Commercial and Foreign Users 70301
705. Exploration Initiatives 70501
707. Human Space Flight Independent Investigation Commission 70701
709. International Space Station 70901
711. Near-Earth Objects 71101
713. Cooperation for Safety Among Spacefaring Nations 71301

Subtitle I—General

CHAPTER 101—DEFINITIONS

Sec.
10101. Definitions.

§ 10101. Definitions

In this title:

(1) ADMINISTRATION.—The term ''Administration'' means the National Aeronautics and Space Administration.

(2) ADMINISTRATOR.—The term ''Administrator'' means the Administrator of the National Aeronautics and Space Administration.

Subtitle II—General Program and Policy Provisions

CHAPTER 201—NATIONAL AERONAUTICS AND SPACE PROGRAM

SUBCHAPTER I—SHORT TITLE, DECLARATION OF POLICY, AND DEFINITIONS

Sec.
20101. Short title.
20102. Congressional declaration of policy and purpose.
20103. Definitions.

SUBCHAPTER II—COORDINATION OF AERONAUTICAL AND SPACE ACTIVITIES

20111. National Aeronautics and Space Administration.
20112. Functions of the Administration.
20113. Powers of the Administration in performance of functions.
20114. Administration and Department of Defense coordination.
20115. International cooperation.
20116. Reports to Congress.
20117. Disposal of excess land.

SUBCHAPTER III—GENERAL ADMINISTRATIVE PROVISIONS

20131. Public access to information.
20132. Security requirements.
20133. Permission to carry firearms.
20134. Arrest authority.
20135. Property rights in inventions.
20136. Contributions awards.
20137. Malpractice and negligence suits against United States.
20138. Insurance and indemnification.
20139. Insurance for experimental aerospace vehicles.
20140. Appropriations.
20141. Misuse of agency name and initials.
20142. Contracts regarding expendable launch vehicles.
20143. Full cost appropriations account structure.
20144. Prize authority.
20145. Lease of non-excess property.
20146. Retrocession of jurisdiction.
20147. Recovery and disposition authority.

SUBCHAPTER IV—UPPER ATMOSPHERE RESEARCH

20161. Congressional declaration of purpose and policy.
20162. Definition of upper atmosphere.
20163. Program authorized.
20164. International cooperation.

SUBCHAPTER I—SHORT TITLE, DECLARATION OF POLICY, AND DEFINITIONS

§ 20101. Short title

This chapter may be cited as the ''National Aeronautics and Space Act''.

§ 20102. Congressional declaration of policy and purpose

(a) DEVOTION OF SPACE ACTIVITIES TO PEACEFUL PURPOSES FOR BENEFIT OF ALL HUMANKIND.—Congress declares that it is the policy of the United States that activities in space should be devoted to peaceful purposes for the benefit of all humankind.

(b) AERONAUTICAL AND SPACE ACTIVITIES FOR WELFARE AND SECURITY OF UNITED STATES.—Congress declares that the general welfare and security of the United States require that adequate provision be made for aeronautical and space activities. Congress further declares that such activities shall be the responsibility of, and shall be directed by, a civilian agency exercising control over aeronautical and space activities sponsored by the United States, except that activities peculiar to or primarily associated with the development of weapons systems, military operations, or the defense of the United States (including the research and development necessary to make effective provision for the defense of the United States) shall be the responsibility of, and shall be directed by, the Department of Defense; and that determination as to which agency has responsibility for and direction of any such activity shall be made by the President.

(c) COMMERCIAL USE OF SPACE.—Congress declares that the general welfare of the United States requires that the Administration seek and encourage, to the maximum extent possible, the fullest commercial use of space.

(d) OBJECTIVES OF AERONAUTICAL AND SPACE ACTIVITIES.—The aeronautical and space activities of the United States shall be conducted so as to contribute materially to one or more of the following objectives:

(1) The expansion of human knowledge of the Earth and of phenomena in the atmosphere and space.

(2) The improvement of the usefulness, performance, speed, safety, and efficiency of aeronautical and space vehicles.

(3) The development and operation of vehicles capable of carrying instruments, equipment, supplies, and living organisms through space.

(4) The establishment of long-range studies of the potential benefits to be gained from, the opportunities for, and the problems involved in the utilization of aeronautical and space activities for peaceful and scientific purposes.

(5) The preservation of the role of the United States as a leader in aeronautical and space science and technology and in the application thereof to the conduct of peaceful activities within and outside the atmosphere.

(6) The making available to agencies directly concerned with national defense of discoveries that have military value or significance, and the furnishing by such agencies, to the civilian agency established to direct and control nonmilitary aeronautical and space activities, of information as to discoveries which have value or significance to that agency.

(7) Cooperation by the United States with other nations and groups of nations in work done pursuant to this chapter and in the peaceful application of the results thereof.

(8) The most effective utilization of the scientific and engineering resources of the United States, with close cooperation among all interested agencies of the United States in order to avoid unnecessary duplication of effort, facilities, and equipment.

(9) The preservation of the United States preeminent position in aeronautics and space through research and technology development related to associated manufacturing processes.

(e) GROUND PROPULSION SYSTEMS RESEARCH AND DEVELOPMENT.—Congress declares that the general welfare of the United States requires that the unique competence in scientific and engineering systems of the Administration also be directed toward ground propulsion systems research and development. Such development shall be conducted so as to contribute to the objectives of developing energy and petroleum-conserving ground propulsion systems, and of minimizing the environmental degradation caused by such systems.

(f) BIOENGINEERING RESEARCH, DEVELOPMENT, AND DEMONSTRATION PROGRAMS.—Congress declares that the general welfare of the United States requires that the unique competence of the Administration in science and engineering systems be directed to assisting in bioengineering research, development, and demonstration programs designed to alleviate and minimize the effects of disability.

(g) WARNING AND MITIGATION OF POTENTIAL HAZARDS OF NEAR-EARTH OBJECTS.—Congress declares that the general welfare and security of the United States require that the unique competence of the Administration be directed to detecting, tracking, cataloguing, and characterizing near-Earth asteroids and comets in order to provide warning and mitigation of the potential hazard of such near-Earth objects to the Earth.

(h) PURPOSE OF CHAPTER.—It is the purpose of this chapter to carry out and effectuate the policies declared in subsections (a) to (g).

§ 20103. Definitions

In this chapter:

(1) AERONAUTICAL AND SPACE ACTIVITIES.—The term ''aeronautical and space activities'' means—

(A) research into, and the solution of, problems of flight within and outside the Earth's atmosphere;

(B) the development, construction, testing, and operation for research purposes of aeronautical and space vehicles;

(C) the operation of a space transportation system including the space shuttle, upper stages, space platforms, and related equipment; and

(D) such other activities as may be required for the exploration of space.

(2) AERONAUTICAL AND SPACE VEHICLES.—The term ''aeronautical and space vehicles'' means aircraft, missiles, satellites, and other space vehicles, manned and unmanned, together with related equipment, devices, components, and parts.

SUBCHAPTER II—COORDINATION OF AERONAUTICAL AND SPACE ACTIVITIES

§ 20111. National Aeronautics and Space Administration

(a) ESTABLISHMENT AND APPOINTMENT OF ADMINISTRATOR.—There is established the National Aeronautics and Space Administration. The Administration shall be headed by an Administrator, who shall be appointed from civilian life by the President by and with the advice and consent of the Senate. Under the supervision and direction of the President, the Administrator shall be responsible for the exercise of all powers and the discharge of all duties of the Administration and shall have authority and control over all personnel and activities thereof.

(b) DEPUTY ADMINISTRATOR.—There shall be in the Administration a Deputy Administrator, who shall be appointed from civilian life by the President by and with the advice and consent of the Senate. The Deputy Administrator shall perform such duties and exercise such powers as the Administrator may prescribe. The Deputy Administrator shall act for, and exercise the powers of, the Administrator during the Administrator's absence or disability.

(c) RESTRICTION ON OTHER BUSINESS OR EMPLOYMENT.—The Administrator and the Deputy Administrator shall not engage in any other business, vocation, or employment while serving as such.

§ 20112. Functions of the Administration

(a) PLANNING, DIRECTING, AND CONDUCTING AERONAUTICAL AND SPACE ACTIVITIES.—The Administration, in order to carry out the purpose of this chapter, shall—

(1) plan, direct, and conduct aeronautical and space activities;

(2) arrange for participation by the scientific community in planning scientific measurements and observations to be made through use of aeronautical and space vehicles, and conduct or arrange for the conduct of such measurements and observations;

(3) provide for the widest practicable and appropriate dissemination of information concerning its activities and the results thereof;

(4) seek and encourage, to the maximum extent possible, the fullest commercial use of space; and

(5) encourage and provide for Federal Government use of commercially provided space services and hardware, consistent with the requirements of the Federal Government.

(b) RESEARCH AND DEVELOPMENT IN CERTAIN TECHNOLOGIES.—

(1) GROUND PROPULSION TECHNOLOGIES.—The Administration shall, to the extent of appropriated funds, initiate, support, and carry out such research, development, demonstration, and other related activities in ground propulsion technologies as are provided for in sections 4 to 10 of the Electric and Hybrid Vehicle Research, Development, and Demonstration Act of 1976 (15 U.S.C. 2503 to 2509).

(2) SOLAR HEATING AND COOLING TECHNOLOGIES.—The Administration shall initiate, support, and carry out such research, development, demonstrations, and other related activities in solar heating and cooling technologies (to the extent that funds are appropriated therefor) as are provided for in sections 5, 6, and 9 of the Solar Heating and Cooling Demonstration Act of 1974 (42 U.S.C. 5503, 5504, 5507).

§ 20113. Powers of the Administration in performance of functions

(a) RULES AND REGULATIONS.—In the performance of its functions, the Administration is authorized to make, promulgate, issue, rescind, and amend rules and regulations governing the manner of its operations and the exercise of the powers vested in it by law.

(b) OFFICERS AND EMPLOYEES.—In the performance of its functions, the Administration is authorized to appoint and fix the compensation of officers and employees as may be necessary to carry out such functions. The officers and employees shall be appointed in accordance with the civil service laws and their compensation fixed in accordance with chapter 51 and subchapter III of chapter 53 of title 5, except that—

(1) to the extent the Administrator deems such action necessary to the discharge of the Administrator's responsibilities, the Administrator may appoint not more than 425 of the scientific, engineering, and administrative personnel of the Administration without regard to such laws, and may fix the compensation of such personnel not in excess of the rate of basic pay payable for level III of the Executive Schedule; and

(2) to the extent the Administrator deems such action necessary to recruit specially qualified scientific and engineering talent, the Administrator may establish the entrance grade for scientific and engineering personnel without previous service in the Federal Government at a level up to 2 grades higher than the grade provided for such personnel under the General Schedule, and fix their compensation accordingly.

(c) PROPERTY.—In the performance of its functions, the Administration is authorized—

(1) to acquire (by purchase, lease, condemnation, or otherwise), construct, improve, repair, operate, and maintain laboratories, research and testing sites and facilities, aeronautical and space vehicles, quarters and related accommodations for employees and dependents of employees of the Administration, and such other real and personal property (including patents), or any interest therein, as the Administration deems necessary within and outside the continental United States;

(2) to acquire by lease or otherwise, through the Administrator of General Services, buildings or parts of buildings in the District of Columbia for the use of the Administration for a period not to exceed 10 years without regard to section 8141 of title 40;

(3) to lease to others such real and personal property;

(4) to sell and otherwise dispose of real and personal property (including patents and rights thereunder) in accordance with the provisions of chapters 1 to 11 of title 40 and in accordance with title III of the Federal Property and Administrative Services Act of 1949 (41 U.S.C. 251 et seq.); and

(5) to provide by contract or otherwise for cafeterias and other necessary facilities for the welfare of employees of the Administration at its installations and purchase and maintain equipment therefor.

(d) GIFTS.—In the performance of its functions, the Administration is authorized to accept unconditional gifts or donations of services, money, or property, real, personal, or mixed, tangible or intangible.

(e) CONTRACTS, LEASES, AND AGREEMENTS.—In the performance of its functions, the Administration is authorized, without regard to subsections (a) and (b) of section 3324 of title 31, to enter into and perform such contracts, leases, cooperative agreements, or other transactions as may be necessary in the conduct of its work and on such terms as it may deem appropriate, with any agency or instrumentality of the United States, or with any State, territory, or possession, or with any political subdivision thereof, or with any person, firm, association, corporation, or educational institution. To the maximum extent practicable and consistent with the accomplishment of the purpose of this chapter, such contracts, leases, agreements, and other transactions shall be allocated by the Administrator in a manner which will enable small-business concerns to participate equitably and proportionately in the conduct of the work of the Administration.

(f) COOPERATION WITH FEDERAL AGENCIES AND OTHERS.—In the performance of its functions, the Administration is authorized to use, with their consent, the services, equipment, personnel, and facilities of Federal and other agencies with or without reimbursement, and on a similar basis to cooperate with other public and private agencies and instrumentalities in the use of services, equipment, and facilities. Each department and agency of the Federal Government shall cooperate fully with the Administration in making its services, equipment, personnel, and facilities available to the Administration, and any such department or agency is authorized, notwithstanding any other provision of law, to transfer to or to receive from the Administration, without reimbursement, aeronautical and space vehicles, and supplies and equipment other than administrative supplies or equipment.

(g) ADVISORY COMMITTEES.—In the performance of its functions, the Administration is authorized to appoint such advisory committees as may be appropriate for purposes of consultation and advice to the Administration.

(h) OFFICES AND PROCEDURES.—In the performance of its functions, the Administration is authorized to establish within the Administration such offices and procedures as may be appropriate to provide for the greatest possible coordination of its activities under this chapter with related scientific and other activities being carried on by other public and private agencies and organizations.

(i) TEMPORARY OR INTERMITTENT SERVICES OF EXPERTS OR CONSULTANTS.—In the performance of its functions, the Administration is authorized to obtain services as provided by section 3109 of title 5, but at rates for individuals not to exceed the per diem rate equivalent to the maximum rate payable under section 5376 of title 5.

(j) ALIENS.—In the performance of its functions, the Administration is authorized, when determined by the Administrator to be necessary, and subject to such security investigations as the Administrator may determine to be appropriate, to employ aliens without regard to statutory provisions prohibiting payment of compensation to aliens.

(k) CONCESSIONS FOR VISITORS' FACILITIES.—

(1) IN GENERAL.—In the performance of its functions, the Administration is authorized to provide by concession, without regard to section 1302 of title 40, on such terms as the Administrator may deem to be appropriate and necessary to protect the concessioner against loss of the concessioner's investment in property (but not anticipated profits) resulting from the Administration's discretionary acts and decisions, for the construction, maintenance, and operation of all manner of facilities and equipment for visitors to the several installations of the Administration and, in connection therewith, to provide services incident to the dissemination of information concerning its activities to such visitors, without charge or with a reasonable charge therefor (with this authority being in addition to any other authority that the Administration may have to provide facilities, equipment, and services for visitors to its installations).

(2) PUBLIC NOTICE AND DUE CONSIDERATION OF PROPOSALS.—A concession agreement under this subsection may be negotiated with any qualified proposer following due consideration of all proposals received after reasonable public notice of the intention to contract.

(3) REASONABLE OPPORTUNITY FOR PROFIT.—The concessioner shall be afforded a reasonable opportunity to make a profit commensurate with the capital invested and the obligations assumed. The consideration paid by the concessioner for the concession shall be based on the probable value of the opportunity and not on maximizing revenue to the United States.

(4) RECORDS AND ACCESS TO RECORDS.—Each concession agreement shall specify the manner in which the concessioner's records are to be maintained, and shall provide for access to the records by the Administration and the Comptroller General of the United States for a period of 5 years after the close of the business year to which the records relate.

(5) POSSESSORY INTERESTS.—A concessioner may be accorded a possessory interest, consisting of all incidents of ownership except legal title (which shall vest in the United States), in any structure, fixture, or improvement the concessioner constructs or locates upon land owned by the United States. With the approval of the Administration, such possessory interest may be assigned, transferred, encumbered, or relinquished by the concessioner, and, unless otherwise provided by contract, shall not be extinguished by the expiration or other termination of the

concession and may not be taken for public use without just compensation.

(*l*) DETAILING MEMBERS OF ARMED SERVICES.—In the performance of its functions, the Administration is authorized, with the approval of the President, to enter into cooperative agreements under which members of the Army, Navy, Air Force, and Marine Corps may be detailed by the appropriate Secretary for services in the performance of functions under this chapter to the same extent as that to which they might be lawfully assigned in the Department of Defense.

(m) CLAIMS AGAINST THE UNITED STATES.—In the performance of its functions, the Administration is authorized—

(1) to consider, ascertain, adjust, determine, settle, and pay, on behalf of the United States, in full satisfaction thereof, any claim for $25,000 or less against the United States for bodily injury, death, or damage to or loss of real or personal property resulting from the conduct of the Administration's functions as specified in section 20112(a) of this title, where such claim is presented to the Administration in writing within 2 years after the accident or incident out of which the claim arises; and

(2) if the Administration considers that a claim in excess of $25,000 is meritorious and would otherwise be covered by this subsection, to report the facts and circumstances to Congress for its consideration.

§ 20114. Administration and Department of Defense coordination

(a) ADVISE AND CONSULT.—The Administration and the Department of Defense, through the President, shall advise and consult with each other on all matters within their respective jurisdictions related to aeronautical and space activities and shall keep each other fully and currently informed with respect to such activities.

(b) REFERRAL TO THE PRESIDENT.—If the Secretary of Defense concludes that any request, action, proposed action, or failure to act on the part of the Administrator is adverse to the responsibilities of the Department of Defense, or the Administrator concludes that any request, action, proposed action, or failure to act on the part of the Department of Defense is adverse to the responsibilities of the Administration, and the Administrator and the Secretary of Defense are unable to reach an agreement with respect to the matter, either the Administrator or the Secretary of Defense may refer the matter to the President for a decision (which shall be final).

§ 20115. International cooperation

The Administration, under the foreign policy guidance of the President, may engage in a program of international cooperation in work done pursuant to this chapter, and in the peaceful application of the results thereof, pursuant to agreements made by the President with the advice and consent of the Senate.

§ 20116. Reports to Congress

(a) PRESIDENTIAL REPORT.—The President shall transmit to Congress in May of each year a report, which shall include—

(1) a comprehensive description of the programmed activities and the accomplishments of all agencies of the United States in the field of aeronautics and space activities during the preceding fiscal year; and

(2) an evaluation of such activities and accomplishments in terms of the attainment of, or the failure to attain, the objectives described in section 20102(d) of this title.

(b) RECOMMENDATIONS FOR ADDITIONAL LEGISLATION.—Any report made under this section shall contain such recommendations for additional legislation as the Administrator or the President may consider necessary or desirable for the attainment of the objectives described in section 20102(d) of this title.

(c) CLASSIFIED INFORMATION.—No information that has been classified for reasons of national security shall be included in any report made under this section, unless the information has been declassified by, or pursuant to authorization given by, the President.

§ 20117. Disposal of excess land

Notwithstanding the provisions of this or any other law, the Administration may not report to a disposal agency as excess to the needs of the Administration any land having an estimated value in excess of $50,000 that is owned by the United States and under the jurisdiction and control of the Administration, unless—

(1) a period of 30 days has passed after the receipt by the Speaker and the Committee on Science and Technology of the House of Representatives and the President and the Committee on Commerce, Science, and Transportation of the Senate of a report by the Administrator or the Administrator's designee containing a full and complete statement of the action proposed to be taken and the facts and circumstances relied upon in support of such action; or

(2) each such committee before the expiration of that period has transmitted to the Administrator written notice to the effect that the committee has no objection to the proposed action.

SUBCHAPTER III—GENERAL ADMINISTRATIVE PROVISIONS

§ 20131. Public access to information

(a) PUBLIC INSPECTION.—Information obtained or developed by the Administrator in the performance of the Administrator's functions under this chapter shall be made available for public inspection, except information—

(1) authorized or required by Federal statute to be withheld;

(2) classified to protect the national security; or

(3) described in subsection (b).

(b) SPECIAL HANDLING OF TRADE SECRET OR CONFIDENTIAL INFORMATION.—

(1) IN GENERAL.—The Administrator, for a period of up to 5 years after the development of information described in paragraph (2), may provide appropriate protections against the dissemination of such information, including exemption from subchapter II of chapter 5 of title 5.

(2) INFORMATION DESCRIBED.—Information referred to in paragraph (1) is information that results from activities conducted under an agreement entered into under subsections (e) and (f) of section 20113 of this title, and that would be a trade secret or commercial or financial information that is privileged or confidential under the meaning of section 552(b)(4) of title 5 if the information had been obtained from a non-Federal party participating in such an agreement.

(c) COMMITTEES OF CONGRESS.—Nothing in this chapter authorizes the withholding of information by the Administrator from the duly authorized committees of Congress.

§ 20132. Security requirements

The Administrator shall establish such security requirements, restrictions, and safeguards as the Administrator deems necessary in the interest of the national security. The Administrator may arrange with the Director of the Office of Personnel Management for the conduct of such security or other personnel investigations of the Administration's officers, employees, and consultants, and its contractors and subcontractors and their officers and employees, actual or prospective, as the Administrator deems appropriate. If any such investigation develops any data reflecting that the individual who is the subject of the investigation is of questionable loyalty, the matter shall be referred to the Federal Bureau of Investigation for the conduct of a full field investigation, the results of which shall be furnished to the Administrator.

§ 20133. Permission to carry firearms

As the Administrator deems necessary in the public interest, the Administrator may—

(1) direct officers and employees of the Administration to carry firearms while in the conduct of their official duties; and

(2) authorize employees of contractors and subcontractors of the Administration who are engaged in the protection of property owned by the United States, and located at facilities owned by or contracted to the United States, to carry firearms while in the conduct of their official duties.

§ 20134. Arrest authority

Under regulations prescribed by the Administrator and approved by the Attorney General, employees of the Administration and of its contractors and subcontractors authorized to carry firearms under section 20133 of this title may arrest without warrant for any offense against the United States committed in their presence, or for any felony cognizable under the laws of the United States if they have reasonable grounds to believe that the person to be arrested has committed or is committing such felony. Persons granted authority to make arrests by this section may exercise that authority only while guarding and protecting property owned or leased by, or under the control of, the United States under the administration and control of the Administration or one of its contractors or subcontractors, at facilities owned by or contracted to the Administration.

§ 20135. Property rights in inventions

(a) DEFINITIONS.—In this section:

(1) CONTRACT.—The term ''contract'' means any actual or proposed contract, agreement, understanding, or other arrangement, and includes any assignment, substitution of parties, or subcontract executed or entered into thereunder.

(2) MADE.—The term ''made'', when used in relation to any invention, means the conception or first actual reduction to practice of such invention.

(3) PERSON.—The term ''person'' means any individual, partnership, corporation, association, institution, or other entity.

(b) EXCLUSIVE PROPERTY OF UNITED STATES.—

(1) IN GENERAL.—An invention shall be the exclusive property of the United States if it is made in the performance of any work under any contract of the Administration, and the Administrator determines that—

(A) the person who made the invention was employed or assigned to perform research, development, or exploration work and the invention is related to the work the person was employed or assigned to perform, or was within the scope of the person's employment duties, whether or not it was made during working hours, or with a contribution by the Government of the use of Government facilities, equipment, materials, allocated funds, information proprietary to the Government, or services of Government employees during working hours; or

(B) the person who made the invention was not employed or assigned to perform research, development, or exploration work, but the invention is nevertheless related to the contract, or to the work or duties the person was employed or assigned to perform, and was made during working hours, or with a contribution from the Government of the sort referred to in subparagraph (A).

(2) PATENT TO UNITED STATES.—If an invention is the exclusive property of the United States under paragraph (1), and if such invention is patentable, a patent therefor shall be issued to the United States upon application made by the Administrator, unless the Administrator waives all or any part of the rights of the United States to such invention in conformity with the provisions of subsection (g).

(c) CONTRACT PROVISIONS FOR FURNISHING REPORTS OF INVENTIONS, DISCOVERIES, IMPROVEMENTS, OR INNOVATIONS.—Each contract entered into by the Administrator with any party for the performance of any work shall contain effective provisions under which the party shall furnish promptly to the Administrator a written report containing full and complete technical information concerning any invention, discovery, improvement, or innovation which may be made in the performance of any such work.

(d) PATENT APPLICATION.—No patent may be issued to any applicant other than the Administrator for any invention which appears to the Under Secretary of Commerce for Intellectual Property and Director of the United States Patent and Trademark Office (hereafter in this section referred to as the ''Director'') to have significant utility in the conduct of aeronautical and space activities unless the applicant files with the Director, with the application or within 30 days after request therefor by the Director, a written statement executed under oath setting forth the full facts concerning the circumstances under which the invention was made and stating the relationship (if any) of the invention to the performance of any work under any contract of the Administration. Copies of each such statement and the application to which it relates shall be transmitted forthwith by the Director to the Administrator.

(e) ISSUANCE OF PATENT TO APPLICANT.—Upon any application as to which any such statement has been transmitted to the Administrator, the Director may, if the invention is patentable, issue a patent to the applicant unless the Administrator, within 90 days after receipt of the application and statement, requests that the patent be issued to the Administrator on behalf of the United States. If, within such time, the Administrator files such a request with the Director, the Director shall transmit notice thereof to the applicant, and shall issue such patent to the Administrator unless the applicant within 30 days after receipt of the notice requests a hearing before the Board of Patent Appeals and Interferences on the question whether the Administrator is entitled under this section to receive the patent. The Board may hear and determine, in accordance with rules and procedures established for interference cases, the question so presented, and its determination shall be subject to appeal by the applicant or by the Administrator to the United States Court of Appeals for the Federal Circuit in accordance with procedures governing appeals from decisions of the Board of Patent Appeals and Interferences in other proceedings.

(f) SUBSEQUENT TRANSFER OF PATENT IN CASE OF FALSE REPRESENTATIONS.—Whenever a patent has been issued to an applicant in conformity with subsection (e), and the Administrator thereafter has reason to believe that the statement filed by the applicant in connection with the patent contained a false representation of a material fact, the Administrator, within 5 years after the date of issuance of the patent, may file with the Director a request for the transfer to the Administrator of title to the patent on the records of the Director. Notice of any such request shall be transmitted by the Director to the owner of record of the patent, and title to the patent shall be so transferred to the Administrator unless, within 30 days after receipt of notice, the owner of record requests a hearing before the Board of Patent Appeals and Interferences on the question whether any such false representation was contained in the statement filed in connection with the patent. The question shall be heard and determined, and the determination shall be subject to review, in the manner prescribed by subsection (e) for questions arising thereunder. A request made by the Administrator under this subsection for the transfer of title to a patent, and prosecution for the violation of any criminal statute, shall not be barred by the failure of the Administrator to make a request under subsection (e) for the issuance of the patent to the Administrator, or by any notice previously given by the Administrator stating that the Administrator had no objection to the issuance of the patent to the applicant.

(g) WAIVER OF RIGHTS TO INVENTIONS.—Under such regulations in conformity with this subsection as the Administrator shall prescribe, the Administrator may waive all or any part of the rights of the United States under this section with respect to any invention or class of inventions made or which may be made by any person or class of persons in the performance of any work required by any contract of the Administration if the Administrator determines that the interests of the United States will be served thereby. Any such waiver may be made upon such terms and under such conditions as the Administrator shall determine to be required for the protection of the interests of the United States. Each such waiver made with respect to any invention shall be subject to the reservation by the Administrator of an irrevocable, nonexclusive, nontransferable, royalty-free license for the practice of such invention throughout the world by or on behalf of the United States or any foreign government pursuant to any treaty or agreement with the United States. Each proposal for any waiver under this subsection shall be referred to an Inventions and Contributions Board which shall be established by the Administrator within the Administration. Such Board shall accord to each interested party an opportunity for hearing, and shall transmit to the Administrator its findings of fact with respect to such proposal and its recommendations for action to be taken with respect thereto.

(h) PROTECTION OF TITLE.—The Administrator is authorized to take all suitable and necessary steps to protect any invention or discovery to which the Administrator has title, and to require contractors or persons who retain title to inventions or discoveries under this section to protect the inventions or discoveries to which the Administration has or may acquire a license of use.

(i) ADMINISTRATION AS DEFENSE AGENCY.—The Administration shall be considered a defense agency of the United States for the purpose of chapter 17 of title 35.

(j) OBJECTS INTENDED FOR LAUNCH, LAUNCHED, OR ASSEMBLED IN OUTER SPACE.—Any object intended for launch, launched, or assembled in outer space shall be considered a vehicle for the purpose of section 272 of title 35.

(k) USE OR MANUFACTURE OF PATENTED INVENTIONS INCORPORATED IN SPACE VEHICLES LAUNCHED FOR PERSONS OTHER THAN UNITED STATES.—The use or manufacture of any patented invention incorporated in a space vehicle launched by the United States Government for a person other than the United States shall not be considered to be a use or manufacture by or for the United States within the meaning of section 1498(a) of title 28, unless the Administration gives an express authorization or consent for such use or manufacture.

§ 20136. Contributions awards

(a) APPLICATIONS.—Subject to the provisions of this section, the Administrator is authorized, on the Administrator's own initiative or on application of any person, to make a monetary award, in an amount and on terms the Administrator determines to be warranted, to any person (as defined by section 20135(a) of this title) for any scientific or technical contribution to the Administration which is determined by the Administrator to have significant value in the conduct of aeronautical and space activities. Each application made for such an award shall be referred to the Inventions and Contributions Board established under section 20135 of this title. Such Board shall accord to each applicant an opportunity for hearing on the application, and shall transmit to the Administrator its recommendation as to the terms of the award, if any, to be made to the applicant for the contribution. In determining the terms and conditions of an award the Administrator shall take into account—

(1) the value of the contribution to the United States;

(2) the aggregate amount of any sums which have been expended by the applicant for the development of the contribution;

(3) the amount of any compensation (other than salary received for services rendered as an officer or employee of the Government) previously received by the applicant for or on account of the use of the contribution by the United States; and

(4) any other factors the Administrator determines to be material.

(b) APPORTIONMENT OF AWARDS.—If more than one applicant under subsection (a) claims an interest in the same contribution, the Administrator shall ascertain and determine the respective interests of the applicants, and shall apportion any award to be made among the applicants in amounts the Administrator determines to be equitable.

(c) SURRENDER OF OTHER CLAIMS.—No award may be made under subsection (a) unless the applicant surrenders, by means the Administrator determines to be effective, all claims that the applicant may have to receive any compensation (other than the award made under this section) for the use of the contribution or any element thereof at any time by or on behalf of the United States, or by or on behalf of any foreign government pursuant to a treaty or agreement with the United States, within the United States or at any other place.

(d) REPORT AND WAITING PERIOD.—No award may be made under subsection (a) in an amount exceeding $100,000 unless the Administrator transmits to the appropriate committees of Congress a full and complete report concerning the amount and terms of, and the basis for, the proposed award, and a period of 30 calendar days of regular session of Congress expires after receipt of the report by the committees.

§ 20137. Malpractice and negligence suits against United States

(a) EXCLUSIVE REMEDY.—The remedy against the United States provided by sections 1346(b) and 2672 of title 28, for damages for personal injury, including death, caused by the negligent or wrongful act or omission of any physician, dentist, nurse, pharmacist, or paramedical or other supporting personnel (including medical and dental technicians, nursing assistants, and therapists) of the Administration in the performance of medical, dental, or related health care functions (including clinical studies and investigations)

while acting within the scope of such person's duties or employment therein or therefor shall be exclusive of any other civil action or proceeding by reason of the same subject matter against such person (or the estate of such person) whose act or omission gave rise to the action or proceeding.

(b) ATTORNEY GENERAL TO DEFEND ANY CIVIL ACTION OR PROCEEDING FOR MALPRACTICE OR NEGLIGENCE.—The Attorney General shall defend any civil action or proceeding brought in any court against any person referred to in subsection (a) (or the estate of such person) for any such injury. Any such person against whom such civil action or proceeding is brought shall deliver within such time after date of service or knowledge of service as determined by the Attorney General, all process served upon such person or an attested true copy thereof to such person's immediate superior or to whomever was designated by the Administrator to receive such papers. Such person shall promptly furnish copies of the pleading and process therein to the United States Attorney for the district embracing the place wherein the proceeding is brought, to the Attorney General, and to the Administrator.

(c) REMOVAL OF ACTIONS.—Upon a certification by the Attorney General that any person described in subsection (a) was acting in the scope of such person's duties or employment at the time of the incident out of which the suit arose, any such civil action or proceeding commenced in a State court shall be removed without bond at any time before trial by the Attorney General to the district court of the United States of the district and division embracing the place wherein it is pending and the proceeding deemed a tort action brought against the United States under the provisions of title 28, and all references thereto. Should a district court of the United States determine, on a hearing on a motion to remand held before a trial on the merits, that the case so removed is one in which a remedy by suit within the meaning of subsection (a) is not available against the United States, the case shall be remanded to the State court.

(d) COMPROMISE OR SETTLEMENT OF CLAIMS.—The Attorney General may compromise or settle any claim asserted in such civil action or proceeding in the manner provided in section 2677 of title 28, and with the same effect.

(e) APPLICABILITY OF OTHER PROVISIONS OF LAW.—For purposes of this section, the provisions of section 2680(h) of title 28 shall not apply to any cause of action arising out of a negligent or wrongful act or omission in the performance of medical, dental, or related health care functions (including clinical studies and investigations).

(f) LIABILITY INSURANCE FOR PERSONS ASSIGNED TO FOREIGN COUNTRIES OR NON-FEDERAL AGENCIES.—The Administrator or the Administrator's designee may, to the extent that the Administrator or the designee deems appropriate, hold harmless or provide liability insurance for any person described in subsection (a) for damages for personal injury, including death, caused by such person's negligent or wrongful act or omission in the performance of medical, dental, or related health care functions (including clinical studies and investigations) while acting within the scope of such person's duties if such person is assigned to a foreign country or detailed for service with other than a Federal department, agency, or instrumentality or if the circumstances are such as are likely to preclude the remedies of third persons against the United States described in section 2679(b) of title 28, for such damage or injury.

§ 20138. Insurance and indemnification

(a) DEFINITIONS.—In this section:

(1) SPACE VEHICLE.—The term ''space vehicle'' means an object intended for launch, launched, or assembled in outer space, including the space shuttle and other components of a space transportation system, together with related equipment, devices, components, and parts.

(2) THIRD PARTY.—The term ''third party'' means any person who may institute a claim against a user for death, bodily injury, or loss of or damage to property.

(3) USER.—The term ''user'' includes anyone who enters into an agreement with the Administration for use of all or a portion of a space vehicle, who owns or provides property to be flown on a space vehicle, or who employs a person to be flown on a space vehicle.

(b) AUTHORIZATION.—The Administration is authorized on such terms and to the extent it may deem appropriate to provide liability insurance for any user of a space vehicle to compensate all or a portion of claims by third parties for death, bodily injury, or loss of or damage to property resulting from activities carried on in connection with the launch, operations, or recovery of the space vehicle. Appropriations available to the Administration may be used to acquire such insurance, but such appropriations shall be reimbursed to the maximum extent practicable by the users under reimbursement policies established pursuant to section 20113 of this title.

(c) INDEMNIFICATION.—Under such regulations in conformity with this section as the Administrator shall prescribe taking into account the availability, cost, and terms of liability insurance, any agreement between the Administration and a user of a space vehicle may provide that the United States will indemnify the user against claims (including reasonable expenses of litigation or settlement) by third parties for death, bodily injury, or loss of or damage to property resulting from activities carried on in connection with the launch, operations, or recovery of the space vehicle, but only to the extent that such claims are not compensated by liability insurance of the user. Such indemnification may be limited to claims resulting from other than the actual negligence or willful misconduct of the user.

(d) TERMS OF INDEMNIFICATION AGREEMENT.—An agreement made under subsection (c) that provides indemnification must also provide for—

(1) notice to the United States of any claim or suit against the user for the death, bodily injury, or loss of or damage to the property; and

(2) control of or assistance in the defense by the United States, at its election, of that suit or claim.

(e) CERTIFICATION OF JUST AND REASONABLE AMOUNT.—No payment may be made under subsection (c) unless the Administrator or the Administrator's designee certifies that the amount is just and reasonable.

(f) PAYMENTS.—Upon the approval by the Administrator, payments under subsection (c) may be made, at the Administrator's election, either from funds available for research and development not otherwise obligated or from funds appropriated for such payments.

§ 20139. Insurance for experimental aerospace vehicles

(a) DEFINITIONS.—In this section:

(1) COOPERATING PARTY.—The term ''cooperating party'' means any person who enters into an agreement with the Administration for the performance of cooperative scientific, aeronautical, or space activities to carry out the purposes of this chapter.

(2) DEVELOPER.—The term ''developer'' means a United States person (other than a natural person) who—

(A) is a party to an agreement with the Administration for the purpose of developing new technology for an experimental aerospace vehicle;

(B) owns or provides property to be flown or situated on that vehicle; or

(C) employs a natural person to be flown on that vehicle.

(3) EXPERIMENTAL AEROSPACE VEHICLE.—The term ''experimental aerospace vehicle'' means an object intended to be flown in, or launched into, orbital or suborbital flight for the purpose of demonstrating technologies necessary for a reusable launch vehicle, developed under an agreement between the Administration and a developer.

(4) RELATED ENTITY.—The term ''related entity'' includes a contractor or subcontractor at any tier, a supplier, a grantee, and an investigator or detailee.

(b) IN GENERAL.—The Administrator may provide liability insurance for, or indemnification to, the developer of an experimental aerospace vehicle developed or used in execution of an agreement between the Administration and the developer.

(c) TERMS AND CONDITIONS.—

(1) IN GENERAL.—Except as otherwise provided in this section, the insurance and indemnification provided by the Administration under subsection (b) to a developer shall be provided on the same terms and conditions as insurance and indemnification is provided by the Administration under section 20138 of this title to the user of a space vehicle.

(2) INSURANCE.—

(A) IN GENERAL.—A developer shall obtain liability insurance or demonstrate financial responsibility in amounts to compensate for the maximum probable loss from claims by—

(i) a third party for death, bodily injury, or property damage, or loss resulting from an activity carried out in connection with the development or use of an experimental aerospace vehicle; and

(ii) the United States Government for damage or loss to Government property resulting from such an activity.

(B) MAXIMUM REQUIRED.—The Administrator shall determine the amount of insurance required, but, except as provided in subparagraph (C), that amount shall not be greater than the amount required under section 50914(a)(3) of this title for a launch. The Administrator shall publish notice of the Administrator's determination and the applicable amount or amounts in the Federal Register within 10 days after making the determination.

(C) INCREASE IN DOLLAR AMOUNTS.—The Administrator may increase the dollar amounts set forth in section 50914(a)(3)(A) of this title for the purpose of applying that section under this section to a developer after consultation with the Comptroller General and such experts and consultants as may be appropriate, and after publishing notice of the increase in the Federal Register not less than 180 days before the increase goes into effect. The Administrator shall make available for public inspection, not later than the date of publication of such notice, a complete record of any correspondence received by the Administration, and a transcript of any meetings in which the Administration participated, regarding the proposed increase.

(D) SAFETY REVIEW REQUIRED BEFORE ADMINISTRATOR PROVIDES INSURANCE.—The Administrator may not provide liability insurance or indemnification under subsection (b) unless the developer establishes to the satisfaction of the Administrator that appropriate safety procedures and practices are being followed in the development of the experimental aerospace vehicle.

(3) NO INDEMNIFICATION WITHOUT CROSS-WAIVER.—Notwithstanding subsection (b), the Administrator may not indemnify a developer of an experimental aerospace vehicle under this section unless there is an agreement between the Administration and the developer described in subsection (d).

(4) APPLICATION OF CERTAIN PROCEDURES.—If the Administrator requests additional appropriations to make payments under this section, like the payments that may be made under section 20138(c) of this title, then the request for those appropriations shall be made in accordance with the procedures established by subsections (d) and (e) of section 50915 of this title.

(d) CROSS-WAIVERS.—

(1) ADMINISTRATOR AUTHORIZED TO WAIVE.—The Administrator, on behalf of the United States, and its departments, agencies, and instrumentalities, may reciprocally waive claims with a developer or cooperating party and with the related entities of that developer or cooperating party under which each party to the waiver agrees to be responsible, and agrees to ensure that its own related entities are responsible, for damage or loss to its property for which it is responsible, or for losses resulting from any injury or death sustained by its own employees or agents, as a result of activities connected to the agreement or use of the experimental aerospace vehicle.

(2) LIMITATIONS.—

(A) CLAIMS.—A reciprocal waiver under paragraph (1) may not preclude a claim by any natural person (including, but not limited to, a natural person who is an employee of the United States, the developer, the cooperating party, or their respective subcontractors) or that natural person's estate, survivors, or subrogees for injury or death, except with respect to a subrogee that is a party to the waiver or has otherwise agreed to be bound by the terms of the waiver.

(B) LIABILITY FOR NEGLIGENCE.—A reciprocal waiver under paragraph (1) may not absolve any party of liability to any natural person (including, but not limited to, a natural person who is an employee of the United States, the developer, the cooperating party, or their respective subcontractors) or such a natural person's estate, survivors, or subrogees for negligence, except with respect to a subrogee that is a party to the waiver or has otherwise agreed to be bound by the terms of the waiver.

(C) INDEMNIFICATION FOR DAMAGES.—A reciprocal waiver under paragraph (1) may not be used as the basis of a claim by the Administration, or the developer or cooperating party, for indemnification against the other for damages paid to a natural person, or that natural person's estate, survivors, or subrogees, for injury or death sustained by that natural person as a result of activities connected to the agreement or use of the experimental aerospace vehicle.

(D) WILLFUL MISCONDUCT.—A reciprocal waiver under paragraph (1) may not relieve the United States, the developer, the cooperating party, or the related entities of the developer or cooperating party, of liability for damage or loss resulting from willful misconduct.

(3) EFFECT ON PREVIOUS WAIVERS.—This subsection applies to any waiver of claims entered into by the Administration without regard to the date on which the Administration entered into the waiver.

(e) RELATIONSHIP TO OTHER LAWS.—

(1) SECTION 20138.—This section does not apply to any object, transaction, or operation to which section 20138 of this title applies.

(2) SECTION 50919(g)(1).—The Administrator may not provide indemnification to a developer under this section for launches subject to license under section 50919(g)(1) of this title.

(f) TERMINATION.—

(1) IN GENERAL.—The provisions of this section shall terminate on December 31, 2010.

(2) EFFECT OF TERMINATION ON AGREEMENT.—The termination of this section shall not terminate or otherwise affect any cross-waiver agreement, insurance agreement, indemnification agreement, or other agreement entered into under this section, except as may be provided in that agreement.

§ 20140. Appropriations

(a) AUTHORIZATION.—

(1) IN GENERAL.—There are authorized to be appropriated such sums as may be necessary to carry out this chapter, except that nothing in this chapter shall authorize the appropriation of any amount for—

(A) the acquisition or condemnation of any real property; or

(B) any other item of a capital nature (such as plant or facility acquisition, construction, or expansion) which exceeds $250,000.

(2) AVAILABILITY.—Sums appropriated pursuant to this subsection for the construction of facilities, or for research and development activities, shall remain available until expended.

(b) USE OF FUNDS FOR EMERGENCY REPAIRS OF EXISTING FACILITIES.—Any funds appropriated for the construction of facilities may be used for emergency repairs of existing facilities when such existing facilities are made inoperative by major breakdown, accident, or other circumstances and such repairs are deemed by the Administrator to be of greater urgency than the construction of new facilities.

(c) TERMINATION.—Notwithstanding any other provision of law, the authorization of any appropriation to the Administration shall expire (unless an earlier expiration is specifically provided) at the close of the third fiscal year following the fiscal year in which the authorization was enacted, to the extent that such appropriation has not theretofore actually been made.

§ 20141. Misuse of agency name and initials

(a) IN GENERAL.—No person (as defined by section 20135(a) of this title) may knowingly use the words ''National Aeronautics and Space Administration'' or the letters ''NASA'', or any combination, variation, or colorable imitation of those words or letters either alone or in combination with other words or letters—

(1) as a firm or business name in a manner reasonably calculated to convey the impression that the firm or business has some connection with, endorsement of, or authorization from, the Administration which does not, in fact, exist; or

(2) in connection with any product or service being offered or made available to the public in a manner reasonably calculated to convey the impression that the product or service has the authorization, support, sponsorship, or endorsement of, or the development, use, or manufacture by or on behalf of the Administration which does not, in fact, exist.

(b) CIVIL PROCEEDING TO ENJOIN.—Whenever it appears to the Attorney General that any person is engaged in an act or practice which constitutes or will constitute conduct prohibited by subsection (a), the Attorney General may initiate a civil proceeding in a district court of the United States to enjoin such act or practice.

§ 20142. Contracts regarding expendable launch vehicles

(a) COMMITMENTS BEYOND AVAILABLE APPROPRIATIONS.—The Administrator may enter into contracts for expendable launch vehicle services that are for periods in excess of the period for which funds are otherwise available for obligation, provide for the payment for contingent liability which may accrue in excess of available appropriations in the event the Federal Government for its convenience terminates such contracts, and provide for advance payments reasonably related to launch vehicle and related equipment, fabrication, and acquisition costs, if any such contract limits the amount of the payments that the Government is allowed to make under such contract to amounts provided in advance in appropriation Acts. Such contracts may be limited to sources within the United States when the Administrator determines that such limitation is in the public interest.

(b) TERMINATION IF FUNDS NOT AVAILABLE.—If funds are not available to continue any such contract, the contract shall be terminated for the convenience of the Government, and the costs of such contract shall be paid from appropriations originally available for performance of the contract, from other unobligated appropriations currently available for the procurement of launch services, or from funds appropriated for such payments.

§ 20143. Full cost appropriations account structure

(a) ACCOUNTS FOR APPROPRIATIONS.—

(1) DESIGNATION OF 3 ACCOUNTS.—Appropriations for the Administration shall be made in 3 accounts, ''Science, Aeronautics, and Education'', ''Exploration Systems and Space Operations'', and an account for amounts appropriated for the necessary expenses of the Office of the Inspector General.

(2) REPROGRAMMING.—Within the Exploration Systems and Space Operations account, no more than 10 percent of the funds for a fiscal year for Exploration Systems may be reprogrammed for Space Operations, and no more than 10 percent of the funds for a fiscal year for Space Operations may be reprogrammed for Exploration Systems. This paragraph shall not apply to reprogramming for the purposes described in subsection (b)(2).

(3) AVAILABILITY.—Appropriations shall remain available for 2 fiscal years, unless otherwise specified in law. Each account shall include the planned full costs of Administration activities.

(b) TRANSFERS AMONG ACCOUNTS.—

(1) IN GENERAL.—To ensure the safe, timely, and successful accomplishment of Administration missions, the Administration may transfer among accounts as necessary, amounts for—

(A) Federal salaries and benefits;

(B) training, travel, and awards;

(C) facility and related costs;

(D) information technology services;

(E) publishing services;

(F) science, engineering, fabricating, and testing services; and

(G) other administrative services.

(2) DISASTER, ACT OF TERRORISM, EMERGENCY RESCUE.—The Administration may also transfer amounts among accounts for the immediate costs of recovering from damage caused by a major disaster (as defined in section 102 of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5122)) or by an act of terrorism, or for the immediate costs associated with an emergency rescue of astronauts.

(c) TRANSFER OF UNEXPIRED BALANCES.—The unexpired balances of prior appropriations to the Administration for activities authorized under this chapter may be transferred to the new account established for such activity in subsection (a). Balances so transferred may be merged with funds in the newly established account and thereafter

may be accounted for as one fund under the same terms and conditions.

§ 20144. Prize authority

(a) IN GENERAL.—The Administration may carry out a program to competitively award cash prizes to stimulate innovation in basic and applied research, technology development, and prototype demonstration that have the potential for application to the performance of the space and aeronautical activities of the Administration. The Administration may carry out a program to award prizes only in conformity with this section.

(b) TOPICS.—In selecting topics for prize competitions, the Administrator shall consult widely both within and outside the Federal Government, and may empanel advisory committees. The Administrator shall give consideration to prize goals such as the demonstration of the ability to provide energy to the lunar surface from space-based solar power systems, demonstration of innovative near-Earth object survey and deflection strategies, and innovative approaches to improving the safety and efficiency of aviation systems.

(c) ADVERTISING.—The Administrator shall widely advertise prize competitions to encourage participation.

(d) REQUIREMENTS AND REGISTRATION.—For each prize competition, the Administrator shall publish a notice in the Federal Register announcing the subject of the competition, the rules for being eligible to participate in the competition, the amount of the prize, and the basis on which a winner will be selected.

(e) ELIGIBILITY.—To be eligible to win a prize under this section, an individual or entity—

(1) shall have registered to participate in the competition pursuant to any rules promulgated by the Administrator under subsection (d);

(2) shall have complied with all the requirements under this section;

(3) in the case of a private entity, shall be incorporated in and maintain a primary place of business in the United States, and in the case of an individual, whether participating singly or in a group, shall be a citizen or permanent resident of the United States; and

(4) shall not be a Federal entity or Federal employee acting within the scope of their employment.

(f) LIABILITY.—

(1) ASSUMPTION OF RISK.—Registered participants must agree to assume any and all risks and waive claims against the Federal Government and its related entities, except in the case of willful misconduct, for any injury, death, damage, or loss of property, revenue, or profits, whether direct, indirect, or consequential, arising from their participation in a competition, whether such injury, death, damage, or loss arises through negligence or otherwise. For the purposes of this paragraph, the term ''related entity'' means a contractor or subcontractor at any tier, and a supplier, user, customer, cooperating party, grantee, investigator, or detailee.

(2) LIABILITY INSURANCE.—Participants must obtain liability insurance or demonstrate financial responsibility, in amounts determined by the Administrator, for claims by—

(A) a third party for death, bodily injury, or property damage, or loss resulting from an activity carried out in connection with participation in a competition, with the Federal Government named as an additional insured under the registered participant's insurance policy and registered participants agreeing to indemnify the Federal Government against third party claims for damages arising from or related to competition activities; and

(B) the Federal Government for damage or loss to Government property resulting from such an activity.

(g) JUDGES.—For each competition, the Administration, either directly or through an agreement under subsection (h), shall assemble a panel of qualified judges to select the winner or winners of the prize competition on the basis described pursuant to subsection (d). Judges for each competition shall include individuals from outside the Administration, including from the private sector. A judge may not—

(1) have personal or financial interests in, or be an employee, officer, director, or agent of any entity that is a registered participant in a competition; or

(2) have a familial or financial relationship with an individual who is a registered participant.

(h) ADMINISTERING THE COMPETITION.—The Administrator may enter into an agreement with a private, nonprofit entity to administer the prize competition, subject to the provisions of this section.

(i) FUNDING.—

(1) SOURCES.—Prizes under this section may consist of Federal appropriated funds and funds provided by the private sector for such cash prizes. The Administrator may accept funds from other Federal agencies for such cash prizes. The Administrator may not give any special consideration to any private sector entity in return for a donation.

(2) AVAILABILITY.—

(A) DEFINITION OF PROVISIONS KNOWN AS THE ANTI-DEFICIENCY ACT.—In this paragraph, the term ''provisions known as the Anti-Deficiency Act'' means sections 1341, 1342, 1349(a), 1350, 1351, 1511, 1512, 1513, 1514, 1515, 1516, 1517, 1518, and 1519 of title 31.

(B) IN GENERAL.—Notwithstanding any other provision of law, funds appropriated for prize awards under this section shall remain available until expended, and may be transferred, reprogrammed, or expended for other purposes only after the expiration of 10 fiscal years after the fiscal year for which the funds were originally appropriated. No provision in this section permits obligation or payment of funds in violation of the provisions known as the Anti-Deficiency Act.

(3) APPROPRIATION OR COMMITMENT OF FUNDS REQUIRED BEFORE ANNOUNCEMENT OF PRIZE OR INCREASE.—

(A) IN GENERAL.—No prize may be announced under subsection (d) until all the funds needed to pay out the announced amount of the prize have been appropriated or committed in writing by a private source.

(B) INCREASE.—The Administrator may increase the amount of a prize after an initial announcement is made under subsection (d) if—

(i) notice of the increase is provided in the same manner as the initial notice of the prize; and

(ii) the funds needed to pay out the announced amount of the increase have been appropriated or committed in writing by a private source.

(4) NOTICE TO COMMITTEES FOR PRIZE GREATER THAN $50,000,000.—No prize competition under this section may offer a prize in an amount greater than $50,000,000 unless 30 days have elapsed after written notice has been transmitted to the Committee on Science and Technology of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate.

(5) APPROVAL OF ADMINISTRATOR FOR PRIZE GREATER THAN $1,000,000.—No prize competition under this section may result in the award of more than $1,000,000 in cash prizes without the approval of the Administrator.

(j) USE OF ADMINISTRATION NAME OR INSIGNIA.—A registered participant in a competition under this section may use the Administration's name, initials, or insignia only after prior review and written approval by the Administration.

(k) COMPLIANCE WITH EXISTING LAW.—The Federal Government shall not, by virtue of offering or providing a prize under this section, be responsible for compliance by registered participants in a prize competition with Federal law, including licensing, export control, and non-proliferation laws, and related regulations.

§ 20145. Lease of non-excess property

(a) IN GENERAL.—The Administrator may enter into a lease under this section with any person or entity (including another department or agency of the Federal Government or an entity of a State or local government) with regard to any non-excess real property and related personal property under the jurisdiction of the Administrator.

(b) CASH CONSIDERATION.—

(1) FAIR MARKET VALUE.—A person or entity entering into a lease under this section shall provide cash consideration for the lease at fair market value as determined by the Administrator.

(2) UTILIZATION.—

(A) IN GENERAL.—The Administrator may utilize amounts of cash consideration received under this subsection for a lease entered into under this section to cover the full costs to the Administration in connection with the lease. These funds shall remain available until expended.

(B) CAPITAL REVITALIZATION AND IMPROVEMENTS.—Of any amounts of cash consideration received under this subsection that are not utilized in accordance with subparagraph (A)—

(i) 35 percent shall be deposited in a capital asset account to be established by the Administrator, shall be available for maintenance, capital revitalization, and improvements of the real property assets and related personal property under the jurisdiction of the Administrator, and shall remain available until expended; and

(ii) the remaining 65 percent shall be available to the respective center or facility of the Administration engaged in the lease of nonexcess real property, and shall remain available until expended for maintenance, capital revitalization, and improvements of the real property assets and related personal property at the respective center or facility subject to the concurrence of the Administrator.

(C) NO UTILIZATION FOR DAILY OPERATING COSTS.—Amounts utilized under subparagraph (B) may not be utilized for daily operating costs.

(c) ADDITIONAL TERMS AND CONDITIONS.—The Administrator may require such terms and conditions in connection with a lease under this section as the Administrator considers appropriate to protect the interests of the United States.

(d) RELATIONSHIP TO OTHER LEASE AUTHORITY.—The authority under this section to lease property of the Administration is in addition to any other authority to lease property of the Administration under law.

(e) LEASE RESTRICTIONS.—

(1) NO LEASE BACK OR OTHER CONTRACT.—The Administration is not authorized to lease back property under this section during the term of the out-lease or enter into other contracts with the lessee respecting the property.

(2) CERTIFICATION THAT OUT-LEASE WILL NOT HAVE NEGATIVE IMPACT ON MISSION.—The Administration is not authorized to enter into an out-lease under this section unless the Administrator certifies that the out-lease will not have a negative impact on the mission of the Administration.

(f) REPORTING REQUIREMENTS.—The Administrator shall submit an annual report by January 31st of each year. The report shall include the following:

(1) VALUE OF ARRANGEMENTS AND EXPENDITURES OF REVENUES.—Information that identifies and quantifies the value of the arrangements and expenditures of revenues received under this section.

(2) AVAILABILITY AND USE OF FUNDS FOR OPERATING PLAN.—The availability and use of funds received under this section for the Administration's operating plan.

(g) SUNSET.—The authority to enter into leases under this section shall expire 10 years after December 26, 2007. The expiration under this subsection of authority to enter into leases under this section shall not affect the validity or term of leases or the Administration's retention of proceeds from leases entered into under this section before the expiration of the authority.

§ 20146. Retrocession of jurisdiction

(a) DEFINITION OF STATE.—In this section, the term ''State'' means any of the several States, the District of Columbia, the Commonwealth of Puerto Rico, the United States Virgin Islands, Guam, American Samoa, the Northern Mariana Islands, and any other commonwealth, territory, or possession of the United States.

(b) RELINQUISHING LEGISLATIVE JURISDICTION.—Notwithstanding any other provision of law, the Administrator may relinquish to a State all or part of the legislative jurisdiction of the United States over lands or interests under the control of the Administrator in that State.

§ 20147. Recovery and disposition authority

(a) DEFINITIONS.—In this section:

(1) ADMINISTRATION HUMAN SPACE FLIGHT VEHICLE.—The term ''Administration human space flight vehicle'' means a space vehicle, as defined in section 20138(a) of this title, that—

(A) is intended to transport one or more persons;

(B) is designed to operate in outer space; and

(C) is either—

(i) owned by the Administration; or

(ii) owned by an Administration contractor or cooperating party and operated as part of an Administration mission or a joint mission with the Administration.

(2) CREWMEMBER.—The term ''crewmember'' means an astronaut or other person assigned to an Administration human space flight vehicle.

(b) CONTROL OF REMAINS.—

(1) IN GENERAL.—Subject to paragraphs (2) and (3), when there is an accident or mishap resulting in the death of a crewmember of an Administration human space flight vehicle, the Administrator may take control over the remains of the crewmember and order autopsies and other scientific or medical tests.

(2) TREATMENT.—Each crewmember shall provide the Administrator with the crewmember's preferences regarding the treatment accorded to the crewmember's remains and the Administrator shall, to the extent possible, respect those stated preferences.

(3) CONSTRUCTION.—This section shall not be construed to permit the Administrator to interfere with any Federal investigation of a mishap or accident.

SUBCHAPTER IV—UPPER ATMOSPHERE RESEARCH

§ 20161. Congressional declaration of purpose and policy

(a) PURPOSE.—The purpose of this subchapter is to authorize and direct the Administration to develop and carry out a comprehensive program of research, technology, and monitoring of the phenomena of the upper atmosphere so as to provide for an understanding of and to maintain the chemical and physical integrity of the Earth's upper atmosphere.

(b) POLICY.—Congress declares that it is the policy of the United States to undertake an immediate and appropriate research, technology, and monitoring program that will provide for understanding the physics and chemistry of the Earth's upper atmosphere.

§ 20162. Definition of upper atmosphere

In this subchapter, the term ''upper atmosphere'' means that portion of the Earth's sensible atmosphere above the troposphere.

§ 20163. Program authorized

(a) IN GENERAL.—In order to carry out the purposes of this subchapter, the Administration, in cooperation with other Federal agencies, shall initiate and carry out a program of research, technology, monitoring, and other appropriate activities directed to understand the physics and chemistry of the upper atmosphere.

(b) ACTIVITIES.—In carrying out the provisions of this subchapter, the Administration shall—

(1) arrange for participation by the scientific and engineering community, of both the Nation's industrial organizations and institutions of higher education, in planning and carrying out appropriate research, in developing necessary technology, and in making necessary observations and measurements;

(2) provide, by way of grant, contract, scholarships, or other arrangements, to the maximum extent practicable and consistent with other laws, for the widest practicable and appropriate participation of the scientific and engineering community in the program authorized by this subchapter; and

(3) make all results of the program authorized by this subchapter available to the appropriate regulatory agencies and provide for the widest practicable dissemination of such results.

§ 20164. International cooperation

In carrying out the provisions of this subchapter, the Administration, subject to the direction of the President and after consultation with the Secretary of State, shall make every effort to enlist the support and cooperation of appropriate scientists and engineers of other countries and international organizations.

CHAPTER 203—RESPONSIBILITIES AND VISION

Sec.
20301. General responsibilities.
20302. Vision for space exploration.
20303. Contribution to innovation.
20304. Basic research enhancement.
20305. National Academies decadal surveys.

§ 20301. General responsibilities

(a) PROGRAMS.—The Administrator shall ensure that the Administration carries out a balanced set of programs that shall include, at a minimum, programs in—

(1) human space flight, in accordance with section 20302 of this title;

(2) aeronautics research and development; and

(3) scientific research, which shall include, at a minimum—

(A) robotic missions to study the Moon and other planets and their moons, and to deepen understanding of astronomy, astrophysics, and other areas of science that can be productively studied from space;

(B) Earth science research and research on the Sun-Earth connection through the development and operation of research satellites and other means;

(C) support of university research in space science, Earth science, and microgravity science; and

(D) research on microgravity, including research that is not directly related to human exploration.

(b) CONSULTATION AND COORDINATION.—In carrying out the programs of the Administration, the Administrator shall—

(1) consult and coordinate to the extent appropriate with other relevant Federal agencies, including through the National Science and Technology Council;

(2) work closely with the private sector, including by—

(A) encouraging the work of entrepreneurs who are seeking to develop new means to launch satellites, crew, or cargo;

(B) contracting with the private sector for crew and cargo services, including to the International Space Station, to the extent practicable;

(C) using commercially available products (including software) and services to the extent practicable to support all Administration activities; and

(D) encouraging commercial use and development of space to the greatest extent practicable; and

(3) involve other nations to the extent appropriate.

§ 20302. Vision for space exploration

(a) IN GENERAL.—The Administrator shall establish a program to develop a sustained human presence on the Moon, including a robust precursor program, to promote exploration, science, commerce, and United States preeminence in space, and as a stepping-stone to future exploration of Mars and other destinations. The Administrator is further authorized to develop and conduct appropriate international collaborations in pursuit of these goals.

(b) MILESTONES.—The Administrator shall manage human space flight programs to strive to achieve the following milestones (in conformity with section 70502 of this title):

(1) Returning Americans to the Moon no later than 2020.

(2) Launching the Crew Exploration Vehicle as close to 2010 as possible.

(3) Increasing knowledge of the impacts of long duration stays in space on the human body using the most appropriate facilities available, including the International Space Station.

(4) Enabling humans to land on and return from Mars and other destinations on a timetable that is technically and fiscally possible.

§ 20303. Contribution to innovation

(a) PARTICIPATION IN INTERAGENCY ACTIVITIES.—The Administration shall be a full participant in any interagency effort to promote innovation and economic competitiveness through near-term and long-term basic scientific research and development and the promotion of science, technology, engineering, and mathematics education, consistent with the Administration's mission, including authorized activities.

(b) HISTORIC FOUNDATION.—In order to carry out the participation described in subsection (a), the Administrator shall build on the historic role of the Administration in stimulating excellence in the advancement of physical science and engineering disciplines and in providing opportunities and incentives for the pursuit of academic studies in science, technology, engineering, and mathematics.

(c) BALANCED SCIENCE PROGRAM AND ROBUST AUTHORIZATION LEVELS.—The balanced science program authorized by section 101(d) of the National Aeronautics and Space Administration Authorization Act of 2005 (42 U.S.C. 16611(d)) shall be an element of the contribution by the Administration to the interagency programs.

(d) ANNUAL REPORT.—

(1) REQUIREMENT.—The Administrator shall submit to Congress and the President an annual report describing the activities conducted pursuant to this section, including a description of the goals and the objective metrics upon which funding decisions were made.

(2) CONTENT.—Each report submitted pursuant to paragraph (1) shall include, with regard to science, technology, engineering, and mathematics education programs, at a minimum, the following:

(A) A description of each program.

(B) The amount spent on each program.

(C) The number of students or teachers served by each program.

§ 20304. Basic research enhancement

(a) DEFINITION OF BASIC RESEARCH.—In this section, the term ''basic research'' has the meaning given the term in Office of Management and Budget Circular No. A–11.

(b) COORDINATION.—The Administrator, the Director of the National Science Foundation, the Secretary of Energy, the Secretary of Defense, and the Secretary of Commerce shall, to the extent practicable, coordinate basic research activities related to physical sciences, technology, engineering, and mathematics.

§ 20305. National Academies decadal surveys

(a) IN GENERAL.—The Administrator shall enter into agreements on a periodic basis with the National Academies for independent assessments, also known as decadal surveys, to take stock of the status and opportunities for Earth and space science discipline fields and Aeronautics research and to recommend priorities for research and programmatic areas over the next decade.

(b) INDEPENDENT COST ESTIMATES.—The agreements described in subsection (a) shall include independent estimates of the life cycle costs and technical readiness of missions assessed in the decadal surveys whenever possible.

(c) REEXAMINATION.—The Administrator shall request that each National Academies decadal survey committee identify any conditions or events, such as significant cost growth or scientific or technological advances, that would warrant the Administration asking the National Academies to reexamine the priorities that the decadal survey had established.

Subtitle III—Administrative Provisions

CHAPTER 301—APPROPRIATIONS, BUDGETS, AND ACCOUNTING

Sec.
30101. Prior authorization of appropriations required.
30102. Working capital fund.
30103. Budgets.
30104. Baselines and cost controls.

§ 30101. Prior authorization of appropriations required

Notwithstanding the provisions of any other law, no appropriation may be made to the Administration unless previously authorized by legislation enacted by Congress.

§ 30102. Working capital fund

(a) ESTABLISHMENT.—There is hereby established in the United States Treasury an Administration working capital fund.

(b) AVAILABILITY OF AMOUNTS.—

(1) IN GENERAL.—Amounts in the fund are available for financing activities, services, equipment, information, and facilities as authorized by law to be provided—

(A) within the Administration;

(B) to other agencies or instrumentalities of the United States;

(C) to any State, territory, or possession or political subdivision thereof;

(D) to other public or private agencies; or

(E) to any person, firm, association, corporation, or educational institution on a reimbursable basis.

(2) CAPITAL REPAIRS.—The fund shall also be available for the purpose of funding capital repairs, renovations, rehabilitation, sustainment, demolition, or replacement of Administration real property, on a reimbursable basis within the Administration.

(3) NO FISCAL YEAR LIMITATION.—Amounts in the fund are available without regard to fiscal year limitation.

(c) CONTENTS.—The capital of the fund consists of—

(1) amounts appropriated to the fund;

(2) the reasonable value of stocks of supplies, equipment, and other assets and inventories on order that the Administrator transfers to the fund, less the related liabilities and unpaid obligations; and

(3) payments received for loss or damage to property of the fund.

(d) REIMBURSEMENT.—The fund shall be reimbursed, in advance, for supplies and services at rates that will approximate the expenses of operation, such as the accrual of annual leave, depreciation of plant, property, and equipment, and overhead.

§ 30103. Budgets

(a) CATEGORIES.—The proposed budget for the Administration submitted by the President for each fiscal year shall be accompanied by documents showing—

(1) by program—

(A) the budget for space operations, including the International Space Station and the space shuttle;

(B) the budget for exploration systems;

(C) the budget for aeronautics;

(D) the budget for space science;

(E) the budget for Earth science;

(F) the budget for microgravity science;

(G) the budget for education;

(H) the budget for safety oversight; and

(I) the budget for public relations;

(2) the budget for technology transfer programs;

(3) the budget for the Integrated Enterprise Management Program, by individual element;

(4) the budget for the Independent Technical Authority, both total and by center;

(5) the total budget for the prize program under section 20144 of this title, and the administrative budget for that program; and

(6) the comparable figures for at least the 2 previous fiscal years for each item in the proposed budget.

(b) ADDITIONAL BUDGET INFORMATION UPON REQUEST BY COMMITTEES.—The Administration shall make available, upon request from the Committee on Science and Technology of the House of Representatives or the Committee on Commerce, Science, and Transportation of the Senate—

(1) information on corporate and center general and administrative costs and service pool costs, including—

(A) the total amount of funds being allocated for those purposes for any fiscal year for which the President has submitted an annual budget request to Congress;

(B) the amount of funds being allocated for those purposes for each center, for headquarters, and for each directorate; and

(C) the major activities included in each cost category; and

(2) the figures on the amount of unobligated funds and unexpended funds, by appropriations account—

(A) that remained at the end of the fiscal year prior to the fiscal year in which the budget is being presented that were carried over into the fiscal year in which the budget is being presented;

(B) that are estimated will remain at the end of the fiscal year in which the budget is being presented that are proposed to be carried over into the fiscal year for which the budget is being presented; and

(C) that are estimated will remain at the end of the fiscal year for which the budget is being presented.

(c) INFORMATION IN ANNUAL BUDGET JUSTIFICATION.—The Administration shall provide, at a minimum, the following information in its annual budget justification:

(1) The actual, current, proposed funding level, and estimated budgets for the next 5 fiscal years by directorate, theme, program, project and activity within each appropriations account.

(2) The proposed programmatic and nonprogrammatic construction of facilities.

(3) The budget for headquarters including—

(A) the budget by office, and any division thereof, for the actual, current, proposed funding level, and estimated budgets for the next 5 fiscal years;

(B) the travel budget for each office, and any division thereof, for the actual, current, and proposed funding level; and

(C) the civil service full time equivalent assignments per headquarters office, and any division thereof, including the number of Senior Executive Service, noncareer, detailee, and contract personnel per office.

(4) Within 14 days of the submission of the budget to Congress an accompanying volume shall be provided to the Committees on Appropriations containing the following information for each center, facility managed by any center, and federally funded research and development center operated on behalf of the Administration:

(A) The actual, current, proposed funding level, and estimated budgets for the next 5 fiscal years by directorate, theme, program, project, and activity.

(B) The proposed programmatic and nonprogrammatic construction of facilities.

(C) The number of civil service full time equivalent positions per center for each identified fiscal year.

(D) The number of civil service full time equivalent positions considered to be uncovered capacity at each location for each identified fiscal year.

(5) The proposed budget as designated by object class for each directorate, theme, and program.

(6) Sufficient narrative shall be provided to explain the request for each program, project, and activity, and an explanation for any deviation to previously adopted baselines for all justification materials provided to the Committees.

(d) ESTIMATE OF GROSS RECEIPTS AND PROPOSED USE OF FUNDS RELATED TO LEASE OF PROPERTY.—Each annual budget request shall include an annual estimate of gross receipts and collections and proposed use of all funds collected pursuant to section 20145 of this title.

§ 30104. Baselines and cost controls

(a) DEFINITIONS.—In this section:

(1) DEVELOPMENT.—The term ''development'' means the phase of a program following the formulation phase and beginning with the approval to proceed to implementation, as defined in the Administration's Procedural Requirements 7120.5c, dated March 22, 2005.

(2) DEVELOPMENT COST.—The term ''development cost'' means the total of all costs, including construction of facilities and civil servant costs, from the period beginning with the approval to proceed to implementation through the achievement of operational readiness, without regard to funding source or management control, for the life of the program.

(3) LIFE-CYCLE COST.—The term ''life-cycle cost'' means the total of the direct, indirect, recurring, and nonrecurring costs, including

the construction of facilities and civil servant costs, and other related expenses incurred or estimated to be incurred in the design, development, verification, production, operation, maintenance, support, and retirement of a program over its planned lifespan, without regard to funding source or management control.

(4) MAJOR PROGRAM.—The term ''major program'' means an activity approved to proceed to implementation that has an estimated life-cycle cost of more than $250,000,000.

(b) CONDITIONS FOR DEVELOPMENT.—

(1) IN GENERAL.—The Administration shall not enter into a contract for the development of a major program unless the Administrator determines that—

(A) the technical, cost, and schedule risks of the program are clearly identified and the program has developed a plan to manage those risks;

(B) the technologies required for the program have been demonstrated in a relevant laboratory or test environment; and

(C) the program complies with all relevant policies, regulations, and directives of the Administration.

(2) REPORT.—The Administrator shall transmit a report describing the basis for the determination required under paragraph (1) to the Committee on Science and Technology of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate at least 30 days before entering into a contract for development under a major program.

(3) NONDELEGATION.—The Administrator may not delegate the determination requirement under this subsection, except in cases in which the Administrator has a conflict of interest.

(c) MAJOR PROGRAM ANNUAL REPORTS.—

(1) REQUIREMENT.—Annually, at the same time as the President's annual budget submission to Congress, the Administrator shall transmit to the Committee on Science and Technology of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate a report that includes the information required by this section for each major program for which the Administration proposes to expend funds in the subsequent fiscal year. Reports under this paragraph shall be known as Major Program Annual Reports.

(2) BASELINE REPORT.—The first Major Program Annual Report for each major program shall include a Baseline Report that shall, at a minimum, include—

(A) the purposes of the program and key technical characteristics necessary to fulfill those purposes;

(B) an estimate of the life-cycle cost for the program, with a detailed breakout of the development cost, program reserves, and an estimate of the annual costs until development is completed;

(C) the schedule for development, including key program milestones;

(D) the plan for mitigating technical, cost, and schedule risks identified in accordance with subsection (b)(1)(A); and

(E) the name of the person responsible for making notifications under subsection (d), who shall be an individual whose primary responsibility is overseeing the program.

(3) INFORMATION UPDATES.—For major programs for which a Baseline Report has been submitted, each subsequent Major Program Annual Report shall describe any changes to the information that had been provided in the Baseline Report, and the reasons for those changes.

(d) NOTIFICATION.—

(1) REQUIREMENT.—The individual identified under subsection (c)(2)(E) shall immediately notify the Administrator any time that individual has reasonable cause to believe that, for the major program for which he or she is responsible—

(A) the development cost of the program is likely to exceed the estimate provided in the Baseline Report of the program by 15 percent or more; or

(B) a milestone of the program is likely to be delayed by 6 months or more from the date provided for it in the Baseline Report of the program.

(2) REASONS.—Not later than 30 days after the notification required under paragraph (1), the individual identified under subsection (c)(2)(E) shall transmit to the Administrator a written notification explaining the reasons for the change in the cost or milestone of the program for which notification was provided under paragraph (1).

(3) NOTIFICATION OF CONGRESS.—Not later than 15 days after the Administrator receives a written notification under paragraph (2), the Administrator shall transmit the notification to the Committee on Science and Technology of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate.

(e) FIFTEEN PERCENT THRESHOLD.—

(1) DETERMINATION, REPORT, AND INITIATION OF ANALYSIS.—Not later than 30 days after receiving a written notification under subsection (d)(2), the Administrator shall determine whether the development cost of the program is likely to exceed the estimate provided in the Baseline Report of the program by 15 percent or more, or whether a milestone is likely to be delayed by 6 months or more. If the determination is affirmative, the Administrator shall—

(A) transmit to the Committee on Science and Technology of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate, not later than 15 days after making the determination, a report that includes—

(i) a description of the increase in cost or delay in schedule and a detailed explanation for the increase or delay;

(ii) a description of actions taken or proposed to be taken in response to the cost increase or delay; and

(iii) a description of any impacts the cost increase or schedule delay, or the actions described under clause (ii), will have on any other program within the Administration; and

(B) if the Administrator intends to continue with the program, promptly initiate an analysis of the program, which shall include, at a minimum—

(i) the projected cost and schedule for completing the program if current requirements of the program are not modified;

(ii) the projected cost and the schedule for completing the program after instituting the actions described under subparagraph (A)(ii); and

(iii) a description of, and the projected cost and schedule for, a broad range of alternatives to the program.

(2) COMPLETION OF ANALYSIS AND TRANSMITTAL TO COMMITTEES.—The Administration shall complete an analysis initiated under paragraph (1)(B) not later than 6 months after the Administrator makes a determination under this subsection. The Administrator shall transmit the analysis to the Committee on Science and Technology of the House of Representatives and Committee on Commerce, Science, and Transportation of the Senate not later than 30 days after its completion.

(f) THIRTY PERCENT THRESHOLD.—If the Administrator determines under subsection (e) that the development cost of a program will exceed the estimate provided in the Baseline Report of the program by more than 30 percent, then, beginning 18 months after the date the Administrator transmits a report under subsection (e)(1)(A), the Administrator shall not expend any additional funds on the program, other than termination costs, unless Congress has subsequently authorized continuation of the program by law. An appropriation for the specific program enacted subsequent to a report being transmitted shall be considered an authorization for purposes of this subsection. If the program is continued, the Administrator shall submit a new Baseline Report for the program no later than 90 days after the date of enactment of the Act under which Congress has authorized continuation of the program.

CHAPTER 303—CONTRACTING AND PROCUREMENT

Sec.
30301. Guaranteed customer base.
30302. Quality assurance personnel.
30303. Tracking and data relay satellite services.
30304. Award of contracts to small businesses and disadvantaged individuals.
30305. Outreach program.
30306. Small business contracting.
30307. Requirement for independent cost analysis.
30308. Cost effectiveness calculations.
30309. Use of abandoned and underutilized buildings, grounds, and facilities.
30310. Exception to alternative fuel procurement requirement.

§ 30301. Guaranteed customer base

No amount appropriated to the Administration may be used to fund grants, contracts, or other agreements with an expected duration of more than one year, when a primary effect of the grant, contract, or agreement is to provide a guaranteed customer base for or establish an anchor tenancy in new commercial space hardware or services unless an appropriations Act specifies the new commercial space hardware or services to be developed or used, or the grant, contract, or agreement is otherwise identified in such Act.

§ 30302. Quality assurance personnel

(a) EXCLUSION OF ADMINISTRATION PERSONNEL.—A person providing articles to the Administration under a contract entered into after December 9, 1991, may not exclude Administration quality assurance personnel from work sites except as provided in a contract provision that has been submitted to Congress as provided in subsection (b).

(b) CONTRACT PROVISIONS.—The Administration shall not enter into any contract which permits the exclusion of Administration quality assurance personnel from work sites unless the Administrator has submitted a copy of the provision permitting such exclusion to Congress at least 60 days before entering into the contract.

§ 30303. Tracking and data relay satellite services

(a) CONTRACTS.—The Administration is authorized, when so provided in an appropriation Act, to enter into and to maintain a contract for tracking and data relay satellite services. Such services shall be furnished to the Administration in accordance with applicable authorization and appropriations Acts. The Government shall incur no costs under such contract prior to the furnishing of such services except that the contract may provide for the payment for contingent liability of the Government which may accrue in the event the Government should decide for its convenience to terminate the contract before the end of the period of the contract. Facilities which may be required in the performance of the contract may be constructed

on Government-owned lands if there is included in the contract a provision under which the Government may acquire title to the facilities, under terms and conditions agreed upon in the contract, upon termination of the contract.

(b) REPORTS TO CONGRESS.—The Administrator shall in January of each year report to the Committee on Science and Technology and the Committee on Appropriations of the House of Representatives and the Committee on Commerce, Science, and Transportation and the Committee on Appropriations of the Senate the projected aggregate contingent liability of the Government under termination provisions of any contract authorized in this section through the next fiscal year. The authority of the Administration to enter into and to maintain the contract authorized hereunder shall remain in effect unless repealed by legislation enacted by Congress.

§ 30304. Award of contracts to small businesses and disadvantaged individuals

The Administrator shall annually establish a goal of at least 8 percent of the total value of prime and subcontracts awarded in support of authorized programs, including the space station by the time operational status is obtained, which funds will be made available to small business concerns or other organizations owned or controlled by socially and economically disadvantaged individuals (within the meaning of paragraphs (5) and (6) of section 8(a) of the Small Business Act (15 U.S.C. 637(a))), including Historically Black Colleges and Universities that are part B institutions (as defined in section 322(2) of the Higher Education Act of 1965 (20 U.S.C. 1061(2))), Hispanic-serving institutions (as defined in section 502(a)(5) of that Act (20 U.S.C. 1101a(a)(5))), Tribal Colleges or Universities (as defined in section 316(b)(3) of that Act (20 U.S.C. 1059c(b)(3))), Alaska Native-serving institutions (as defined in section 317(b)(2) of that Act (20 U.S.C. 1059d(b)(2))), Native Hawaiian-serving institutions (as defined in section 317(b)(4) of that Act (20 U.S.C. 1059d(b)(4))), and minority educational institutions (as defined by the Secretary of Education pursuant to the General Education Provisions Act (20 U.S.C. 1221 et seq.)).

§ 30305. Outreach program

(a) ESTABLISHMENT.—The Administration shall competitively select an organization to partner with Administration centers, aerospace contractors, and academic institutions to carry out a program to help promote the competitiveness of small, minority-owned, and women-owned businesses in communities across the United States through enhanced insight into the technologies of the Administration's space and aeronautics programs. The program shall support the mission of the Administration's Innovative Partnerships Program with its emphasis on joint partnerships with industry, academia, government agencies, and national laboratories.

(b) PROGRAM STRUCTURE.—In carrying out the program described in subsection (a), the organization shall support the mission of the Administration's Innovative Partnerships Program by undertaking the following activities:

(1) FACILITATING ENHANCED INSIGHT.—Facilitating the enhanced insight of the private sector into the Administration's technologies in order to increase the competitiveness of the private sector in producing viable commercial products.

(2) CREATING NETWORK.—Creating a network of academic institutions, aerospace contractors, and Administration centers that will commit to donating appropriate technical assistance to small businesses, giving preference to socially and economically disadvantaged small business concerns, small business concerns owned and controlled by service-disabled veterans, and HUBZone small business concerns. This paragraph shall not apply to any contracting actions entered into or taken by the Administration.

(3) CREATING NETWORK OF ECONOMIC DEVELOPMENT ORGANIZATIONS.—Creating a network of economic development organizations to increase the awareness and enhance the effectiveness of the program nationwide.

(c) REPORT.—Not later than one year after October 15, 2008, and annually thereafter, the Administrator shall submit a report to the Committee on Science and Technology of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate describing the efforts and accomplishments of the program established under subsection (a) in support of the Administration's Innovative Partnerships Program. As part of the report, the Administrator shall provide—

(1) data on the number of small businesses receiving assistance, jobs created and retained, and volunteer hours donated by the Administration, contractors, and academic institutions nationwide;

(2) an estimate of the total dollar value of the economic impact made by small businesses that received technical assistance through the program; and

(3) an accounting of the use of funds appropriated for the program.

§ 30306. Small business contracting

(a) PLAN.—In consultation with the Small Business Administration, the Administrator shall develop a plan to maximize the number and amount of contracts awarded to small business concerns (within the meaning given that term in section 3 of the Small Business Act (15 U.S.C. 632)) and to meet established contracting goals for such concerns.

(b) PRIORITY.—The Administrator shall establish as a priority meeting the contracting goals developed in conjunction with the Small Business Administration to maximize the amount of prime contracts, as measured in dollars, awarded in each fiscal year by the Administration to small business concerns (within the meaning given that term in section 3 of the Small Business Act (15 U.S.C. 632)).

§ 30307. Requirement for independent cost analysis

(a) DEFINITION OF IMPLEMENTATION.—In this section, the term ''implementation'' means all activity in the life cycle of a project after preliminary design, independent assessment of the preliminary design, and approval to proceed into implementation, including critical design, development, certification, launch, operations, disposal of assets, and, for technology programs, development, testing, analysis, and communication of the results.

(b) REQUIREMENT.—Before any funds may be obligated for implementation of a project that is projected to cost more than $250,000,000 in total project costs, the Administrator shall conduct and consider an independent life-cycle cost analysis of the project and shall report the results to Congress. In developing cost accounting and reporting standards for carrying out this section, the Administrator shall, to the extent practicable and consistent with other laws, solicit the advice of experts outside of the Administration.

§ 30308. Cost effectiveness calculations

(a) DEFINITIONS.—In this section:

(1) COMMERCIAL PROVIDER.—The term ''commercial provider'' means any person providing space transportation services or other space-related activities, the primary control of which is held by persons other than a Federal, State, local, or foreign government.

(2) STATE.—The term ''State'' means each of the several States of the United States, the District of Columbia, the Commonwealth of Puerto Rico, the Virgin Islands, Guam, American Samoa, the Commonwealth of the Northern Mariana Islands, and any other commonwealth, territory, or possession of the United States.

(b) IN GENERAL.—Except as otherwise required by law, in calculating the cost effectiveness of the cost of the Administration engaging in an activity as compared to a commercial provider, the Administrator shall compare the cost of the Administration engaging in the activity using full cost accounting principles with the price the commercial provider will charge for such activity.

§ 30309. Use of abandoned and underutilized buildings, grounds, and facilities

(a) DEFINITION OF DEPRESSED COMMUNITIES.—In this section, the term ''depressed communities'' means rural and urban communities that are relatively depressed, in terms of age of housing, extent of poverty, growth of per capita income, extent of unemployment, job lag, or surplus labor.

(b) IN GENERAL.—In any case in which the Administrator considers the purchase, lease, or expansion of a facility to meet requirements of the Administration, the Administrator shall consider whether those requirements could be met by the use of one of the following:

(1) Abandoned or underutilized buildings, grounds, and facilities in depressed communities that can be converted to Administration usage at a reasonable cost, as determined by the Administrator.

(2) Any military installation that is closed or being closed, or any facility at such an installation.

(3) Any other facility or part of a facility that the Administrator determines to be—

(A) owned or leased by the United States for the use of another agency of the Federal Government; and

(B) considered by the head of the agency involved to be—

(i) excess to the needs of that agency; or

(ii) underutilized by that agency.

§ 30310. Exception to alternative fuel procurement requirement

Section 526(a) of the Energy Independence and Security Act of 2007 (42 U.S.C. 17142(a)) does not prohibit the Administration from entering into a contract to purchase a generally available fuel that is not an alternative or synthetic fuel or predominantly produced from a nonconventional petroleum source, if—

(1) the contract does not specifically require the contractor to provide an alternative or synthetic fuel or fuel from a nonconventional petroleum source;

(2) the purpose of the contract is not to obtain an alternative or synthetic fuel or fuel from a nonconventional petroleum source; and

(3) the contract does not provide incentives for a refinery upgrade or expansion to allow a refinery to use or increase its use of fuel from a nonconventional petroleum source.

CHAPTER 305—MANAGEMENT AND REVIEW

Sec.
30501. Lessons learned and best practices.
30502. Whistleblower protection.
30503. Performance assessments.
30504. Assessment of science mission extensions.

§ 30501. Lessons learned and best practices

(a) IN GENERAL.—The Administrator shall transmit to the Committee on Science and

Technology of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate an implementation plan describing the Administration's approach for obtaining, implementing, and sharing lessons learned and best practices for its major programs and projects not later than 180 days after December 30, 2005. The implementation plan shall be updated and maintained to ensure that it is current and consistent with the burgeoning culture of learning and safety that is emerging at the Administration.

(b) REQUIRED CONTENT.—The implementation plan shall contain at a minimum the lessons learned and best practices requirements for the Administration, the organizations or positions responsible for enforcement of the requirements, the reporting structure, and the objective performance measures indicating the effectiveness of the activity.

(c) INCENTIVES.—The Administrator shall provide incentives to encourage sharing and implementation of lessons learned and best practices by employees, projects, and programs, as well as penalties for programs and projects that are determined not to have demonstrated use of those resources.

§ 30502. Whistleblower protection

(a) IN GENERAL.—Not later than 1 year after December 30, 2005, the Administrator shall transmit to the Committee on Science and Technology of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate a plan describing steps to be taken by the Administration to protect from retaliation Administration employees who raise concerns about substantial and specific dangers to public health and safety or about substantial and specific factors that could threaten the success of a mission. The plan shall be designed to ensure that Administration employees have the full protection required by law. The Administrator shall implement the plan not more than 1 year after its transmittal.

(b) GOAL.—The Administrator shall ensure that the plan describes a system that will protect employees who wish to raise or have raised concerns described in subsection (a).

(c) PLAN.—At a minimum, the plan shall include, consistent with Federal law—

(1) a reporting structure that ensures that the officials who are the subject of a whistleblower's complaint will not learn the identity of the whistleblower;

(2) a single point to which all complaints can be made without fear of retribution;

(3) procedures to enable the whistleblower to track the status of the case;

(4) activities to educate employees about their rights as whistleblowers and how they are protected by law;

(5) activities to educate employees about their obligations to report concerns and their accountability before and after receiving the results of the investigations into their concerns; and

(6) activities to educate all appropriate Administration Human Resources professionals, and all Administration managers and supervisors, regarding personnel laws, rules, and regulations.

(d) REPORT.—Not later than February 15 of each year beginning February 15, 2007, the Administrator shall transmit a report to the Committee on Science and Technology of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate on the concerns described in subsection (a) that were raised during the previous fiscal year. At a minimum, the report shall provide—

(1) the number of concerns that were raised, divided into the categories of safety and health, mission assurance, and mismanagement, and the disposition of those concerns, including whether any employee was disciplined as a result of a concern having been raised; and

(2) any recommendations for reforms to further prevent retribution against employees who raise concerns.

§ 30503. Performance assessments

(a) IN GENERAL.—The performance of each division in the Science directorate of the Administration shall be reviewed and assessed by the National Academy of Sciences at 5-year intervals.

(b) TIMING.—Beginning with the first fiscal year following December 30, 2005, the Administrator shall select at least one division for review under this section. The Administrator shall select divisions so that all disciplines will have received their first review within 6 fiscal years of December 30, 2005.

(c) REPORTS.—Not later than March 1 of each year, beginning with the first fiscal year after December 30, 2005, the Administrator shall transmit a report to the Committee on Science and Technology of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate—

(1) setting forth in detail the results of any external review under subsection (a);

(2) setting forth in detail actions taken by the Administration in response to any external review; and

(3) including a summary of findings and recommendations from any other relevant external reviews of the Administration's science mission priorities and programs.

§ 30504. Assessment of science mission extensions

(a) ASSESSMENT.—The Administrator shall carry out biennial reviews within each of the Science divisions to assess the cost and benefits of extending the date of the termination of data collection for those missions that have exceeded their planned mission lifetime.

(b) CONSULTATION AND CONSIDERATION OF POTENTIAL BENEFITS OF INSTRUMENTS ON MISSIONS.—For those missions that have an operational component, the National Oceanic and Atmospheric Administration or any other affected agency shall be consulted and the potential benefits of instruments on missions that are beyond their planned mission lifetime taken into account.

CHAPTER 307—INTERNATIONAL COOPERATION AND COMPETITION

Sec.
30701. Competitiveness and international cooperation.
30702. Foreign contract limitation.
30703. Foreign launch vehicles.
30704. Offshore performance of contracts for the procurement of goods and services.

§ 30701. Competitiveness and international cooperation

(a) LIMITATION.—

(1) SOLICITATION OF COMMENT.—As part of the evaluation of the costs and benefits of entering into an obligation to conduct a space mission in which a foreign entity will participate as a supplier of the spacecraft, spacecraft system, or launch system, the Administrator shall solicit comment on the potential impact of such participation through notice published in Commerce Business Daily at least 45 days before entering into such an obligation.

(2) AGREEMENTS WITH PEOPLE'S REPUBLIC OF CHINA.—The Administrator shall certify to Congress at least 15 days in advance of any cooperative agreement with the People's Republic of China, or any company owned by the People's Republic of China or incorporated under the laws of the People's Republic of China, involving spacecraft, spacecraft systems, launch systems, or scientific or technical information, that—

(A) the agreement is not detrimental to the United States space launch industry; and

(B) the agreement, including any indirect technical benefit that could be derived from the agreement, will not improve the missile or space launch capabilities of the People's Republic of China.

(3) ANNUAL AUDIT.—The Inspector General of the Administration, in consultation with appropriate agencies, shall conduct an annual audit of the policies and procedures of the Administration with respect to the export of technologies and the transfer of scientific and technical information, to assess the extent to which the Administration is carrying out its activities in compliance with Federal export control laws and with paragraph (2).

(b) NATIONAL INTERESTS.—

(1) DEFINITION OF UNITED STATES COMMERCIAL PROVIDER.—In this subsection, the term ''United States commercial provider'' means a commercial provider (as defined in section 30308(a) of this title), organized under the laws of the United States or of a State (as defined in section 30308(a) of this title), which is—

(A) more than 50 percent owned by United States nationals; or

(B) a subsidiary of a foreign company and the Secretary of Commerce finds that—

(i) such subsidiary has in the past evidenced a substantial commitment to the United States market through—

(I) investments in the United States in long-term research, development, and manufacturing (including the manufacture of major components and subassemblies); and

(II) significant contributions to employment in the United States; and

(ii) the country or countries in which such foreign company is incorporated or organized, and, if appropriate, in which it principally conducts its business, affords reciprocal treatment to companies described in subparagraph (A) comparable to that afforded to such foreign company's subsidiary in the United States, as evidenced by—

(I) providing comparable opportunities for companies described in subparagraph (A) to participate in Government sponsored research and development similar to that authorized under this section, section 30307, 30308, 30309, or 30702 of this title, or the National Aeronautics and Space Administration Authorization Act of 2000 (Public Law 106–391, 114 Stat. 1577);

(II) providing no barriers to companies described in subparagraph (A) with respect to local investment opportunities that are not provided to foreign companies in the United States; and

(III) providing adequate and effective protection for the intellectual property rights of companies described in subparagraph (A).

(2) IN GENERAL.—Before entering into an obligation described in subsection (a), the Administrator shall consider the national interests of the United States described in paragraph (3) of this subsection.

(3) DESCRIPTION OF NATIONAL INTERESTS.—International cooperation in space exploration and science activities most effectively serves the United States national interest when it—

(A)(i) reduces the cost of undertaking missions the United States Government would pursue unilaterally;

(ii) enables the United States to pursue missions that it could not otherwise afford to pursue unilaterally; or

(iii) enhances United States capabilities to use and develop space for the benefit of United States citizens;

(B) is undertaken in a manner that is sensitive to the desire of United States commercial providers to develop or explore space commercially;

(C) is consistent with the need for Federal agencies to use space to complete their missions; and

(D) is carried out in a manner consistent with United States export control laws.

§ 30702. Foreign contract limitation

The Administration shall not enter into any agreement or contract with a foreign government that grants the foreign government the right to recover profit in the event that the agreement or contract is terminated.

§ 30703. Foreign launch vehicles

(a) ACCORD WITH SPACE TRANSPORTATION POLICY.—The Administration shall not launch a payload on a foreign launch vehicle except in accordance with the Space Transportation Policy announced by the President on December 21, 2004. This subsection shall not be construed to prevent the President from waiving the Space Transportation Policy.

(b) INTERAGENCY COORDINATION.—The Administration shall not launch a payload on a foreign launch vehicle unless the Administration commenced the interagency coordination required by the Space Transportation Policy announced by the President on December 21, 2004, at least 90 days before entering into a development contract for the payload.

(c) APPLICATION.—This section shall not apply to any payload for which development has begun prior to December 30, 2005, including the James Webb Space Telescope.

§ 30704. Offshore performance of contracts for the procurement of goods and services

The Administrator shall submit to Congress, not later than 120 days after the end of each fiscal year, a report on the contracts and subcontracts performed overseas and the amount of purchases directly or indirectly by the Administration from foreign entities in that fiscal year. The report shall separately indicate—

(1) the contracts and subcontracts and their dollar values for which the Administrator determines that essential goods or services under the contract are available only from a source outside the United States; and

(2) the items and their dollar values for which the Buy American Act (41 U.S.C. 10a et seq.) was waived pursuant to obligations of the United States under international agreements.

CHAPTER 309—AWARDS

Sec.
30901. Congressional Space Medal of Honor.
30902. Charles ''Pete'' Conrad Astronomy Awards.

§ 30901. Congressional Space Medal of Honor

(a) AUTHORITY TO AWARD.—The President may award, and present in the name of Congress, a medal of appropriate design, which shall be known as the Congressional Space Medal of Honor, to any astronaut who in the performance of the astronaut's duties has distinguished himself or herself by exceptionally meritorious efforts and contributions to the welfare of the Nation and of humankind.

(b) APPROPRIATIONS.—There is authorized to be appropriated from time to time such sums of money as may be necessary to carry out the purposes of this section.

§ 30902. Charles "Pete" Conrad Astronomy Awards

(a) SHORT TITLE.—This section may be cited as the ''Charles 'Pete' Conrad Astronomy Awards Act''.

(b) DEFINITIONS.—In this section:

(1) AMATEUR ASTRONOMER.—The term ''amateur astronomer'' means an individual whose employer does not provide any funding, payment, or compensation to the individual for the observation of asteroids and other celestial bodies, and does not include any individual employed as a professional astronomer.

(2) MINOR PLANET CENTER.—The term ''Minor Planet Center'' means the Minor Planet Center of the Smithsonian Astrophysical Observatory.

(3) NEAR-EARTH ASTEROID.—The term ''near-Earth asteroid'' means an asteroid with a perihelion distance of less than 1.3 Astronomical Units from the Sun.

(4) PROGRAM.—The term ''Program'' means the Charles ''Pete'' Conrad Astronomy Awards Program established under subsection (c).

(c) CHARLES ''PETE'' CONRAD ASTRONOMY AWARDS PROGRAM.—

(1) IN GENERAL.—The Administrator shall establish the Charles ''Pete'' Conrad Astronomy Awards Program.

(2) AWARDS.—The Administrator shall make awards under the Program based on the recommendations of the Minor Planet Center.

(3) AWARD CATEGORIES.—The Administrator shall make one annual award, unless there are no eligible discoveries or contributions, for each of the following categories:

(A) DISCOVERY OF BRIGHTEST NEAR-EARTH ASTEROID.—The amateur astronomer or group of amateur astronomers who in the preceding calendar year discovered the intrinsically brightest near-Earth asteroid among the near-Earth asteroids that were discovered during that year by amateur astronomers or groups of amateur astronomers.

(B) GREATEST CONTRIBUTION TO CATALOGUING NEAR-EARTH ASTEROIDS.—The amateur astronomer or group of amateur astronomers who made the greatest contribution to the Minor Planet Center's mission of cataloguing near-Earth asteroids during the preceding year.

(4) AWARD AMOUNT.—An award under the Program shall be in the amount of $3,000.

(5) GUIDELINES.—

(A) CITIZEN OR PERMANENT RESIDENT.—No individual who is not a citizen or permanent resident of the United States at the time of the individual's discovery or contribution may receive an award under this section.

(B) FINALITY.—The decisions of the Administrator in making awards under this section are final.

CHAPTER 311—SAFETY

Sec.
31101. Aerospace Safety Advisory Panel.
31102. Drug and alcohol testing.

§ 31101. Aerospace Safety Advisory Panel

(a) ESTABLISHMENT AND MEMBERS.—There is established an Aerospace Safety Advisory Panel consisting of a maximum of 9 members who shall be appointed by the Administrator for terms of 6 years each. Not more than 4 such members shall be chosen from among the officers and employees of the Administration.

(b) CHAIRMAN.—One member shall be designated by the Panel as its Chairman.

(c) DUTIES.—The Panel shall—

(1) review safety studies and operations plans referred to it, including evaluating the Administration's compliance with the return-to-flight and continue-to-fly recommendations of the Columbia Accident Investigation Board, and make reports thereon;

(2) advise the Administrator and Congress with respect to—

(A) the hazards of proposed or existing facilities and proposed operations;

(B) the adequacy of proposed or existing safety standards; and

(C) management and culture related to safety; and

(3) perform such other duties as the Administrator may request.

(d) COMPENSATION AND EXPENSES.—

(1) COMPENSATION.—

(A) FEDERAL OFFICERS AND EMPLOYEES.—A member of the Panel who is an officer or employee of the Federal Government shall receive no compensation for the member's services as such.

(B) MEMBERS APPOINTED FROM OUTSIDE THE FEDERAL GOVERNMENT.—A member of the Panel appointed from outside the Federal Government shall receive compensation, at a rate not to exceed the per diem rate equivalent to the maximum rate payable under section 5376 of title 5, for each day the member is engaged in the actual performance of duties vested in the Panel.

(2) EXPENSES.—A member of the Panel shall be allowed necessary travel expenses (or in the alternative, mileage for use of a privately owned vehicle and a per diem in lieu of subsistence not to exceed the rate and amount prescribed in sections 5702 and 5704 of title 5), and other necessary expenses incurred by the member in the performance of duties vested in the Panel, without regard to the provisions of subchapter I of chapter 57 of title 5, the Standardized Government Travel Regulations, or section 5731 of title 5.

(e) ANNUAL REPORT.—The Panel shall submit an annual report to the Administrator and to Congress. In the first annual report submitted after December 30, 2005, the Panel shall include an evaluation of the Administration's management and culture related to safety. Each annual report shall include an evaluation of the Administration's compliance with the recommendations of the Columbia Accident Investigation Board through retirement of the space shuttle.

§ 31102. Drug and alcohol testing

(a) DEFINITION OF CONTROLLED SUBSTANCE.—In this section, the term ''controlled substance'' means any substance under section 102(6) of the Controlled Substances Act (21 U.S.C. 802(6)) specified by the Administrator.

(b) TESTING PROGRAM.—

(1) EMPLOYEES OF ADMINISTRATION.—The Administrator shall establish a program applicable to employees of the Administration whose duties include responsibility for safety-sensitive, security, or national security functions. Such program shall provide for preemployment, reasonable suspicion, random, and post-accident testing for use, in violation of applicable law or Federal regulation, of alcohol or a controlled substance. The Administrator may also prescribe regulations, as the Administrator considers appropriate in the interest of safety, security, and national security, for the conduct of periodic recurring testing of such employees for such use in violation of applicable law or Federal regulation.

(2) EMPLOYEES OF CONTRACTORS.—The Administrator shall, in the interest of safety, security, and national security, prescribe regulations. Such regulations shall establish a program that requires Administration contractors to conduct preemployment, reasonable suspicion, random, and post-accident testing of contractor employees responsible for safety-sensitive, security, or national security functions (as determined by the Administrator) for use, in violation of applicable law or Federal regulation, of alcohol or a controlled substance. The Administrator may also prescribe regulations, as the Administrator considers appropriate in the interest of safety, security, and national security, for the conduct of periodic recurring

testing of such employees for such use in violation of applicable law or Federal regulation.

(3) SUSPENSION, DISQUALIFICATION, OR DISMISSAL.—In prescribing regulations under the programs required by this subsection, the Administrator shall require, as the Administrator considers appropriate, the suspension, disqualification, or dismissal of any employee to which paragraph (1) or (2) applies, in accordance with the provisions of this section, in any instance where a test conducted and confirmed under this section indicates that such employee has used, in violation of applicable law or Federal regulation, alcohol or a controlled substance.

(c) PROHIBITION ON SERVICE.—

(1) PROHIBITION UNLESS PROGRAM OF REHABILITATION COMPLETED.—No individual who is determined by the Administrator under this section to have used, in violation of applicable law or Federal regulation, alcohol or a controlled substance after December 9, 1991, shall serve as an Administration employee with responsibility for safety-sensitive, security, or national security functions (as determined by the Administrator), or as an Administration contractor employee with such responsibility, unless such individual has completed a program of rehabilitation described in subsection (d).

(2) UNCONDITIONAL PROHIBITION.—Any such individual determined by the Administrator under this section to have used, in violation of applicable law or Federal regulation, alcohol or a controlled substance after December 9, 1991, shall not be permitted to perform the duties that the individual performed prior to the date of the determination, if the individual—

(A) engaged in such use while on duty;

(B) prior to such use had undertaken or completed a rehabilitation program described in subsection (d);

(C) following such determination refuses to undertake such a rehabilitation program; or

(D) following such determination fails to complete such a rehabilitation program.

(d) PROGRAM FOR REHABILITATION.—

(1) REGULATIONS AND AVAILABILITY OF PROGRAM FOR CONTRACTOR EMPLOYEES.—The Administrator shall prescribe regulations setting forth requirements for rehabilitation programs which at a minimum provide for the identification and opportunity for treatment of employees referred to in subsection (b) in need of assistance in resolving problems with the use, in violation of applicable law or Federal regulation, of alcohol or a controlled substance. Each contractor is encouraged to make such a program available to all of its employees in addition to those employees referred to in subsection (b)(2). The Administrator shall determine the circumstances under which such employees shall be required to participate in such a program. Nothing in this subsection shall preclude any Administration contractor from establishing a program under this subsection in cooperation with any other such contractor.

(2) ESTABLISHMENT AND MAINTENANCE OF PROGRAM FOR ADMINISTRATION EMPLOYEES.—The Administrator shall establish and maintain a rehabilitation program which at a minimum provides for the identification and opportunity for treatment of those employees of the Administration whose duties include responsibility for safety-sensitive, security, or national security functions who are in need of assistance in resolving problems with the use of alcohol or controlled substances.

(e) PROCEDURES FOR TESTING.—In establishing the programs required under subsection (b), the Administrator shall develop requirements which shall—

(1) promote, to the maximum extent practicable, individual privacy in the collection of specimen samples;

(2) with respect to laboratories and testing procedures for controlled substances, incorporate the Department of Health and Human Services scientific and technical guidelines dated April 11, 1988, and any subsequent amendments thereto, including mandatory guidelines which—

(A) establish comprehensive standards for all aspects of laboratory controlled substances testing and laboratory procedures to be applied in carrying out this section, including standards which require the use of the best available technology for ensuring the full reliability and accuracy of controlled substances tests and strict procedures governing the chain of custody of specimen samples collected for controlled substances testing;

(B) establish the minimum list of controlled substances for which individuals may be tested; and

(C) establish appropriate standards and procedures for periodic review of laboratories and criteria for certification and revocation of certification of laboratories to perform controlled substances testing in carrying out this section;

(3) require that all laboratories involved in the controlled substances testing of any individual under this section shall have the capability and facility, at such laboratory, of performing screening and confirmation tests;

(4) provide that all tests which indicate the use, in violation of applicable law or Federal regulation, of alcohol or a controlled substance by any individual shall be confirmed by a scientifically recognized method of testing capable of providing quantitative data regarding alcohol or a controlled substance;

(5) provide that each specimen sample be subdivided, secured, and labelled in the presence of the tested individual and that a portion thereof be retained in a secure manner to prevent the possibility of tampering, so that in the event the individual's confirmation test results are positive the individual has an opportunity to have the retained portion assayed by a confirmation test done independently at a second certified laboratory if the individual requests the independent test within 3 days after being advised of the results of the initial confirmation test;

(6) ensure appropriate safeguards for testing to detect and quantify alcohol in breath and body fluid samples, including urine and blood, through the development of regulations as may be necessary and in consultation with the Department of Health and Human Services;

(7) provide for the confidentiality of test results and medical information of employees; and

(8) ensure that employees are selected for tests by nondiscriminatory and impartial methods, so that no employee is harassed by being treated differently from other employees in similar circumstances.

(f) EFFECT ON OTHER LAWS AND REGULATIONS.—

(1) CONSISTENCY WITH FEDERAL REGULATION.—No State or local government shall adopt or have in effect any law, rule, regulation, ordinance, standard, or order that is inconsistent with the regulations promulgated under this section.

(2) CONTINUANCE OF REGULATIONS ISSUED BEFORE DECEMBER 9, 1991.—Nothing in this section shall be construed to restrict the discretion of the Administrator to continue in force, amend, or further supplement any regulations issued before December 9, 1991, that govern the use of alcohol and controlled substances by Administration employees with responsibility for safety-sensitive, security, and national security functions (as determined by the Administrator), or by Administration contractor employees with such responsibility.

CHAPTER 313—HEALTHCARE

Sec.
31301. Healthcare program.
31302. Astronaut healthcare survey.

§ 31301. Healthcare program

The Administrator shall develop a plan to better understand the longitudinal health effects of space flight on humans. In the development of the plan, the Administrator shall consider the need for the establishment of a lifetime healthcare program for Administration astronauts and their families or other methods to obtain needed health data from astronauts and retired astronauts.

§ 31302. Astronaut healthcare survey

(a) SURVEY.—The Administrator shall administer an anonymous survey of astronauts and flight surgeons to evaluate communication, relationships, and the effectiveness of policies. The survey questions and the analysis of results shall be evaluated by experts independent of the Administration. The survey shall be administered on at least a biennial basis.

(b) REPORT.—The Administrator shall transmit a report of the results of the survey to Congress not later than 90 days following completion of the survey.

CHAPTER 315—MISCELLANEOUS

Sec.
31501. Orbital debris.
31502. Maintenance of facilities.
31503. Laboratory productivity.
31504. Cooperative unmanned aerial vehicle activities.
31505. Development of enhanced-use lease policy.

§ 31501. Orbital debris

The Administrator, in conjunction with the heads of other Federal agencies, shall take steps to develop or acquire technologies that will enable the Administration to decrease the risks associated with orbital debris.

§ 31502. Maintenance of facilities

In order to sustain healthy Centers that are capable of carrying out the Administration's missions, the Administrator shall ensure that adequate maintenance and upgrading of those Center facilities is performed on a regular basis.

§ 31503. Laboratory productivity

The Administration's laboratories are a critical component of the Administration's research capabilities, and the Administrator shall ensure that those laboratories remain productive.

§ 31504. Cooperative unmanned aerial vehicle activities

The Administrator, in cooperation with the Administrator of the National Oceanic and Atmospheric Administration and in coordination with other agencies that have existing civil capabilities, shall continue to utilize the capabilities of unmanned aerial vehicles as appropriate in support of Administration and interagency cooperative missions. The Administrator may enter into cooperative agreements with universities with unmanned aerial vehicle programs and related assets to conduct collaborative research and development activities, including development of appropriate applications of small unmanned aerial vehicle technologies and systems in remote areas.

§ 31505. Development of enhanced-use lease policy

(a) IN GENERAL.—The Administrator shall develop an agency-wide enhanced-use lease policy that—

(1) is based upon sound business practices and lessons learned from the demonstration centers; and

(2) establishes controls and procedures to ensure accountability and protect the interests of the Government.

(b) CONTENTS.—The policy required by subsection (a) shall include the following:

(1) CRITERIA FOR DETERMINING ECONOMIC VALUE.—Criteria for determining whether enhanced-use lease provides better economic value to the Government than other options, such as—

(A) Federal financing through appropriations; or

(B) sale of the property.

(2) SECURITY AND ACCESS.—Requirement for the identification of proposed physical and procedural changes needed to ensure security and restrict access to specified areas, coordination of proposed changes with existing site tenants, and development of estimated costs of such changes.

(3) MEASURES OF EFFECTIVENESS.—Measures of effectiveness for the enhanced-use lease program.

(4) ACCOUNTING CONTROLS.—Accounting controls and procedures to ensure accountability, such as an audit trail and documentation to readily support financial transactions.

Subtitle IV—Aeronautics and Space Research and Education

CHAPTER 401—AERONAUTICS

SUBCHAPTER I—GENERAL

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40101. Definition of institution of higher education.
40102. Governmental interest in aeronautics research and development.
40103. Cooperation with other agencies on aeronautics activities.
40104. Cooperation among Mission Directorates.

SUBCHAPTER II—HIGH PRIORITY AERONAUTICS RESEARCH AND DEVELOPMENT PROGRAMS

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40113. Airspace systems research.
40114. Aviation safety and security research.
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40116. University-based Centers for Research on Aviation Training.

SUBCHAPTER III—SCHOLARSHIPS

40131. Aeronautics scholarships.

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SUBCHAPTER I—GENERAL

§ 40101. Definition of institution of higher education

In this chapter, the term ''institution of higher education'' has the meaning given the term by section 101 of the Higher Education Act of 1965 (20 U.S.C. 1001).

§ 40102. Governmental interest in aeronautics research and development

Congress reaffirms the national commitment to aeronautics research made in chapter 201 of this title. Aeronautics research and development remains a core mission of the Administration. The Administration is the lead agency for civil aeronautics research. Further, the government of the United States shall promote aeronautics research and development that will expand the capacity, ensure the safety, and increase the efficiency of the Nation's air transportation system, promote the security of the Nation, protect the environment, and retain the leadership of the United States in global aviation.

§ 40103. Cooperation with other agencies on aeronautics activities

The Administrator shall coordinate, as appropriate, the Administration's aeronautics activities with relevant programs in the Department of Transportation, the Department of Defense, the Department of Commerce, and the Department of Homeland Security, including the activities of the Next Generation Air Transportation System Joint Planning and Development Office established under section 709 of the Vision 100—Century of Aviation Reauthorization Act (Public Law 108–176, 49 U.S.C. 40101 note).

§ 40104. Cooperation among Mission Directorates

Research and development activities performed by the Aeronautics Research Mission Directorate with the primary objective of assisting in the development of a flight project in another Mission Directorate shall be funded by the Mission Directorate seeking assistance.

SUBCHAPTER II—HIGH PRIORITY AERONAUTICS RESEARCH AND DEVELOPMENT PROGRAMS

§ 40111. Fundamental research program

(a) OBJECTIVE.—In order to ensure that the Nation maintains needed capabilities in fundamental areas of aeronautics research, the Administrator shall establish a program of long-term fundamental research in aeronautical sciences and technologies that is not tied to specific development projects.

(b) OPERATION.—The Administrator shall conduct the program under this section, in part by awarding grants to institutions of higher education. The Administrator shall encourage the participation of institutions of higher education located in States that participate in the Experimental Program to Stimulate Competitive Research. All grants to institutions of higher education under this section shall be awarded through merit review.

§ 40112. Research and technology programs

(a) SUPERSONIC TRANSPORT RESEARCH AND DEVELOPMENT.—The Administrator may establish an initiative with the objective of developing and demonstrating, in a relevant environment, airframe and propulsion technologies to enable efficient, economical overland flight of supersonic civil transport aircraft with no significant impact on the environment.

(b) ROTORCRAFT AND OTHER RUNWAY-INDEPENDENT AIR VEHICLES.—The Administrator may establish a rotorcraft and other runway-independent air vehicles initiative with the objective of developing and demonstrating improved safety, noise, and environmental impact in a relevant environment.

(c) HYPERSONICS RESEARCH.—The Administrator may establish a hypersonics research program with the objective of exploring the science and technology of hypersonic flight using air-breathing propulsion concepts, through a mix of theoretical work, basic and applied research, and development of flight research demonstration vehicles. The program may also include the transition to the hypersonic range of Mach 3 to Mach 5.

(d) REVOLUTIONARY AERONAUTICAL CONCEPTS.—The Administrator may establish a research program which covers a unique range of subsonic, fixed wing vehicles and propulsion concepts. This research is intended to push technology barriers beyond current subsonic technology. Propulsion concepts include advanced materials, morphing engines, hybrid engines, and fuel cells.

(e) FUEL CELL-POWERED AIRCRAFT RESEARCH.—

(1) OBJECTIVE.—The Administrator may establish a fuel cell-powered aircraft research program whose objective shall be to develop and test concepts to enable a hydrogen fuel cell-powered aircraft that would have no hydrocarbon or nitrogen oxide emissions into the environment.

(2) APPROACH.—The Administrator may establish a program of competitively awarded grants available to teams of researchers that may include the participation of individuals from universities, industry, and government for the conduct of this research.

(f) MARS AIRCRAFT RESEARCH.—

(1) OBJECTIVE.—The Administrator may establish a Mars Aircraft project whose objective shall be to develop and test concepts for an uncrewed aircraft that could operate for sustained periods in the atmosphere of Mars.

(2) APPROACH.—The Administrator may establish a program of competitively awarded grants available to teams of researchers that may include the participation of individuals from universities, industry, and government for the conduct of this research.

§ 40113. Airspace systems research

(a) OBJECTIVE.—The Airspace Systems Research program shall pursue research and development to enable revolutionary improvements to and modernization of the National Airspace System, as well as to enable the introduction of new systems for vehicles that can take advantage of an improved, modern air transportation system.

(b) ALIGNMENT.—Not later than 1 year after December 30, 2005, the Administrator shall align the projects of the Airspace Systems Research program so that they directly support the objectives of the Joint Planning and Development Office's Next Generation Air Transportation System Integrated Plan.

§ 40114. Aviation safety and security research

(a) OBJECTIVE.—The Aviation Safety and Security Research program shall pursue research and development activities that directly address the safety and security needs of the National Airspace System and the aircraft that fly in it. The program shall develop prevention, intervention, and mitigation technologies aimed at causal, contributory, or circumstantial factors of aviation accidents.

(b) ALIGNMENT.—Not later than 1 year after December 30, 2005, the Administrator shall align the projects of the Aviation Safety and Security Research program so that they directly support the objectives of the Joint Planning and Development Office's Next Generation Air Transportation System Integrated Plan.

§ 40115. Aviation weather research

The Administrator may carry out a program of collaborative research with the National Oceanic and Atmospheric Administration on convective weather events, with the goal of significantly improving the reliability of 2-hour to 6-hour aviation weather forecasts.

§ 40116. University-based Centers for Research on Aviation Training

(a) IN GENERAL.—The Administrator shall award grants to institutions of higher education (or consortia thereof) to establish one or more Centers for Research on Aviation Training under cooperative agreements with appropriate Administration Centers.

(b) PURPOSE.—The purpose of the Centers for Research on Aviation Training shall be to investigate the impact of new technologies and procedures, particularly those related to the aircraft flight deck and to the air traffic management functions, on training requirements for pilots and air traffic controllers.

(c) APPLICATION.—An institution of higher education (or a consortium of such institutions) seeking funding under this section shall submit an application to the Administrator at such time, in such manner, and

containing such information as the Administrator may require, including, at a minimum, a 5-year research plan.

(d) AWARD DURATION.—An award made by the Administrator under this section shall be for a period of 5 years and may be renewed on the basis of—

(1) satisfactory performance in meeting the goals of the research plan proposed in the application submitted under subsection (c); and

(2) other requirements as specified by the Administrator.

SUBCHAPTER III—SCHOLARSHIPS

§ 40131. Aeronautics scholarships

(a) ESTABLISHMENT.—The Administrator shall establish a program of scholarships for full-time graduate students who are United States citizens and are enrolled in, or have been accepted by and have indicated their intention to enroll in, accredited Masters degree programs in aeronautical engineering or equivalent programs at institutions of higher education. Each such scholarship shall cover the costs of room, board, tuition, and fees, and may be provided for a maximum of 2 years.

(b) IMPLEMENTATION.—Not later than 180 days after December 30, 2005, the Administrator shall publish regulations governing the scholarship program under this section.

(c) COOPERATIVE TRAINING OPPORTUNITIES.—Students who have been awarded a scholarship under this section shall have the opportunity for paid employment at one of the Administration Centers engaged in aeronautics research and development during the summer prior to the first year of the student's Masters program, and between the first and second year, if applicable.

SUBCHAPTER IV—DATA REQUESTS

§ 40141. Aviation data requests

The Administrator shall make available upon request satellite imagery and aerial photography of remote terrain that the Administration owns at the time of the request to the Administrator of the Federal Aviation Administration or the Director of the Five Star Medallion Program, to assist and train pilots in navigating challenging topographical features of such terrain.

CHAPTER 403—NATIONAL SPACE GRANT COLLEGE AND FELLOWSHIP PROGRAM

Sec.
40301. Purposes.
40302. Definitions.
40303. National space grant college and fellowship program.
40304. Grants or contracts.
40305. Specific national needs.
40306. Space grant college and space grant regional consortium.
40307. Space grant fellowship program.
40308. Space grant review panel.
40309. Availability of other Federal personnel and data.
40310. Designation or award to be on competitive basis.
40311. Continuing emphasis.

§ 40301. Purposes

The purposes of this chapter are to—

(1) increase the understanding, assessment, development, and utilization of space resources by promoting a strong educational base, responsive research and training activities, and broad and prompt dissemination of knowledge and techniques;

(2) utilize the abilities and talents of the universities of the Nation to support and contribute to the exploration and development of the resources and opportunities afforded by the space environment;

(3) encourage and support, within the university community of the Nation, the existence of interdisciplinary and multidisciplinary programs of space research that—

(A) engage in integrated activities of training, research, and public service;

(B) have cooperative programs with industry; and

(C) are coordinated with the overall program of the Administration;

(4) encourage and support the existence of consortia, made up of university and industry members, in order to advance the exploration and development of space resources in cases in which national objectives can be better fulfilled through such consortia than through the programs of single universities;

(5) encourage and support Federal funding for graduate fellowships in fields related to space; and

(6) support activities in colleges and universities generally for the purpose of creating and operating a network of institutional programs that will enhance achievements resulting from efforts under this chapter.

§ 40302. Definitions

In this chapter:

(1) AERONAUTICAL AND SPACE ACTIVITIES.—The term ''aeronautical and space activities'' has the meaning given the term in section 20103 of this title.

(2) FIELD RELATED TO SPACE.—The term ''field related to space'' means any academic discipline or field of study (including the physical, natural, and biological sciences, and engineering, space technology, education, economics, sociology, communications, planning, law, international affairs, and public administration) which is concerned with or likely to improve the understanding, assessment, development, and utilization of space.

(3) PANEL.—The term ''panel'' means the space grant review panel established pursuant to section 40308 of this title.

(4) PERSON.—The term ''person'' means any individual, any public or private corporation, partnership, or other association or entity (including any space grant college, space grant regional consortium, institution of higher education, institute, or laboratory), or any State, political subdivision of a State, or agency or officer of a State or political subdivision of a State.

(5) SPACE ENVIRONMENT.—The term ''space environment'' means the environment beyond the sensible atmosphere of the Earth.

(6) SPACE GRANT COLLEGE.—The term ''space grant college'' means any public or private institution of higher education which is designated as such by the Administrator pursuant to section 40306 of this title.

(7) SPACE GRANT PROGRAM.—The term ''space grant program'' means any program that—

(A) is administered by any space grant college, space grant regional consortium, institution of higher education, institute, laboratory, or State or local agency; and

(B) includes 2 or more projects involving education and one or more of the following activities in the fields related to space:

(i) Research.

(ii) Training.

(iii) Advisory services.

(8) SPACE GRANT REGIONAL CONSORTIUM.—The term ''space grant regional consortium'' means any association or other alliance that is designated as a space grant regional consortium by the Administrator pursuant to section 40306 of this title.

(9) SPACE RESOURCE.—The term ''space resource'' means any tangible or intangible benefit which can be realized only from—

(A) aeronautical and space activities; or

(B) advancements in any field related to space.

(10) STATE.—The term ''State'' means any State of the United States, the District of Columbia, the Commonwealth of Puerto Rico, the Virgin Islands, Guam, American Samoa, the Commonwealth of the Northern Mariana Islands, or any other territory or possession of the United States.

§ 40303. National space grant college and fellowship program

(a) ESTABLISHMENT.—The Administrator shall establish and maintain, within the Administration, a program to be known as the national space grant college and fellowship program. The national space grant college and fellowship program shall consist of the financial assistance and other activities provided for in this chapter. The Administrator shall establish long-range planning guidelines and priorities, and adequately evaluate the program.

(b) FUNCTIONS.—Within the Administration, the program shall—

(1) apply the long-range planning guidelines and the priorities established by the Administrator under subsection (a);

(2) advise the Administrator with respect to the expertise and capabilities which are available through the national space grant college and fellowship program, and make such expertise available to the Administration as directed by the Administrator;

(3) evaluate activities conducted under grants and contracts awarded pursuant to sections 40304 and 40305 of this title to ensure that the purposes set forth in section 40301 of this title are implemented;

(4) encourage other Federal departments, agencies, and instrumentalities to use and take advantage of the expertise and capabilities which are available through the national space grant college and fellowship program, on a cooperative or other basis;

(5) encourage cooperation and coordination with other Federal programs concerned with the development of space resources and fields related to space;

(6) advise the Administrator on the designation of recipients supported by the national space grant college and fellowship program and, in appropriate cases, on the termination or suspension of any such designation; and

(7) encourage the formation and growth of space grant and fellowship programs.

(c) GENERAL AUTHORITIES.—To carry out the provisions of this chapter, the Administrator may—

(1) accept conditional or unconditional gifts or donations of services, money, or property, real, personal or mixed, tangible or intangible;

(2) accept and use funds from other Federal departments, agencies, and instrumentalities to pay for fellowships, grants, contracts, and other transactions; and

(3) issue such rules and regulations as may be necessary and appropriate.

§ 40304. Grants or contracts

(a) AUTHORITY OF ADMINISTRATOR.—The Administrator may make grants and enter into contracts or other transactions under this subsection to assist any space grant and fellowship program or project if the Administrator finds that the program or project will carry out the purposes set forth in section 40301 of this title. The total amount paid pursuant to a grant or contract may equal not more than 66 percent of the total cost of the space grant and fellowship program or project involved, except in the case of grants or contracts paid for with funds accepted by the Administrator pursuant to section 40303(c)(2) of this title.

(b) SPECIAL GRANTS.—The Administrator may make special grants under this subsection to carry out the purposes set forth in section 40301 of this title. The amount of a special grant may equal up to 100 percent of

the total cost of the project involved. A special grant may be made under this subsection only if the Administrator finds that—

(1) no reasonable means is available through which the applicant can meet the matching requirement for a grant under subsection (a);

(2) the probable benefit of the project outweighs the public interest in the matching requirement; and

(3) the same or equivalent benefit cannot be obtained through the award of a contract or grant under subsection (a) or section 40305 of this title.

(c) APPLICATION.—Any person may apply to the Administrator for a grant or contract under this section. Application shall be made in such form and manner, and with such content and other submissions, as the Administrator shall by regulation prescribe.

(d) TERMS AND CONDITIONS.—

(1) IN GENERAL.—Any grant made, or contract entered into, under this section shall be subject to the limitations and provisions set forth in paragraphs (2) and (3) and to such other terms, conditions, and requirements as the Administrator considers necessary or appropriate.

(2) LIMITATIONS.—No payment under any grant or contract under this section may be applied to—

(A) the purchase of any land;

(B) the purchase, construction, preservation, or repair of any building; or

(C) the purchase or construction of any launch facility or launch vehicle.

(3) LEASES.—Notwithstanding paragraph (2), the items in subparagraphs (A), (B), and (C) of such paragraph may be leased upon written approval of the Administrator.

(4) RECORDS.—Any person that receives or utilizes any proceeds of any grant or contract under this section shall keep such records as the Administrator shall by regulation prescribe as being necessary and appropriate to facilitate effective audit and evaluation, including records which fully disclose the amount and disposition by such recipient of such proceeds, the total cost of the program or project in connection with which such proceeds were used, and the amount, if any, of such cost which was provided through other sources. Such records shall be maintained for 3 years after the completion of such a program or project. The Administrator and the Comptroller General of the United States, or any of their duly authorized representatives, shall have access, for the purpose of audit and evaluation, to any books, documents, papers, and records of receipts which, in the opinion of the Administrator or the Comptroller General, may be related or pertinent to such grants and contracts.

§ 40305. Specific national needs

(a) IDENTIFICATION OF SPECIFIC NEEDS AND GRANT-MAKING AND CONTRACTING AUTHORITY.—The Administrator shall identify specific national needs and problems relating to space. The Administrator may make grants or enter into contracts under this section with respect to such needs or problems. The amount of any such grant or contract may equal up to 100 percent of the total cost of the project involved.

(b) APPLICATIONS FOR GRANTS OR CONTRACTS.—Any person may apply to the Administrator for a grant or contract under this section. In addition, the Administrator may invite applications with respect to specific national needs or problems identified under subsection (a). Application shall be made in such form and manner, and with such content and other submissions, as the Administrator shall by regulation prescribe. Any grant made, or contract entered into, under this section shall be subject to the limitations and provisions set forth in paragraphs (2) and (4) of section 40304(d) of this title and to such other terms, conditions, and requirements as the Administrator considers necessary or appropriate.

§ 40306. Space grant college and space grant regional consortium

(a) DESIGNATION AND QUALIFICATIONS.—

(1) AUTHORITY TO DESIGNATE.—The Administrator may designate—

(A) any institution of higher education as a space grant college; and

(B) any association or other alliance of 2 or more persons, other than individuals, as a space grant regional consortium.

(2) SPACE GRANT COLLEGE REQUIREMENTS.—No institution of higher education may be designated as a space grant college unless the Administrator finds that such institution—

(A) is maintaining a balanced program of research, education, training, and advisory services in fields related to space;

(B) will act in accordance with such guidelines as are prescribed under subsection (b)(2); and

(C) meets such other qualifications as the Administrator considers necessary or appropriate.

(3) SPACE GRANT REGIONAL CONSORTIUM REQUIREMENTS.—No association or other alliance of 2 or more persons may be designated as a space grant regional consortium unless the Administrator finds that such association or alliance—

(A) is established for the purpose of sharing expertise, research, educational facilities or training facilities, and other capabilities in order to facilitate research, education, training, and advisory services in any field related to space;

(B) will encourage and follow a regional approach to solving problems or meeting needs relating to space, in cooperation with appropriate space grant colleges, space grant programs, and other persons in the region;

(C) will act in accordance with such guidelines as are prescribed under subsection (b)(2); and

(D) meets such other qualifications as the Administrator considers necessary or appropriate.

(b) QUALIFICATIONS AND GUIDELINES.—The Administrator shall by regulation prescribe—

(1) the qualifications required to be met under paragraphs (2)(C) and (3)(D) of subsection (a); and

(2) guidelines relating to the activities and responsibilities of space grant colleges and space grant regional consortia.

(c) SUSPENSION OR TERMINATION OF DESIGNATION.—The Administrator may, for cause and after an opportunity for hearing, suspend or terminate any designation under subsection (a).

§ 40307. Space grant fellowship program

(a) AWARD OF FELLOWSHIPS.—The Administrator shall support a space grant fellowship program to provide educational and training assistance to qualified individuals at the graduate level of education in fields related to space. Such fellowships shall be awarded pursuant to guidelines established by the Administrator. Space grant fellowships shall be awarded to individuals at space grant colleges, space grant regional consortia, other colleges and institutions of higher education, professional associations, and institutes in such a manner as to ensure wide geographic and institutional diversity in the pursuit of research under the fellowship program.

(b) LIMITATION ON AMOUNT PROVIDED.—The total amount which may be provided for grants under the space grant fellowship program during any fiscal year shall not exceed an amount equal to 50 percent of the total funds appropriated for such year pursuant to this chapter.

(c) AUTHORITY TO SPONSOR OTHER RESEARCH FELLOWSHIP PROGRAMS UNAFFECTED.—Nothing in this section shall be construed to prohibit the Administrator from sponsoring any research fellowship program, including any special emphasis program, which is established under an authority other than this chapter.

§ 40308. Space grant review panel

(a) ESTABLISHMENT.—The Administrator shall establish an independent committee known as the space grant review panel, which shall not be subject to the provisions of the Federal Advisory Committee Act (5 App. U.S.C.).

(b) DUTIES.—The panel shall take such steps as may be necessary to review, and shall advise the Administrator with respect to—

(1) applications or proposals for, and performance under, grants and contracts awarded pursuant to sections 40304 and 40305 of this title;

(2) the space grant fellowship program;

(3) the designation and operation of space grant colleges and space grant regional consortia, and the operation of space grant and fellowship programs;

(4) the formulation and application of the planning guidelines and priorities pursuant to subsections (a) and (b)(1) of section 40303 of this title; and

(5) such other matters as the Administrator refers to the panel for review and advice.

(c) PERSONNEL AND ADMINISTRATIVE SERVICES.—The Administrator shall make available to the panel any information, personnel, and administrative services and assistance which is reasonable to carry out the duties of the panel.

(d) MEMBERS.—

(1) APPOINTMENT.—The Administrator shall appoint the voting members of the panel. A majority of the voting members shall be individuals who, by reason of knowledge, experience, or training, are especially qualified in one or more of the disciplines and fields related to space. The other voting members shall be individuals who, by reason of knowledge, experience, or training, are especially qualified in, or representative of, education, extension services, State government, industry, economics, planning, or any other activity related to efforts to enhance the understanding, assessment, development, or utilization of space resources. The Administrator shall consider the potential conflict of interest of any individual in making appointments to the panel.

(2) CHAIRMAN AND VICE CHAIRMAN.—The Administrator shall select one voting member to serve as the Chairman and another voting member to serve as the Vice Chairman. The Vice Chairman shall act as Chairman in the absence or incapacity of the Chairman.

(3) REIMBURSEMENT FOR EXPENSES.—Voting members of the panel who are not Federal employees shall be reimbursed for actual and reasonable expenses incurred in the performance of such duties.

(4) MEETINGS.—The panel shall meet on a biannual basis and, at any other time, at the call of the Chairman or upon the request of a majority of the voting members or of the Administrator.

(5) POWERS.—The panel may exercise such powers as are reasonably necessary in order to carry out the duties enumerated in subsection (b).

§ 40309. Availability of other Federal personnel and data

Each department, agency, or other instrumentality of the Federal Government that is

engaged in or concerned with, or that has authority over, matters relating to space—

(1) may, upon a written request from the Administrator, make available, on a reimbursable basis or otherwise, any personnel (with their consent and without prejudice to their position and rating), service, or facility which the Administrator considers necessary to carry out any provision of this chapter;

(2) may, upon a written request from the Administrator, furnish any available data or other information which the Administrator considers necessary to carry out any provision of this chapter; and

(3) may cooperate with the Administration.

§ 40310. Designation or award to be on competitive basis

The Administrator shall not under this chapter designate any space grant college or space grant regional consortium or award any fellowship, grant, or contract unless such designation or award is made in accordance with the competitive, merit-based review process employed by the Administration on October 30, 1987.

§ 40311. Continuing emphasis

The Administration shall continue its emphasis on the importance of education to expand opportunities for Americans to understand and participate in the Administration's aeronautics and space projects by supporting and enhancing science and engineering education, research, and public outreach efforts.

CHAPTER 405—BIOMEDICAL RESEARCH IN SPACE

Sec.
40501. Biomedical research joint working group.
40502. Biomedical research grants.
40503. Biomedical research fellowships.
40504. Establishment of electronic data archive.
40505. Establishment of emergency medical service telemedicine capability.

§ 40501. Biomedical research joint working group

(a) ESTABLISHMENT.—The Administrator and the Director of the National Institutes of Health shall jointly establish a working group to coordinate biomedical research activities in areas where a microgravity environment may contribute to significant progress in the understanding and treatment of diseases and other medical conditions. The joint working group shall formulate joint and complementary programs in such areas of research.

(b) MEMBERSHIP.—The joint working group shall include equal representation from the Administration and the National Institutes of Health, and shall include representation from National Institutes of Health councils, as selected by the Director of the National Institutes of Health, and from the National Aeronautics and Space Administration Advisory Council.

(c) ANNUAL BIOMEDICAL RESEARCH SYMPOSIA.—The joint working group shall organize annual symposia on biomedical research described in subsection (a) under the joint sponsorship of the Administration and the National Institutes of Health.

(d) ANNUAL REPORTING REQUIREMENT.—The joint working group shall report annually to Congress on its progress in carrying out this section.

§ 40502. Biomedical research grants

(a) ESTABLISHMENT OF PROGRAM.—The Administrator and the Director of the National Institutes of Health shall establish a joint program of biomedical research grants in areas described in section 40501(a) of this title, where such research requires access to a microgravity environment. Such program shall be consistent with actions taken by the joint working group under section 40501 of this title.

(b) RESEARCH OPPORTUNITY ANNOUNCEMENTS.—The grants program established under subsection (a) shall annually issue joint research opportunity announcements under the sponsorship of the National Institutes of Health and the Administration. Responses to the announcements shall be evaluated by a peer review committee whose members shall be selected by the Director of the National Institutes of Health and the Administrator, and shall include individuals not employed by the Administration or the National Institutes of Health.

§ 40503. Biomedical research fellowships

The Administrator and the Director of the National Institutes of Health shall create a joint program of graduate research fellowships in biomedical research described in section 40501(a) of this title. Fellowships under such program may provide for participation in approved research conferences and symposia.

§ 40504. Establishment of electronic data archive

The Administrator shall create and maintain a national electronic data archive for biomedical research data obtained from space-based experiments.

§ 40505. Establishment of emergency medical service telemedicine capability

The Administrator, the Administrator of the Federal Emergency Management Agency, the Director of the Office of Foreign Disaster Assistance, and the Surgeon General of the United States shall jointly create and maintain an international telemedicine satellite consultation capability to support emergency medical services in disaster-stricken areas.

CHAPTER 407—ENVIRONMENTALLY FRIENDLY AIRCRAFT

Sec.
40701. Research and development initiative.
40702. Additional research and development initiative.
40703. Research alignment.
40704. Research program on perceived impact of sonic booms.

§ 40701. Research and development initiative

The Administrator may establish an initiative with the objective of developing, and demonstrating in a relevant environment, technologies to enable the following commercial aircraft performance characteristics:

(1) NOISE LEVELS.—Noise levels on takeoff and on airport approach and landing that do not exceed ambient noise levels in the absence of flight operations in the vicinity of airports from which such commercial aircraft would normally operate.

(2) ENERGY CONSUMPTION.—Twenty-five percent reduction in the energy required for medium- to long-range flights, compared to aircraft in commercial service as of December 30, 2005.

(3) EMISSIONS.—Nitrogen oxides on take-off and landing that are significantly reduced, without adversely affecting hydrocarbons and smoke, relative to aircraft in commercial service as of December 30, 2005.

§ 40702. Additional research and development initiative

The Administrator shall establish an initiative involving the Administration, universities, industry, and other research organizations as appropriate, of research, development, and demonstration, in a relevant environment, of technologies to enable the following commercial aircraft performance characteristics:

(1) NOISE LEVELS.—Noise levels on takeoff and on airport approach and landing that do not exceed ambient noise levels in the absence of flight operations in the vicinity of airports from which such commercial aircraft would normally operate, without increasing energy consumption or nitrogen oxide emissions compared to aircraft in commercial service as of October 15, 2008.

(2) GREENHOUSE GAS EMISSIONS.—Significant reductions in greenhouse gas emissions compared to aircraft in commercial services as of October 15, 2008.

§ 40703. Research alignment

In addition to pursuing the research and development initiative described in section 40702 of this title, the Administrator shall, to the maximum extent practicable within available funding, align the fundamental aeronautics research program to address high priority technology challenges of the National Academies' Decadal Survey of Civil Aeronautics, and shall work to increase the degree of involvement of external organizations, and especially of universities, in the fundamental aeronautics research program.

§ 40704. Research program on perceived impact of sonic booms

(a) ESTABLISHMENT.—The Administrator shall establish a cooperative research program with industry, including the conduct of flight demonstrations in a relevant environment, to collect data on the perceived impact of sonic booms. The data could enable the promulgation of appropriate standards for overland commercial supersonic flight operations.

(b) COORDINATION.—The Administrator shall ensure that sonic boom research is coordinated as appropriate with the Administrator of the Federal Aviation Administration, and as appropriate make use of the expertise of the Partnership for Air Transportation Noise and Emissions Reduction Center of Excellence sponsored by the Administration and the Federal Aviation Administration.

CHAPTER 409—MISCELLANEOUS

Sec.
40901. Science, Space, and Technology Education Trust Fund.
40902. National Aeronautics and Space Administration Endeavor Teacher Fellowship Trust Fund.
40903. Experimental Program to Stimulate Competitive Research—merit grant competition requirements.
40904. Microgravity research.
40905. Program to expand distance learning in rural underserved areas.
40906. Equal access to the Administration's education programs.
40907. Museums.
40908. Continuation of certain education programs.
40909. Compliance with title IX of Education Amendments of 1972.

§ 40901. Science, Space, and Technology Education Trust Fund

There is appropriated, by transfer from funds appropriated in the Department of Housing and Urban Development—Independent Agencies Appropriations Act, 1989 (Public Law 100–404, 102 Stat. 1014), for ''Construction of facilities'', the sum of $15,000,000 to the ''Science, Space, and Technology Education Trust Fund'', which is hereby established in the Treasury of the United States. The Secretary of the Treasury shall invest these funds in the United States Treasury special issue securities, and interest shall be credited to the Trust Fund on a quarterly basis. Such interest shall be available for the purpose of making grants for programs directed at improving science, space, and technology education in the United States. The Administrator, after consultation with the

Director of the National Science Foundation, shall review applications made for such grants and determine the distribution of available funds on a competitive basis. Grants shall be made available to any awardee only to the extent that the awardee provides matching funds from non-Federal sources to carry out the program for which grants from this Trust Fund are made. Of the funds made available by this Trust Fund, $250,000 shall be disbursed each calendar quarter to the Challenger Center for Space Science Education. The Administrator shall submit to Congress an annual report on the grants made pursuant to this section.

§ 40902. National Aeronautics and Space Administration Endeavor Teacher Fellowship Trust Fund

(a) ESTABLISHMENT.—There is established in the Treasury of the United States, in tribute to the dedicated crew of the Space Shuttle Challenger, a trust fund to be known as the National Aeronautics and Space Administration Endeavor Teacher Fellowship Trust Fund (hereafter in this section referred to as the ''Trust Fund''). The Trust Fund shall consist of amounts which may from time to time, at the discretion of the Administrator, be transferred from the National Aeronautics and Space Administration Gifts and Donations Trust Fund.

(b) INVESTMENT OF TRUST FUND.—The Administrator shall direct the Secretary of the Treasury to invest and reinvest funds in the Trust Fund in public debt securities with maturities suitable for the needs of the Trust Fund, and bearing interest at rates determined by the Secretary of the Treasury, taking into consideration the current average market yield on outstanding marketable obligations of the United States of comparable maturities. Interest earned shall be credited to the Trust Fund.

(c) PURPOSE.—Income accruing from the Trust Fund principal shall be used to create the National Aeronautics and Space Administration Endeavor Teacher Fellowship Program, to the extent provided in advance in appropriation Acts. The Administrator is authorized to use such funds to award fellowships to selected United States nationals who are undergraduate students pursuing a course of study leading to certified teaching degrees in elementary education or in secondary education in mathematics, science, or technology disciplines. Awards shall be made pursuant to standards established for the fellowship program by the Administrator.

§ 40903. Experimental Program to Stimulate Competitive Research—merit grant competition requirements

(a) DEFINITION OF ELIGIBLE STATE.—In this section, the term ''eligible State'' means a State designated by the Administrator as eligible to compete in the National Science Foundation's Experimental Program to Stimulate Competitive Research.

(b) COMPETITION.—Making use of the existing infrastructure established in eligible States by the National Science Foundation, the Administrator shall conduct a merit grant competition among the eligible States in areas of research important to the mission of the Administration. With respect to a grant application by an eligible State, the Administrator shall consider—

(1) the application's merit and relevance to the mission of the Administration;

(2) the potential for the grant to serve as a catalyst to enhance the ability of researchers in the State to become more competitive for regular Administration funding;

(3) the potential for the grant to improve the environment for science, mathematics, and engineering education in the State; and

(4) the need to ensure the maximum distribution of grants among eligible States, consistent with merit.

(c) SUPPLEMENTAL GRANTS.—The Administrator shall endeavor, where appropriate, to supplement grants made under subsection (b) with such grants for fellowships, traineeships, equipment, or instrumentation as are available.

(d) INFORMATION IN ANNUAL BUDGET SUBMISSION.—In order to ensure that research expertise and talent throughout the Nation is developed and engaged in Administration research and education activities, the Administration shall, as part of its annual budget submission, detail additional steps that can be taken to further integrate the participating eligible States in both existing and new or emerging Administration research programs and center activities.

§ 40904. Microgravity research

The Administrator shall—

(1) ensure the capacity to support ground-based research leading to space-based basic and applied scientific research in a variety of disciplines with potential direct national benefits and applications that can be advanced significantly from the uniqueness of microgravity and the space environment; and

(2) carry out, to the maximum extent practicable, basic, applied, and commercial International Space Station research in fields such as molecular crystal growth, animal research, basic fluid physics, combustion research, cellular biotechnology, low-temperature physics, and cellular research at a level that will sustain the existing United States scientific expertise and research capability in microgravity research.

§ 40905. Program to expand distance learning in rural underserved areas

(a) IN GENERAL.—The Administrator shall develop or expand programs to extend science and space educational outreach to rural communities and schools through video conferencing, interpretive exhibits, teacher education, classroom presentations, and student field trips.

(b) PRIORITIES.—In carrying out subsection (a), the Administrator shall give priority to existing programs, including Challenger Learning Centers—

(1) that utilize community-based partnerships in the field;

(2) that build and maintain video conference and exhibit capacity;

(3) that travel directly to rural communities and serve low-income populations; and

(4) with a special emphasis on increasing the number of women and minorities in the science and engineering professions.

§ 40906. Equal access to the Administration's education programs

(a) IN GENERAL.—The Administrator shall strive to ensure equal access for minority and economically disadvantaged students to the Administration's education programs.

(b) REPORT.—Every 2 years, the Administrator shall submit a report to the Committee on Science and Technology of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate describing the efforts by the Administrator to ensure equal access for minority and economically disadvantaged students under this section and the results of such efforts. As part of the report, the Administrator shall provide—

(1) data on minority participation in the Administration's education programs, at a minimum in the categories of—

(A) elementary and secondary education;

(B) undergraduate education; and

(C) graduate education; and

(2) the total value of grants the Administration made to Historically Black Colleges and Universities and to Hispanic Serving Institutions through education programs during the period covered by the report.

(c) PROGRAM.—The Administrator shall establish the Dr. Mae C. Jemison Grant Program to work with Minority Serving Institutions to bring more women of color into the field of space and aeronautics.

§ 40907. Museums

The Administrator may provide grants to, and enter into cooperative agreements with, museums and planetariums to enable them to enhance programs related to space exploration, aeronautics, space science, Earth science, or microgravity.

§ 40908. Continuation of certain education programs

From amounts appropriated to the Administration for education programs, the Administrator shall ensure the continuation of the Space Grant Program, the Experimental Program to Stimulate Competitive Research, and, consistent with the results of the review under section 614 of the National Aeronautics and Space Administration Authorization Act of 2005 (Public Law 109–155, 119 Stat. 2933), the Administration Explorer School program, to motivate and develop the next generation of explorers.

§ 40909. Compliance with title IX of Education Amendments of 1972

To comply with title IX of the Education Amendments of 1972 (20 U.S.C. 1681 et seq.), the Administrator shall conduct compliance reviews of at least 2 grantees annually.

Subtitle V—Programs Targeting Commercial Opportunities

CHAPTER 501—SPACE COMMERCE

SUBCHAPTER I—GENERAL

Sec.
50101. Definitions.

SUBCHAPTER II—PROMOTION OF COMMERCIAL SPACE OPPORTUNITIES

50111. Commercialization of Space Station.
50112. Promotion of United States Global Positioning System standards.
50113. Acquisition of space science data.
50114. Administration of commercial space centers.
50115. Sources of Earth science data.
50116. Commercial technology transfer program.

SUBCHAPTER III—FEDERAL ACQUISITION OF SPACE TRANSPORTATION SERVICES

50131. Requirement to procure commercial space transportation services.
50132. Acquisition of commercial space transportation services.
50133. Shuttle privatization.
50134. Use of excess intercontinental ballistic missiles.

SUBCHAPTER I—GENERAL

§ 50101. Definitions

In this chapter:

(1) COMMERCIAL PROVIDER.—The term ''commercial provider'' means any person providing space transportation services or other space-related activities, primary control of which is held by persons other than Federal, State, local, and foreign governments.

(2) PAYLOAD.—The term ''payload'' means anything that a person undertakes to transport to, from, or within outer space, or in suborbital trajectory, by means of a space transportation vehicle, but does not include the space transportation vehicle itself except for its components which are specifically designed or adapted for that payload.

(3) SPACE-RELATED ACTIVITIES.—The term ''space-related activities'' includes research and development, manufacturing, processing, service, and other associated and support activities.

(4) SPACE TRANSPORTATION SERVICES.—The term ''space transportation services'' means the preparation of a space transportation vehicle and its payloads for transportation to, from, or within outer space, or in suborbital trajectory, and the conduct of transporting a payload to, from, or within outer space, or in suborbital trajectory.

(5) SPACE TRANSPORTATION VEHICLE.—The term ''space transportation vehicle'' means any vehicle constructed for the purpose of operating in, or transporting a payload to, from, or within, outer space, or in suborbital trajectory, and includes any component of such vehicle not specifically designed or adapted for a payload.

(6) STATE.—The term ''State'' means each of the several States of the Union, the District of Columbia, the Commonwealth of Puerto Rico, the Virgin Islands, Guam, American Samoa, the Commonwealth of the Northern Mariana Islands, and any other commonwealth, territory, or possession of the United States.

(7) UNITED STATES COMMERCIAL PROVIDER.—The term ''United States commercial provider'' means a commercial provider, organized under the laws of the United States or of a State, that is—

(A) more than 50 percent owned by United States nationals; or

(B) a subsidiary of a foreign company and the Secretary of Transportation finds that—

(i) such subsidiary has in the past evidenced a substantial commitment to the United States market through—

(I) investments in the United States in long-term research, development, and manufacturing (including the manufacture of major components and subassemblies); and

(II) significant contributions to employment in the United States; and

(ii) the country or countries in which such foreign company is incorporated or organized, and, if appropriate, in which it principally conducts its business, affords reciprocal treatment to companies described in subparagraph (A) comparable to that afforded to such foreign company's subsidiary in the United States, as evidenced by—

(I) providing comparable opportunities for companies described in subparagraph (A) to participate in Government-sponsored research and development similar to that authorized under this chapter;

(II) providing no barriers, to companies described in subparagraph (A) with respect to local investment opportunities, that are not provided to foreign companies in the United States; and

(III) providing adequate and effective protection for the intellectual property rights of companies described in subparagraph (A).

SUBCHAPTER II—PROMOTION OF COMMERCIAL SPACE OPPORTUNITIES

§ 50111. Commercialization of Space Station

(a) POLICY.—Congress declares that a priority goal of constructing the International Space Station is the economic development of Earth orbital space. Congress further declares that free and competitive markets create the most efficient conditions for promoting economic development, and should therefore govern the economic development of Earth orbital space. Congress further declares that the use of free market principles in operating, servicing, allocating the use of, and adding capabilities to the Space Station, and the resulting fullest possible engagement of commercial providers and participation of commercial users, will reduce Space Station operational costs for all partners and the Federal Government's share of the United States burden to fund operations.

(b) USE OF UNITED STATES COMMERCIALLY PROVIDED SERVICES.—

(1) IN GENERAL.—In order to stimulate commercial use of space, help maximize the utility and productivity of the International Space Station, and enable a commercial means of providing crew transfer and crew rescue services for the International Space Station, the Administration shall—

(A) make use of United States commercially provided International Space Station crew transfer and crew rescue services to the maximum extent practicable, if those commercial services have demonstrated the capability to meet Administration-specified ascent, entry, and International Space Station proximity operations safety requirements;

(B) limit, to the maximum extent practicable, the use of the Crew Exploration Vehicle to missions carrying astronauts beyond low Earth orbit once commercial crew transfer and crew rescue services that meet safety requirements become operational;

(C) facilitate, to the maximum extent practicable, the transfer of Administration-developed technologies to potential United States commercial crew transfer and rescue service providers, consistent with United States law; and

(D) issue a notice of intent, not later than 180 days after October 15, 2008, to enter into a funded, competitively awarded Space Act Agreement with 2 or more commercial entities for a Phase 1 Commercial Orbital Transportation Services crewed vehicle demonstration program.

(2) CONGRESSIONAL INTENT.—It is the intent of Congress that funding for the program described in paragraph (1)(D) shall not come at the expense of full funding of the amounts authorized under section 101(3)(A) of the National Aeronautics and Space Administration Authorization Act of 2008 (Public Law 110–422, 122 Stat. 4783), and for future fiscal years, for Orion Crew Exploration Vehicle development, Ares I Crew Launch Vehicle development, or International Space Station cargo delivery.

(3) ADDITIONAL TECHNOLOGIES.—The Administration shall make International Space Station-compatible docking adaptors and other relevant technologies available to the commercial crew providers selected to service the International Space Station.

(4) CREW TRANSFER AND CREW RESCUE SERVICES CONTRACT.—If a commercial provider demonstrates the capability to provide International Space Station crew transfer and crew rescue services and to satisfy Administration ascent, entry, and International Space Station proximity operations safety requirements, the Administration shall enter into an International Space Station crew transfer and crew rescue services contract with that commercial provider for a portion of the Administration's anticipated International Space Station crew transfer and crew rescue requirements from the time the commercial provider commences operations under contract with the Administration through calendar year 2016, with an option to extend the period of performance through calendar year 2020.

§ 50112. Promotion of United States Global Positioning System standards

In order to support and sustain the Global Positioning System in a manner that will most effectively contribute to the national security, public safety, scientific, and economic interests of the United States, Congress encourages the President to—

(1) ensure the operation of the Global Positioning System on a continuous worldwide basis free of direct user fees;

(2) enter into international agreements that promote cooperation with foreign governments and international organizations to—

(A) establish the Global Positioning System and its augmentations as an acceptable international standard; and

(B) eliminate any foreign barriers to applications of the Global Positioning System worldwide; and

(3) provide clear direction and adequate resources to the Assistant Secretary of Commerce for Communications and Information so that on an international basis the Assistant Secretary can—

(A) achieve and sustain efficient management of the electromagnetic spectrum used by the Global Positioning System; and

(B) protect that spectrum from disruption and interference.

§ 50113. Acquisition of space science data

(a) DEFINITION OF SPACE SCIENCE DATA.—In this section, the term ''space science data'' includes scientific data concerning—

(1) the elemental and mineralogical resources of the moon, asteroids, planets and their moons, and comets;

(2) microgravity acceleration; and

(3) solar storm monitoring.

(b) ACQUISITION FROM COMMERCIAL PROVIDERS.—The Administrator shall, to the extent possible and while satisfying the scientific or educational requirements of the Administration, and where appropriate, of other Federal agencies and scientific researchers, acquire, where cost effective, space science data from a commercial provider.

(c) TREATMENT OF SPACE SCIENCE DATA AS COMMERCIAL ITEM UNDER ACQUISITION LAWS.—Acquisitions of space science data by the Administrator shall be carried out in accordance with applicable acquisition laws and regulations (including chapters 137 and 140 of title 10). For purposes of such law and regulations, space science data shall be considered to be a commercial item. Nothing in this subsection shall be construed to preclude the United States from acquiring, through contracts with commercial providers, sufficient rights in data to meet the needs of the scientific and educational community or the needs of other government activities.

(d) SAFETY STANDARDS.—Nothing in this section shall be construed to prohibit the Federal Government from requiring compliance with applicable safety standards.

(e) LIMITATION.—This section does not authorize the Administration to provide financial assistance for the development of commercial systems for the collection of space science data.

§ 50114. Administration of commercial space centers

The Administrator shall administer the Commercial Space Center program in a coordinated manner from Administration headquarters in Washington, D.C.

§ 50115. Sources of Earth science data

(a) ACQUISITION.—The Administrator shall, to the extent possible and while satisfying the scientific or educational requirements of the Administration, and where appropriate, of other Federal agencies and scientific researchers, acquire, where cost-effective, space-based and airborne Earth remote sensing data, services, distribution, and applications from a commercial provider.

(b) TREATMENT AS COMMERCIAL ITEM UNDER ACQUISITION LAWS.—Acquisitions by the Administrator of the data, services, distribution, and applications referred to in subsection (a) shall be carried out in accordance with applicable acquisition laws and regulations (including chapters 137 and 140 of title 10). For purposes of such law and regulations, such data, services, distribution, and applications shall be considered to be a commercial item. Nothing in this subsection shall be construed to preclude the United States from acquiring, through contracts with commercial providers, sufficient rights

in data to meet the needs of the scientific and educational community or the needs of other government activities.

(c) SAFETY STANDARDS.—Nothing in this section shall be construed to prohibit the Federal Government from requiring compliance with applicable safety standards.

(d) ADMINISTRATION AND EXECUTION.—This section shall be carried out as part of the Commercial Remote Sensing Program at the Stennis Space Center.

§ 50116. Commercial technology transfer program

(a) IN GENERAL.—The Administrator shall execute a commercial technology transfer program with the goal of facilitating the exchange of services, products, and intellectual property between the Administration and the private sector. This program shall place at least as much emphasis on encouraging the transfer of Administration technology to the private sector (''spinning out'') as on encouraging use of private sector technology by the Administration. This program shall be maintained in a manner that provides clear benefits for the Administration, the domestic economy, and the research community.

(b) PROGRAM STRUCTURE.—In carrying out the program described in subsection (a), the Administrator shall provide program participants with at least 45 days notice of any proposed changes to the structure of the Administration's technology transfer and commercialization organizations that is in effect as of December 30, 2005.

SUBCHAPTER III—FEDERAL ACQUISITION OF SPACE TRANSPORTATION SERVICES

§ 50131. Requirement to procure commercial space transportation services

(a) IN GENERAL.—Except as otherwise provided in this section, the Federal Government shall acquire space transportation services from United States commercial providers whenever such services are required in the course of its activities. To the maximum extent practicable, the Federal Government shall plan missions to accommodate the space transportation services capabilities of United States commercial providers.

(b) EXCEPTIONS.—The Federal Government shall not be required to acquire space transportation services under subsection (a) if, on a case-by-case basis, the Administrator or, in the case of a national security issue, the Secretary of the Air Force, determines that—

(1) a payload requires the unique capabilities of the space shuttle;

(2) cost effective space transportation services that meet specific mission requirements would not be reasonably available from United States commercial providers when required;

(3) the use of space transportation services from United States commercial providers poses an unacceptable risk of loss of a unique scientific opportunity;

(4) the use of space transportation services from United States commercial providers is inconsistent with national security objectives;

(5) the use of space transportation services from United States commercial providers is inconsistent with international agreements for international collaborative efforts relating to science and technology;

(6) it is more cost effective to transport a payload in conjunction with a test or demonstration of a space transportation vehicle owned by the Federal Government; or

(7) a payload can make use of the available cargo space on a space shuttle mission as a secondary payload, and such payload is consistent with the requirements of research, development, demonstration, scientific, commercial, and educational programs authorized by the Administrator.

(c) AGREEMENTS WITH FOREIGN ENTITIES.—Nothing in this section shall prevent the Administrator from planning or negotiating agreements with foreign entities for the launch of Federal Government payloads for international collaborative efforts relating to science and technology.

(d) DELAYED EFFECT.—Subsection (a) shall not apply to space transportation services and space transportation vehicles acquired or owned by the Federal Government before October 28, 1998, or with respect to which a contract for such acquisition or ownership has been entered into before October 28, 1998.

(e) HISTORICAL PURPOSES.—This section shall not be construed to prohibit the Federal Government from acquiring, owning, or maintaining space transportation vehicles solely for historical display purposes.

§ 50132. Acquisition of commercial space transportation services

(a) TREATMENT OF COMMERCIAL SPACE TRANSPORTATION SERVICES AS COMMERCIAL ITEM UNDER ACQUISITION LAWS.—Acquisitions of space transportation services by the Federal Government shall be carried out in accordance with applicable acquisition laws and regulations (including chapters 137 and 140 of title 10). For purposes of such law and regulations, space transportation services shall be considered to be a commercial item.

(b) SAFETY STANDARDS.—Nothing in this section shall be construed to prohibit the Federal Government from requiring compliance with applicable safety standards.

§ 50133. Shuttle privatization

The Administrator shall prepare for an orderly transition from the Federal operation, or Federal management of contracted operation, of space transportation systems to the Federal purchase of commercial space transportation services for all nonemergency space transportation requirements for transportation to and from Earth orbit, including human, cargo, and mixed payloads. In those preparations, the Administrator shall take into account the need for short-term economies, as well as the goal of restoring the Administration's research focus and its mandate to promote the fullest possible commercial use of space. As part of those preparations, the Administrator shall plan for the potential privatization of the space shuttle program. Such plan shall keep safety and cost effectiveness as high priorities. Nothing in this section shall prohibit the Administration from studying, designing, developing, or funding upgrades or modifications essential to the safe and economical operation of the space shuttle fleet.

§ 50134. Use of excess intercontinental ballistic missiles

(a) IN GENERAL.—The Federal Government shall not—

(1) convert any missile described in subsection (c) to a space transportation vehicle configuration; or

(2) transfer ownership of any such missile to another person, except as provided in subsection (b).

(b) AUTHORIZED FEDERAL USES.—

(1) IN GENERAL.—A missile described in subsection (c) may be converted for use as a space transportation vehicle by the Federal Government if, except as provided in paragraph (2) and at least 30 days before such conversion, the agency seeking to use the missile as a space transportation vehicle transmits to the Committee on Armed Services and the Committee on Science and Technology of the House of Representatives, and to the Committee on Armed Services and the Committee on Commerce, Science, and Transportation of the Senate, a certification that the use of such missile—

(A) would result in cost savings to the Federal Government when compared to the cost of acquiring space transportation services from United States commercial providers;

(B) meets all mission requirements of the agency, including performance, schedule, and risk requirements;

(C) is consistent with international obligations of the United States; and

(D) is approved by the Secretary of Defense or the designee of the Secretary of Defense.

(2) EXCEPTION TO REQUIREMENT THAT CERTIFICATION BE TRANSMITTED 30 DAYS BEFORE CONVERSION.—The requirement under paragraph (1) that the certification described in that paragraph must be transmitted at least 30 days before conversion of the missile shall not apply if the Secretary of Defense determines that compliance with that requirement would be inconsistent with meeting immediate national security requirements.

(c) MISSILES REFERRED TO.—The missiles referred to in this section are missiles owned by the United States that—

(1) were formerly used by the Department of Defense for national defense purposes as intercontinental ballistic missiles; and

(2) have been declared excess to United States national defense needs and are in compliance with international obligations of the United States.

CHAPTER 503—COMMERCIAL REUSABLE IN-SPACE TRANSPORTATION

Sec.
50301. Definitions.
50302. Loan guarantees for production of commercial reusable in-space transportation.

§ 50301. Definitions

In this chapter:

(1) COMMERCIAL PROVIDER.—The term ''commercial provider'' means any person or entity providing commercial reusable in-orbit space transportation services or systems, primary control of which is held by persons other than the Federal Government, a State or local government, or a foreign government.

(2) IN-SPACE TRANSPORTATION SERVICES.—The term ''in-space transportation services'' means operations and activities involved in the direct transportation or attempted transportation of a payload or object from one orbit to another by means of an in-space transportation vehicle.

(3) IN-SPACE TRANSPORTATION SYSTEM.—The term ''in-space transportation system'' means the space and ground elements, including in-space transportation vehicles and support space systems, and ground administration and control facilities and associated equipment, necessary for the provision of in-space transportation services.

(4) IN-SPACE TRANSPORTATION VEHICLE.—The term ''in-space transportation vehicle'' means a vehicle designed—

(A) to be based and operated in space;

(B) to transport various payloads or objects from one orbit to another orbit; and

(C) to be reusable and refueled in space.

(5) SECRETARY.—The term ''Secretary'' means the Secretary of Defense.

(6) UNITED STATES COMMERCIAL PROVIDER.—The term ''United States commercial provider'' means any commercial provider organized under the laws of the United States that is more than 50 percent owned by United States nationals.

§ 50302. Loan guarantees for production of commercial reusable in-space transportation

(a) AUTHORITY TO MAKE LOAN GUARANTEES.—The Secretary may guarantee loans made to eligible United States commercial providers for purposes of producing commercial reusable in-space transportation services or systems.

(b) ELIGIBLE UNITED STATES COMMERCIAL PROVIDERS.—The Secretary shall prescribe requirements for the eligibility of United States commercial providers for loan guarantees under this section. Such requirements shall ensure that eligible providers are financially capable of undertaking a loan guaranteed under this section.

(c) LIMITATION ON LOANS GUARANTEED.—The Secretary may not guarantee a loan for a United States commercial provider under this section unless the Secretary determines that credit would not otherwise be reasonably available at the time of the guarantee for the commercial reusable in-space transportation service or system to be produced utilizing the proceeds of the loan.

(d) CREDIT SUBSIDY.—

(1) COLLECTION REQUIRED.—The Secretary shall collect from each United States commercial provider receiving a loan guarantee under this section an amount equal to the amount, as determined by the Secretary, to cover the cost, as defined in section 502(5) of the Federal Credit Reform Act of 1990 (2 U.S.C. 661a(5)), of the loan guarantee.

(2) PERIODIC DISBURSEMENTS.—In the case of a loan guarantee in which proceeds of the loan are disbursed over time, the Secretary shall collect the amount required under this subsection on a pro rata basis, as determined by the Secretary, at the time of each disbursement.

(e) OTHER TERMS AND CONDITIONS.—

(1) PROHIBITION ON SUBORDINATION.—A loan guaranteed under this section may not be subordinated to another debt contracted by the United States commercial provider concerned, or to any other claims against such provider.

(2) RESTRICTION ON INCOME.—A loan guaranteed under this section may not—

(A) provide income which is excluded from gross income for purposes of chapter 1 of the Internal Revenue Code of 1986 (26 U.S.C. 1 et seq.); or

(B) provide significant collateral or security, as determined by the Secretary, for other obligations the income from which is so excluded.

(3) TREATMENT OF GUARANTEE.—The guarantee of a loan under this section shall be conclusive evidence of the following:

(A) That the guarantee has been properly obtained.

(B) That the loan qualifies for the guarantee.

(C) That, but for fraud or material misrepresentation by the holder of the loan, the guarantee is valid, legal, and enforceable.

(4) OTHER TERMS AND CONDITIONS.—The Secretary may establish any other terms and conditions for a guarantee of a loan under this section as the Secretary considers appropriate to protect the financial interests of the United States.

(f) ENFORCEMENT OF RIGHTS.—

(1) IN GENERAL.—The Attorney General may take any action the Attorney General considers appropriate to enforce any right accruing to the United States under a loan guarantee under this section.

(2) FORBEARANCE.—The Attorney General may, with the approval of the parties concerned, forbear from enforcing any right of the United States under a loan guaranteed under this section for the benefit of a United States commercial provider if such forbearance will not result in any cost, as defined in section 502(5) of the Federal Credit Reform Act of 1990 (2 U.S.C. 661a(5)), to the United States.

(3) UTILIZATION OF PROPERTY.—Notwithstanding any other provision of law and subject to the terms of a loan guaranteed under this section, upon the default of a United States commercial provider under the loan, the Secretary may, at the election of the Secretary—

(A) assume control of the physical asset financed by the loan; and

(B) complete, recondition, reconstruct, renovate, repair, maintain, operate, or sell the physical asset.

(g) CREDIT INSTRUMENTS.—

(1) AUTHORITY TO ISSUE INSTRUMENTS.—Notwithstanding any other provision of law, the Secretary may, subject to such terms and conditions as the Secretary considers appropriate, issue credit instruments to United States commercial providers of in-space transportation services or systems, with the aggregate cost (as determined under the provisions of the Federal Credit Reform Act of 1990 (2 U.S.C. 661 et seq.)) of such instruments not to exceed $1,500,000,000, but only to the extent that new budget authority to cover such costs is provided in subsequent appropriations Acts or authority is otherwise provided in subsequent appropriations Acts.

(2) CREDIT SUBSIDY.—The Secretary shall provide a credit subsidy for any credit instrument issued under this subsection in accordance with the provisions of the Federal Credit Reform Act of 1990 (2 U.S.C. 661 et seq.).

(3) CONSTRUCTION.—The eligibility of a United States commercial provider of in-space transportation services or systems for a credit instrument under this subsection is in addition to any eligibility of such provider for a loan guarantee under other provisions of this section.

CHAPTER 505—COMMERCIAL SPACE COMPETITIVENESS

Sec.
50501. Definitions.
50502. Launch voucher demonstration program.
50503. Anchor tenancy and termination liability.
50504. Use of Government facilities.
50505. Test facilities.
50506. Commercial Space Achievement Award.

§ 50501. Definitions

In this chapter:

(1) AGENCY.—The term ''agency'' means an executive agency as defined in section 105 of title 5.

(2) ANCHOR TENANCY.—The term ''anchor tenancy'' means an arrangement in which the United States Government agrees to procure sufficient quantities of a commercial space product or service needed to meet Government mission requirements so that a commercial venture is made viable.

(3) COMMERCIAL.—The term ''commercial'' means having—

(A) private capital at risk; and

(B) primary financial and management responsibility for the activity reside with the private sector.

(4) COST EFFECTIVE.—The term ''cost effective'' means costing no more than the available alternatives, determined by a comparison of all related direct and indirect costs including, in the case of Government costs, applicable Government labor and overhead costs as well as contractor charges, and taking into account the ability of each alternative to accommodate mission requirements as well as the related factors of risk, reliability, schedule, and technical performance.

(5) LAUNCH.—The term ''launch'' means to place, or attempt to place, a launch vehicle and its payload, if any, in a suborbital trajectory, in Earth orbit in outer space, or otherwise in outer space.

(6) LAUNCH SERVICES.—The term ''launch services'' means activities involved in the preparation of a launch vehicle and its payload for launch and the conduct of a launch.

(7) LAUNCH SUPPORT FACILITIES.—The term ''launch support facilities'' means facilities located at launch sites or launch ranges that are required to support launch activities, including launch vehicle assembly, launch vehicle operations and control, communications, flight safety functions, and payload operations, control, and processing.

(8) LAUNCH VEHICLE.—The term ''launch vehicle'' means any vehicle constructed for the purpose of operating in or placing a payload in outer space or in suborbital trajectories, and includes components of that vehicle.

(9) PAYLOAD.—The term ''payload'' means an object which a person undertakes to launch, and includes subcomponents of the launch vehicle specifically designed or adapted for that object.

(10) PAYLOAD INTEGRATION SERVICES.—The term ''payload integration services'' means activities involved in integrating multiple payloads into a single payload for launch or integrating a payload with a launch vehicle.

(11) SPACE RECOVERY SUPPORT FACILITIES.—The term ''space recovery support facilities'' means facilities required to support activities related to the recovery of payloads returned from space to a space recovery site, including operations and control, communications, flight safety functions, and payload processing.

(12) SPACE TRANSPORTATION INFRASTRUCTURE.—The term ''space transportation infrastructure'' means facilities, associated equipment, and real property (including launch sites, launch support facilities, space recovery sites, and space recovery support facilities) required to perform launch or space recovery activities.

(13) STATE.—The term ''State'' means the several States, the District of Columbia, Puerto Rico, American Samoa, the United States Virgin Islands, Guam, the Northern Mariana Islands, and any other commonwealth, territory, or possession of the United States.

(14) UNITED STATES.—The term ''United States'' means the States, collectively.

§ 50502. Launch voucher demonstration program

(a) REQUIREMENT TO ESTABLISH PROGRAM.—The Administrator shall establish a demonstration program to award vouchers for the payment of commercial launch services and payload integration services for the purpose of launching payloads funded by the Administration.

(b) AWARD OF VOUCHERS.—The Administrator shall award vouchers under subsection (a) to appropriate individuals as a part of grants administered by the Administration for the launch of—

(1) payloads to be placed in suborbital trajectories; and

(2) small payloads to be placed in orbit.

(c) ASSISTANCE.—The Administrator may provide voucher award recipients with such assistance (including contract formulation and technical support during the proposal evaluation) as may be necessary to ensure the purchase of cost effective and reasonably reliable commercial launch services and payload integration services.

§ 50503. Anchor tenancy and termination liability

(a) ANCHOR TENANCY CONTRACTS.—Subject to appropriations, the Administrator or the Administrator of the National Oceanic and Atmospheric Administration may enter into multiyear anchor tenancy contracts for the purchase of a good or service if the appropriate Administrator determines that—

(1) the good or service meets the mission requirements of the Administration or the National Oceanic and Atmospheric Administration, as appropriate;

(2) the commercially procured good or service is cost effective;

(3) the good or service is procured through a competitive process;

(4) existing or potential customers for the good or service other than the United States Government have been specifically identified;

(5) the long-term viability of the venture is not dependent upon a continued Government market or other nonreimbursable Government support; and

(6) private capital is at risk in the venture.

(b) TERMINATION LIABILITY.—

(1) IN GENERAL.—Contracts entered into under subsection (a) may provide for the payment of termination liability in the event that the Government terminates such contracts for its convenience.

(2) FIXED SCHEDULE OF PAYMENTS AND LIMITATION ON LIABILITY.—Contracts that provide for the payment of termination liability, as described in paragraph (1), shall include a fixed schedule of such termination liability payments. Liability under such contracts shall not exceed the total payments which the Government would have made after the date of termination to purchase the good or service if the contract were not terminated.

(3) USE OF FUNDS.—Subject to appropriations, funds available for such termination liability payments may be used for purchase of the good or service upon successful delivery of the good or service pursuant to the contract. In such case, sufficient funds shall remain available to cover any remaining termination liability.

(c) LIMITATIONS.—

(1) DURATION.—Contracts entered into under this section shall not exceed 10 years in duration.

(2) FIXED PRICE.—Such contracts shall provide for delivery of the good or service on a firm, fixed price basis.

(3) PERFORMANCE SPECIFICATIONS.—To the extent practicable, reasonable performance specifications shall be used to define technical requirements in such contracts.

(4) FAILURE TO PERFORM.—In any such contract, the appropriate Administrator shall reserve the right to completely or partially terminate the contract without payment of such termination liability because of the contractor's actual or anticipated failure to perform its contractual obligations.

§ 50504. Use of Government facilities

(a) AUTHORITY.—

(1) IN GENERAL.—Federal agencies, including the Administration and the Department of Defense, may allow non-Federal entities to use their space-related facilities on a reimbursable basis if the Administrator, the Secretary of Defense, or the appropriate agency head determines that—

(A) the facilities will be used to support commercial space activities;

(B) such use can be supported by existing or planned Federal resources;

(C) such use is compatible with Federal activities;

(D) equivalent commercial services are not available on reasonable terms; and

(E) such use is consistent with public safety, national security, and international treaty obligations.

(2) CONSULTATION.—In carrying out paragraph (1)(E), each agency head shall consult with appropriate Federal officials.

(b) REIMBURSEMENT PAYMENT.—

(1) AMOUNT.—The reimbursement referred to in subsection (a) may be an amount equal to the direct costs (including salaries of United States civilian and contractor personnel) incurred by the United States as a result of the use of such facilities by the private sector. For the purposes of this paragraph, the term ''direct costs'' means the actual costs that can be unambiguously associated with such use, and would not be borne by the United States Government in the absence of such use.

(2) CREDIT TO APPROPRIATION.—The amount of any payment received by the United States for use of facilities under this subsection shall be credited to the appropriation from which the cost of providing such facilities was paid.

§ 50505. Test facilities

(a) CHARGES.—The Administrator shall establish a policy of charging users of the Administration's test facilities for the costs associated with their tests at a level that is competitive with alternative test facilities. The Administrator shall not implement a policy of seeking full cost recovery for a facility until at least 30 days after transmitting a notice to the Committee on Science and Technology of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate.

(b) FUNDING ACCOUNT.—In planning and budgeting, the Administrator shall establish a funding account that shall be used for all test facilities. The account shall be sufficient to maintain the viability of test facilities during periods of low utilization.

§ 50506. Commercial Space Achievement Award

(a) ESTABLISHMENT.—There is established a Commercial Space Achievement Award. The award shall consist of a medal, which shall be of such design and materials and bear such inscriptions as determined by the Secretary of Commerce. A cash prize may also be awarded if funding for the prize is available under subsection (d).

(b) CRITERIA FOR AWARD.—The Secretary of Commerce shall periodically make awards under this section to individuals, corporations, corporate divisions, or corporate subsidiaries substantially engaged in commercial space activities that in the opinion of the Secretary of Commerce best meet the following criteria:

(1) NON-GOVERNMENTAL REVENUE.—For corporate entities, at least half of the revenues from the space-related activities of the corporation, division, or subsidiary is derived from sources other than the United States Government.

(2) SUBSTANTIAL CONTRIBUTION.—The activities and achievements of the individual, corporation, division, or subsidiary have substantially contributed to the United States gross national product and the stature of United States industry in international markets, with due consideration for both the economic magnitude and the technical quality of the activities and achievements.

(3) SUBSTANTIAL ADVANCEMENT OF TECHNOLOGY.—The individual, corporation, division, or subsidiary has substantially advanced space technology and space applications directly related to commercial space activities.

(c) LIMITATIONS.—No individual or corporate entity may receive an award under this section more than once every 5 years.

(d) FUNDING FOR AWARD.—The Secretary of Commerce may seek and accept gifts of money from public and private sources for the purpose of making cash prize awards under this section. Such money may be used only for that purpose, and only such money may be used for that purpose. The Secretary of Commerce shall make publicly available an itemized list of the sources of such funding.

CHAPTER 507—OFFICE OF SPACE COMMERCIALIZATION

Sec.
50701. Definition of Office.
50702. Establishment.
50703. Annual report.

§ 50701. Definition of Office

In this chapter, the term ''Office'' means the Office of Space Commercialization established in section 50702 of this title.

§ 50702. Establishment

(a) IN GENERAL.—There is established within the Department of Commerce an Office of Space Commercialization.

(b) DIRECTOR.—The Office shall be headed by a Director, who shall be a senior executive and shall be compensated at a level in the Senior Executive Service under section 5382 of title 5 as determined by the Secretary of Commerce.

(c) FUNCTIONS OF OFFICE.—The Office shall be the principal unit for the coordination of space-related issues, programs, and initiatives within the Department of Commerce.

(d) DUTIES OF DIRECTOR.—The primary responsibilities of the Director in carrying out the functions of the Office shall include—

(1) promoting commercial provider investment in space activities by collecting, analyzing, and disseminating information on space markets, and conducting workshops and seminars to increase awareness of commercial space opportunities;

(2) assisting United States commercial providers in the efforts of those providers to conduct business with the United States Government;

(3) acting as an industry advocate within the executive branch of the Federal Government to ensure that the Federal Government meets the space-related requirements of the Federal Government, to the fullest extent feasible, using commercially available space goods and services;

(4) ensuring that the United States Government does not compete with United States commercial providers in the provision of space hardware and services otherwise available from United States commercial providers;

(5) promoting the export of space-related goods and services;

(6) representing the Department of Commerce in the development of United States policies and in negotiations with foreign countries to ensure free and fair trade internationally in the area of space commerce; and

(7) seeking the removal of legal, policy, and institutional impediments to space commerce.

§ 50703. Annual report

The Secretary of Commerce shall submit an annual report on the activities of the Office, including planned programs and expenditures, to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Science and Technology of the House of Representatives.

Subtitle VI—Earth Observations

CHAPTER 601—LAND REMOTE SENSING POLICY

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SUBCHAPTER I—GENERAL

§ 60101. Definitions

In this chapter:

(1) COST OF FULFILLING USER REQUESTS.—The term ''cost of fulfilling user requests'' means the incremental costs associated with providing product generation, reproduction, and distribution of unenhanced data in response to user requests and shall not include any acquisition, amortization, or depreciation of capital assets originally paid for by the United States Government or other costs not specifically attributable to fulfilling user requests.

(2) DATA CONTINUITY.—The term ''data continuity'' means the continued acquisition and availability of unenhanced data which are, from the point of view of the user—

(A) sufficiently consistent (in terms of acquisition geometry, coverage characteristics, and spectral characteristics) with previous Landsat data to allow comparisons for global and regional change detection and characterization; and

(B) compatible with such data and with methods used to receive and process such data.

(3) DATA PREPROCESSING.—The term ''data preprocessing''—

(A) may include—

(i) rectification of system and sensor distortions in land remote sensing data as it is received directly from the satellite in preparation for delivery to a user;

(ii) registration of such data with respect to features of the Earth; and

(iii) calibration of spectral response with respect to such data; but

(B) does not include conclusions, manipulations, or calculations derived from such data, or a combination of such data with other data.

(4) LAND REMOTE SENSING.—The term ''land remote sensing'' means the collection of data which can be processed into imagery of surface features of the Earth from an unclassified satellite or satellites, other than an operational United States Government weather satellite.

(5) LANDSAT PROGRAM MANAGEMENT.—The term ''Landsat Program Management'' means the integrated program management structure—

(A) established by, and responsible to, the Administrator and the Secretary of Defense pursuant to section 60111(a) of this title; and

(B) consisting of appropriate officers and employees of the Administration, the Department of Defense, and any other United States Government agencies the President designates as responsible for the Landsat program.

(6) LANDSAT SYSTEM.—The term ''Landsat system'' means Landsats 1, 2, 3, 4, 5, and 6, and any follow-on land remote sensing system operated and owned by the United States Government, along with any related ground equipment, systems, and facilities owned by the United States Government.

(7) LANDSAT 6 CONTRACTOR.—The term ''Landsat 6 contractor'' means the private sector entity which was awarded the contract for spacecraft construction, operations, and data marketing rights for the Landsat 6 spacecraft.

(8) LANDSAT 7.—The term ''Landsat 7'' means the follow-on satellite to Landsat 6.

(9) NATIONAL SATELLITE LAND REMOTE SENSING DATA ARCHIVE.—The term ''National Satellite Land Remote Sensing Data Archive'' means the archive established by the Secretary of the Interior pursuant to the archival responsibilities defined in section 60142 of this title.

(10) NONCOMMERCIAL PURPOSES.—The term ''noncommercial purposes'' means activities undertaken by individuals or entities on the condition, upon receipt of unenhanced data, that—

(A) such data shall not be used in connection with any bid for a commercial contract, development of a commercial product, or any other non-United States Government activity that is expected, or has the potential, to be profitmaking;

(B) the results of such activities are disclosed in a timely and complete fashion in the open technical literature or other method of public release, except when such disclosure by the United States Government or its contractors would adversely affect the national security or foreign policy of the United States or violate a provision of law or regulation; and

(C) such data shall not be distributed in competition with unenhanced data provided by the Landsat 6 contractor.

(11) SECRETARY.—The term ''Secretary'' means the Secretary of Commerce.

(12) UNENHANCED DATA.—The term ''unenhanced data'' means land remote sensing signals or imagery products that are unprocessed or subject only to data preprocessing.

(13) UNITED STATES GOVERNMENT AND ITS AFFILIATED USERS.—The term ''United States Government and its affiliated users'' means—

(A) United States Government agencies;

(B) researchers involved with the United States Global Change Research Program and its international counterpart programs; and

(C) other researchers and international entities that have signed with the United States Government a cooperative agreement involving the use of Landsat data for noncommercial purposes.

SUBCHAPTER II—LANDSAT

§ 60111. Landsat Program Management

(a) ESTABLISHMENT.—The Administrator and the Secretary of Defense shall be responsible for management of the Landsat program. Such responsibility shall be carried out by establishing an integrated program management structure for the Landsat system.

(b) MANAGEMENT PLAN.—The Administrator, the Secretary of Defense, and any other United States Government official the President designates as responsible for part of the Landsat program shall establish, through a management plan, the roles, responsibilities, and funding expectations for the Landsat program of the appropriate United States Government agencies. The management plan shall—

(1) specify that the fundamental goal of the Landsat Program Management is the continuity of unenhanced Landsat data through the acquisition and operation of a Landsat 7 satellite as quickly as practicable which is, at a minimum, functionally equivalent to the Landsat 6 satellite, with the addition of a tracking and data relay satellite communications capability;

(2) include a baseline funding profile that—

(A) is mutually acceptable to the Administration and the Department of Defense for the period covering the development and operation of Landsat 7; and

(B) provides for total funding responsibility of the Administration and the Department of Defense, respectively, to be approximately equal to the funding responsibility of the other as spread across the development and operational life of Landsat 7;

(3) specify that any improvements over the Landsat 6 functional equivalent capability for Landsat 7 will be funded by a specific sponsoring agency or agencies, in a manner agreed to by the Landsat Program Management, if the required funding exceeds the baseline funding profile required by paragraph (2), and that additional improvements will be sought only if the improvements will not jeopardize data continuity; and

(4) provide for a technology demonstration program whose objective shall be the demonstration of advanced land remote sensing technologies that may potentially yield a system which is less expensive to build and operate, and more responsive to data users, than is the current Landsat system.

(c) RESPONSIBILITIES.—The Landsat Program Management shall be responsible for—

(1) Landsat 7 procurement, launch, and operations;

(2) ensuring that the operation of the Landsat system is responsive to the broad interests of the civilian, national security, commercial, and foreign users of the Landsat system;

(3) ensuring that all unenhanced Landsat data remain unclassified and that, except as provided in subsections (a) and (b) of section 60146 of this title, no restrictions are placed on the availability of unenhanced data;

(4) ensuring that land remote sensing data of high priority locations will be acquired by the Landsat 7 system as required to meet the needs of the United States Global Change Research Program, as established in the Global Change Research Act of 1990 (15 U.S.C. 2921 et seq.), and to meet the needs of national security users;

(5) Landsat data responsibilities pursuant to this chapter;

(6) oversight of Landsat contracts entered into under sections 102 and 103 of the Land Remote Sensing Policy Act of 1992 (Public Law 102–555, 106 Stat. 4168);

(7) coordination of a technology demonstration program pursuant to section 60133 of this title; and

(8) ensuring that copies of data acquired by the Landsat system are provided to the National Satellite Land Remote Sensing Data Archive.

(d) AUTHORITY TO CONTRACT.—The Landsat Program Management may, subject to appropriations and only under the existing contract authority of the United States Government agencies that compose the Landsat Program Management, enter into contracts with the private sector for services such as satellite operations and data preprocessing.

(e) LANDSAT ADVISORY PROCESS.—

(1) ADVICE AND COMMENTS.—The Landsat Program Management shall seek impartial advice and comments regarding the status, effectiveness, and operation of the Landsat system, using existing advisory committees and other appropriate mechanisms. Such advice shall be sought from individuals who represent—

(A) a broad range of perspectives on basic and applied science and operational needs with respect to land remote sensing data;

(B) the full spectrum of users of Landsat data, including representatives from United States Government agencies, State and local government agencies, academic institutions, nonprofit organizations, value-added companies, the agricultural, mineral extraction, and other user industries, and the public; and

(C) a broad diversity of age groups, sexes, and races.

(2) REPORTS.—The Landsat Program Management shall prepare and submit biennially a report to Congress which—

(A) reports the public comments received pursuant to paragraph (1); and

(B) includes—

(i) a response to the public comments received pursuant to paragraph (1);

(ii) information on the volume of use, by category, of data from the Landsat system; and

(iii) any recommendations for policy or programmatic changes to improve the utility and operation of the Landsat system.

§ 60112. Transfer of Landsat 6 program responsibilities

The responsibilities of the Secretary with respect to Landsat 6 shall be transferred to the Landsat Program Management, as agreed to between the Secretary and the Landsat Program Management, pursuant to section 60111 of this title.

§ 60113. Data policy for Landsat 7

(a) LANDSAT 7 DATA POLICY.—The Landsat Program Management, in consultation with other appropriate United States Government agencies, shall develop a data policy for Landsat 7 which should—

(1) ensure that unenhanced data are available to all users at the cost of fulfilling user requests;

(2) ensure timely and dependable delivery of unenhanced data to the full spectrum of civilian, national security, commercial, and foreign users and the National Satellite Land Remote Sensing Data Archive;

(3) ensure that the United States retains ownership of all unenhanced data generated by Landsat 7;

(4) support the development of the commercial market for remote sensing data;

(5) ensure that the provision of commercial value-added services based on remote sensing data remains exclusively the function of the private sector; and

(6) to the extent possible, ensure that the data distribution system for Landsat 7 is compatible with the Earth Observing System Data and Information System.

(b) ADDITIONAL DATA POLICY CONSIDERATIONS.—In addition, the data policy for Landsat 7 may provide for—

(1) United States private sector entities to operate ground receiving stations in the United States for Landsat 7 data;

(2) other means for direct access by private sector entities to unenhanced data from Landsat 7; and

(3) the United States Government to charge a per image fee, license fee, or other such fee to entities operating ground receiving stations or distributing Landsat 7 data.

SUBCHAPTER III—LICENSING OF PRIVATE REMOTE SENSING SPACE SYSTEMS

§ 60121. General licensing authority

(a) LICENSING AUTHORITY OF SECRETARY.—

(1) IN GENERAL.—In consultation with other appropriate United States Government agencies, the Secretary is authorized to license private sector parties to operate private remote sensing space systems for such period as the Secretary may specify and in accordance with the provisions of this subchapter.

(2) LIMITATION WITH RESPECT TO SYSTEM USED FOR OTHER PURPOSES.—In the case of a private space system that is used for remote sensing and other purposes, the authority of the Secretary under this subchapter shall be limited only to the remote sensing operations of such space system.

(b) COMPLIANCE WITH LAW, REGULATIONS, INTERNATIONAL OBLIGATIONS, AND NATIONAL SECURITY.—

(1) IN GENERAL.—No license shall be granted by the Secretary unless the Secretary determines in writing that the applicant will comply with the requirements of this chapter, any regulations issued pursuant to this chapter, and any applicable international obligations and national security concerns of the United States.

(2) LIST OF REQUIREMENTS FOR COMPLETE APPLICATION.—The Secretary shall publish in the Federal Register a complete and specific list of all information required to comprise a complete application for a license under this subchapter. An application shall be considered complete when the applicant has provided all information required by the list most recently published in the Federal Register before the date the application was first submitted. Unless the Secretary has, within 30 days after receipt of an application, notified the applicant of information necessary to complete an application, the Secretary may not deny the application on the basis of the absence of any such information.

(c) DEADLINE FOR ACTION ON APPLICATION.—The Secretary shall review any application and make a determination thereon within 120 days of the receipt of such application. If final action has not occurred within such time, the Secretary shall inform the applicant of any pending issues and of actions required to resolve them.

(d) IMPROPER BASIS FOR DENIAL.—The Secretary shall not deny such license in order to protect any existing licensee from competition.

(e) REQUIREMENT TO PROVIDE UNENHANCED DATA.—

(1) DESIGNATION OF DATA.—The Secretary, in consultation with other appropriate United States Government agencies and pursuant to paragraph (2), shall designate in a license issued pursuant to this subchapter any unenhanced data required to be provided by the licensee under section 60122(b)(3) of this title.

(2) PRELIMINARY DETERMINATION.—The Secretary shall make a designation under paragraph (1) after determining that—

(A) such data are generated by a system for which all or a substantial part of the development, fabrication, launch, or operations costs have been or will be directly funded by the United States Government; or

(B) it is in the interest of the United States to require such data to be provided by the licensee consistent with section 60122(b)(3) of this title, after considering the impact on the licensee and the importance of promoting widespread access to remote sensing data from United States and foreign systems.

(3) CONSISTENCY WITH CONTRACT OR OTHER ARRANGEMENT.—A designation made by the Secretary under paragraph (1) shall not be inconsistent with any contract or other arrangement entered into between a United States Government agency and the licensee.

§ 60122. Conditions for operation

(a) LICENSE REQUIRED FOR OPERATION.—No person that is subject to the jurisdiction or control of the United States may, directly or through any subsidiary or affiliate, operate any private remote sensing space system without a license pursuant to section 60121 of this title.

(b) LICENSING REQUIREMENTS.—Any license issued pursuant to this subchapter shall specify that the licensee shall comply with all of the requirements of this chapter and shall—

(1) operate the system in such manner as to preserve the national security of the United States and to observe the international obligations of the United States in accordance with section 60146 of this title;

(2) make available to the government of any country (including the United States) unenhanced data collected by the system concerning the territory under the jurisdiction of such government as soon as such data are available and on reasonable terms and conditions;

(3) make unenhanced data designated by the Secretary in the license pursuant to section 60121(e) of this title available in accordance with section 60141 of this title;

(4) upon termination of operations under the license, make disposition of any satellites in space in a manner satisfactory to the President;

(5) furnish the Secretary with complete orbit and data collection characteristics of the system, and inform the Secretary immediately of any deviation; and

(6) notify the Secretary of any significant or substantial agreement the licensee intends to enter with a foreign nation, entity, or consortium involving foreign nations or entities.

(c) ADDITIONAL LICENSING REQUIREMENTS FOR LANDSAT 6 CONTRACTOR.—In addition to the requirements of subsection (b), any license issued pursuant to this subchapter to the Landsat 6 contractor shall specify that the Landsat 6 contractor shall—

(1) notify the Secretary of any value added activities (as defined by the Secretary by regulation) that will be conducted by the Landsat 6 contractor or by a subsidiary or affiliate; and

(2) if such activities are to be conducted, provide the Secretary with a plan for compliance with section 60141 of this title.

§ 60123. Administrative authority of Secretary

(a) FUNCTIONS.—In order to carry out the responsibilities specified in this subchapter, the Secretary may—

(1) grant, condition, or transfer licenses under this chapter;

(2) seek an order of injunction or similar judicial determination from a district court of the United States with personal jurisdiction over the licensee to terminate, modify, or suspend licenses under this subchapter and to terminate licensed operations on an immediate basis, if the Secretary determines that the licensee has substantially failed to comply with any provisions of this chapter, with any terms, conditions, or restrictions of such license, or with any international obligations or national security concerns of the United States;

(3) provide penalties for noncompliance with the requirements of licenses or regulations issued under this subchapter, including civil penalties not to exceed $10,000 (each day of operation in violation of such licenses or regulations constituting a separate violation);

(4) compromise, modify, or remit any such civil penalty;

(5) issue subpoenas for any materials, documents, or records, or for the attendance and testimony of witnesses for the purpose of conducting a hearing under this section;

(6) seize any object, record, or report pursuant to a warrant from a magistrate based on a showing of probable cause to believe that such object, record, or report was used, is being used, or is likely to be used in violation of this chapter or the requirements of a license or regulation issued thereunder; and

(7) make investigations and inquiries and administer to or take from any person an oath, affirmation, or affidavit concerning any matter relating to the enforcement of this chapter.

(b) REVIEW OF AGENCY ACTION.—Any applicant or licensee that makes a timely request for review of an adverse action pursuant to paragraph (1), (3), (5), or (6) of subsection (a) shall be entitled to adjudication by the Secretary on the record after an opportunity for any agency hearing with respect to such adverse action. Any final action by the Secretary under this subsection shall be subject to judicial review under chapter 7 of title 5.

§ 60124. Regulatory authority of Secretary

The Secretary may issue regulations to carry out this subchapter. Such regulations shall be promulgated only after public notice and comment in accordance with the provisions of section 553 of title 5.

§ 60125. Agency activities

(a) LICENSE APPLICATION AND ISSUANCE.—A private sector party may apply for a license to operate a private remote sensing space system which utilizes, on a space-available basis, a civilian United States Government satellite or vehicle as a platform for such system. The Secretary, pursuant to this subchapter, may license such system if it meets all conditions of this subchapter and—

(1) the system operator agrees to reimburse the Government in a timely manner for all related costs incurred with respect to such utilization, including a reasonable and proportionate share of fixed, platform, data transmission, and launch costs; and

(2) such utilization would not interfere with or otherwise compromise intended civilian Government missions, as determined by the agency responsible for such civilian platform.

(b) ASSISTANCE.—The Secretary may offer assistance to private sector parties in finding appropriate opportunities for such utilization.

(c) AGREEMENTS.—To the extent provided in advance by appropriation Acts, any United States Government agency may enter into agreements for such utilization if such agreements are consistent with such agency's mission and statutory authority, and if such remote sensing space system is licensed by the Secretary before commencing operation.

(d) APPLICABILITY.—This section does not apply to activities carried out under subchapter IV.

(e) EFFECT ON FCC AUTHORITY.—Nothing in this subchapter shall affect the authority of the Federal Communications Commission pursuant to the Communications Act of 1934 (47 U.S.C. 151 et seq.).

SUBCHAPTER IV—RESEARCH, DEVELOPMENT, AND DEMONSTRATION

§ 60131. Continued Federal research and development

(a) ROLES OF ADMINISTRATION AND DEPARTMENT OF DEFENSE.—

(1) IN GENERAL.—The Administrator and the Secretary of Defense are directed to continue and to enhance programs of remote sensing research and development.

(2) ADMINISTRATION ACTIVITIES AUTHORIZED AND ENCOURAGED.—The Administrator is authorized and encouraged to—

(A) conduct experimental space remote sensing programs (including applications demonstration programs and basic research at universities);

(B) develop remote sensing technologies and techniques, including those needed for monitoring the Earth and its environment; and

(C) conduct such research and development in cooperation with other United States Government agencies and with public and private research entities (including private industry, universities, non-profit organizations, State and local governments, foreign governments, and international organizations) and to enter into arrangements (including joint ventures) which will foster such cooperation.

(b) ROLES OF DEPARTMENT OF AGRICULTURE AND DEPARTMENT OF THE INTERIOR.—

(1) IN GENERAL.—In order to enhance the ability of the United States to manage and utilize its renewable and nonrenewable resources, the Secretary of Agriculture and the Secretary of the Interior are authorized and encouraged to conduct programs of research and development in the applications of remote sensing using funds appropriated for such purposes.

(2) ACTIVITIES THAT MAY BE INCLUDED.—Such programs may include basic research at universities, demonstrations of applications, and cooperative activities involving other Government agencies, private sector parties, and foreign and international organizations.

(c) ROLE OF OTHER FEDERAL AGENCIES.—Other United States Government agencies are authorized and encouraged to conduct research and development on the use of remote sensing in the fulfillment of their authorized missions, using funds appropriated for such purposes.

§ 60132. Availability of federally gathered unenhanced data

(a) IN GENERAL.—All unenhanced land remote sensing data gathered and owned by the United States Government, including unenhanced data gathered under the technology demonstration program carried out pursuant to section 60133 of this title, shall be made available to users in a timely fashion.

(b) PROTECTION FOR COMMERCIAL DATA DISTRIBUTOR.—The President shall seek to ensure that unenhanced data gathered under the technology demonstration program carried out pursuant to section 60133 of this title shall, to the extent practicable, be made available on terms that would not adversely affect the commercial market for unenhanced data gathered by the Landsat 6 spacecraft.

§ 60133. Technology demonstration program

(a) ESTABLISHMENT.—As a fundamental component of a national land remote sensing strategy, the President shall establish, through appropriate United States Government agencies, a technology demonstration program. The goals of the program shall be to—

(1) seek to launch advanced land remote sensing system components within 5 years after October 28, 1992;

(2) demonstrate within such 5-year period advanced sensor capabilities suitable for use in the anticipated land remote sensing program; and

(3) demonstrate within such 5-year period an advanced land remote sensing system design that could be less expensive to procure and operate than the Landsat system projected to be in operation through the year 2000, and that therefore holds greater potential for private sector investment and control.

(b) EXECUTION OF PROGRAM.—In executing the technology demonstration program, the President shall seek to apply technologies associated with United States National Technical Means of intelligence gathering, to the extent that such technologies are appropriate for the technology demonstration and can be declassified for such purposes without causing adverse harm to United States national security interests.

(c) BROAD APPLICATION.—To the greatest extent practicable, the technology demonstration program established under subsection (a) shall be designed to be responsive to the broad civilian, national security, commercial, and foreign policy needs of the United States.

(d) PRIVATE SECTOR FUNDING.—The technology demonstration program under this section may be carried out in part with private sector funding.

(e) LANDSAT PROGRAM MANAGEMENT COORDINATION.—The Landsat Program Management shall have a coordinating role in the technology demonstration program carried out under this section.

§ 60134. Preference for private sector land remote sensing system

(a) IN GENERAL.—If a successor land remote sensing system to Landsat 7 can be funded and managed by the private sector while still achieving the goals stated in subsection (b) without jeopardizing the domestic, national security, and foreign policy interests of the United States, preference should be given to the development of such a system by the private sector without competition from the United States Government.

(b) GOALS.—The goals referred to in subsection (a) are—

(1) to encourage the development, launch, and operation of a land remote sensing system that adequately serves the civilian, national security, commercial, and foreign policy interests of the United States;

(2) to encourage the development, launch, and operation of a land remote sensing system that maintains data continuity with the Landsat system; and

(3) to incorporate system enhancements, including any such enhancements developed under the technology demonstration program under section 60133 of this title, which may potentially yield a system that is less expensive to build and operate, and more responsive to data users, than is the Landsat system otherwise projected to be in operation in the future.

SUBCHAPTER V—GENERAL PROVISIONS

§ 60141. Nondiscriminatory data availability

(a) IN GENERAL.—Except as provided in subsection (b), any unenhanced data generated by the Landsat system or any other land remote sensing system funded and owned by the United States Government shall be made available to all users without preference, bias, or any other special arrangement (except on the basis of national security concerns pursuant to section 60146 of this title) regarding delivery, format, pricing, or technical considerations which would favor one customer or class of customers over another.

(b) EXCEPTIONS.—Unenhanced data generated by the Landsat system or any other land remote sensing system funded and owned by the United States Government may be made available to the United States Government and its affiliated users at reduced prices, in accordance with this chapter, on the condition that such unenhanced data are used solely for noncommercial purposes.

§ 60142. Archiving of data

(a) PUBLIC INTEREST.—It is in the public interest for the United States Government to—

(1) maintain an archive of land remote sensing data for historical, scientific, and technical purposes, including long-term global environmental monitoring;

(2) control the content and scope of the archive; and

(3) ensure the quality, integrity, and continuity of the archive.

(b) ARCHIVING PRACTICES.—The Secretary of the Interior, in consultation with the Landsat Program Management, shall provide for long-term storage, maintenance, and upgrading of a basic, global, land remote sensing data set (hereafter in this section referred to as the ''basic data set'') and shall follow reasonable archival practices to ensure proper storage and preservation of the

basic data set and timely access for parties requesting data.

(c) DETERMINATION OF CONTENT OF BASIC DATA SET.—In determining the initial content of, or in upgrading, the basic data set, the Secretary of the Interior shall—

(1) use as a baseline the data archived on October 28, 1992;

(2) take into account future technical and scientific developments and needs, paying particular attention to the anticipated data requirements of global environmental change research;

(3) consult with and seek the advice of users and producers of remote sensing data and data products;

(4) consider the need for data which may be duplicative in terms of geographical coverage but which differ in terms of season, spectral bands, resolution, or other relevant factors;

(5) include, as the Secretary of the Interior considers appropriate, unenhanced data generated either by the Landsat system, pursuant to subchapter II, or by licensees under subchapter III;

(6) include, as the Secretary of the Interior considers appropriate, data collected by foreign ground stations or by foreign remote sensing space systems; and

(7) ensure that the content of the archive is developed in accordance with section 60146 of this title.

(d) PUBLIC DOMAIN.—After the expiration of any exclusive right to sell, or after relinquishment of such right, the data provided to the National Satellite Land Remote Sensing Data Archive shall be in the public domain and shall be made available to requesting parties by the Secretary of the Interior at the cost of fulfilling user requests.

§ 60143. Nonreproduction

Unenhanced data distributed by any licensee under subchapter III may be sold on the condition that such data will not be reproduced or disseminated by the purchaser for commercial purposes.

§ 60144. Reimbursement for assistance

The Administrator, the Secretary of Defense, and the heads of other United States Government agencies may provide assistance to land remote sensing system operators under the provisions of this chapter. Substantial assistance shall be reimbursed by the operator, except as otherwise provided by law.

§ 60145. Acquisition of equipment

The Landsat Program Management may, by means of a competitive process, allow a licensee under subchapter III or any other private party to buy, lease, or otherwise acquire the use of equipment from the Landsat system, when such equipment is no longer needed for the operation of such system or for the sale of data from such system. Officials of other United States Government civilian agencies are authorized and encouraged to cooperate with the Secretary in carrying out this section.

§ 60146. Radio frequency allocation

(a) APPLICATION TO FEDERAL COMMUNICATIONS COMMISSION.—To the extent required by the Communications Act of 1934 (47 U.S.C. 151 et seq.), an application shall be filed with the Federal Communications Commission for any radio facilities involved with commercial remote sensing space systems licensed under subchapter III.

(b) DEADLINE FOR FCC ACTION.—It is the intent of Congress that the Federal Communications Commission complete the radio licensing process under the Communications Act of 1934 (47 U.S.C. 151 et seq.), upon the application of any private sector party or consortium operator of any commercial land remote sensing space system subject to this chapter, within 120 days of the receipt of an application for such licensing. If final action has not occurred within 120 days of the receipt of such an application, the Federal Communications Commission shall inform the applicant of any pending issues and of actions required to resolve them.

(c) DEVELOPMENT AND CONSTRUCTION OF UNITED STATES SYSTEMS.—Authority shall not be required from the Federal Communications Commission for the development and construction of any United States land remote sensing space system (or component thereof), other than radio transmitting facilities or components, while any licensing determination is being made.

(d) CONSISTENCY WITH INTERNATIONAL OBLIGATIONS AND PUBLIC INTEREST.—Frequency allocations made pursuant to this section by the Federal Communications Commission shall be consistent with international obligations and with the public interest.

§ 60147. Consultation

(a) CONSULTATION WITH SECRETARY OF DEFENSE.—The Secretary and the Landsat Program Management shall consult with the Secretary of Defense on all matters under this chapter affecting national security. The Secretary of Defense shall be responsible for determining those conditions, consistent with this chapter, necessary to meet national security concerns of the United States and for notifying the Secretary and the Landsat Program Management promptly of such conditions.

(b) CONSULTATION WITH SECRETARY OF STATE.—

(1) IN GENERAL.—The Secretary and the Landsat Program Management shall consult with the Secretary of State on all matters under this chapter affecting international obligations. The Secretary of State shall be responsible for determining those conditions, consistent with this chapter, necessary to meet international obligations and policies of the United States and for notifying promptly the Secretary and the Landsat Program Management of such conditions.

(2) INTERNATIONAL AID.—Appropriate United States Government agencies are authorized and encouraged to provide remote sensing data, technology, and training to developing nations as a component of programs of international aid.

(3) REPORTING DISCRIMINATORY DISTRIBUTION.—The Secretary of State shall promptly report to the Secretary and Landsat Program Management any instances outside the United States of discriminatory distribution of Landsat data.

(c) STATUS REPORT.—The Landsat Program Management shall, as often as necessary, provide to Congress complete and updated information about the status of ongoing operations of the Landsat system, including timely notification of decisions made with respect to the Landsat system in order to meet national security concerns and international obligations and policies of the United States Government.

(d) REIMBURSEMENTS.—If, as a result of technical modifications imposed on a licensee under subchapter III on the basis of national security concerns, the Secretary, in consultation with the Secretary of Defense or with other Federal agencies, determines that additional costs will be incurred by the licensee, or that past development costs (including the cost of capital) will not be recovered by the licensee, the Secretary may require the agency or agencies requesting such technical modifications to reimburse the licensee for such additional or development costs, but not for anticipated profits. Reimbursements may cover costs associated with required changes in system performance, but not costs ordinarily associated with doing business abroad.

§ 60148. Enforcement

(a) IN GENERAL.—In order to ensure that unenhanced data from the Landsat system received solely for noncommercial purposes are not used for any commercial purpose, the Secretary (in collaboration with private sector entities responsible for the marketing and distribution of unenhanced data generated by the Landsat system) shall develop and implement a system for enforcing this prohibition, in the event that unenhanced data from the Landsat system are made available for noncommercial purposes at a different price than such data are made available for other purposes.

(b) AUTHORITY OF SECRETARY.—Subject to subsection (d), the Secretary may impose any of the enforcement mechanisms described in subsection (c) against a person that—

(1) receives unenhanced data from the Landsat system under this chapter solely for noncommercial purposes (and at a different price than the price at which such data are made available for other purposes); and

(2) uses such data for other than noncommercial purposes.

(c) ENFORCEMENT MECHANISMS.—Enforcement mechanisms referred to in subsection (b) may include civil penalties of not more than $10,000 (per day per violation), denial of further unenhanced data purchasing privileges, and any other penalties or restrictions the Secretary considers necessary to ensure, to the greatest extent practicable, that unenhanced data provided for noncommercial purposes are not used to unfairly compete in the commercial market against private sector entities not eligible for data at the cost of fulfilling user requests.

(d) PROCEDURES AND REGULATIONS.—The Secretary shall issue any regulations necessary to carry out this section and shall establish standards and procedures governing the imposition of enforcement mechanisms under subsection (b). The standards and procedures shall include a procedure for potentially aggrieved parties to file formal protests with the Secretary alleging instances where such unenhanced data have been, or are being, used for commercial purposes in violation of the terms of receipt of such data. The Secretary shall promptly act to investigate any such protest, and shall report annually to Congress on instances of such violations.

SUBCHAPTER VI—PROHIBITION OF COMMERCIALIZATION OF WEATHER SATELLITES

§ 60161. Prohibition

Neither the President nor any other official of the Government shall make any effort to lease, sell, or transfer to the private sector, or commercialize, any portion of the weather satellite systems operated by the Department of Commerce or any successor agency.

§ 60162. Future considerations

Regardless of any change in circumstances subsequent to October 28, 1992, even if such change makes it appear to be in the national interest to commercialize weather satellites, neither the President nor any official shall take any action prohibited by section 60161 of this title unless this subchapter has first been repealed.

CHAPTER 603—REMOTE SENSING

Sec.
60301. Definitions.
60302. General responsibilities.
60303. Pilot projects to encourage public sector applications.
60304. Program evaluation.
60305. Data availability.
60306. Education.

§ 60301. Definitions

In this chapter:

(1) GEOSPATIAL INFORMATION.—The term ''geospatial information'' means knowledge of the nature and distribution of physical and cultural features on the landscape based on analysis of data from airborne or spaceborne platforms or other types and sources of data.

(2) HIGH RESOLUTION.—The term ''high resolution'' means resolution better than five meters.

(3) INSTITUTION OF HIGHER EDUCATION.—The term ''institution of higher education'' has the meaning given the term in section 101(a) of the Higher Education Act of 1965 (20 U.S.C. 1001(a)).

§ 60302. General responsibilities

The Administrator shall—

(1) develop a sustained relationship with the United States commercial remote sensing industry and, consistent with applicable policies and law, to the maximum practicable, rely on their services; and

(2) in conjunction with United States industry and universities, research, develop, and demonstrate prototype Earth science applications to enhance Federal, State, local, and tribal governments' use of government and commercial remote sensing data, technologies, and other sources of geospatial information for improved decision support to address their needs.

§ 60303. Pilot projects to encourage public sector applications

(a) IN GENERAL.—The Administrator shall establish a program of grants for competitively awarded pilot projects to explore the integrated use of sources of remote sensing and other geospatial information to address State, local, regional, and tribal agency needs.

(b) PREFERRED PROJECTS.—In awarding grants under this section, the Administrator shall give preference to projects that—

(1) make use of commercial data sets, including high resolution commercial satellite imagery and derived satellite data products, existing public data sets where commercial data sets are not available or applicable, or the fusion of such data sets;

(2) integrate multiple sources of geospatial information, such as geographic information system data, satellite-provided positioning data, and remotely sensed data, in innovative ways;

(3) include funds or in-kind contributions from non-Federal sources;

(4) involve the participation of commercial entities that process raw or lightly processed data, often merging that data with other geospatial information, to create data products that have significant value added to the original data; and

(5) taken together demonstrate as diverse a set of public sector applications as possible.

(c) OPPORTUNITIES.—In carrying out this section, the Administrator shall seek opportunities to assist—

(1) in the development of commercial applications potentially available from the remote sensing industry; and

(2) State, local, regional, and tribal agencies in applying remote sensing and other geospatial information technologies for growth management.

(d) DURATION.—Assistance for a pilot project under subsection (a) shall be provided for a period not to exceed 3 years.

(e) REPORT.—Each recipient of a grant under subsection (a) shall transmit a report to the Administrator on the results of the pilot project within 180 days of the completion of that project.

(f) WORKSHOP.—Each recipient of a grant under subsection (a) shall, not later than 180 days after the completion of the pilot project, conduct at least one workshop for potential users to disseminate the lessons learned from the pilot project as widely as feasible.

(g) REGULATIONS.—The Administrator shall issue regulations establishing application, selection, and implementation procedures for pilot projects, and guidelines for reports and workshops required by this section.

§ 60304. Program evaluation

(a) ADVISORY COMMITTEE.—The Administrator shall establish an advisory committee, consisting of individuals with appropriate expertise in State, local, regional, and tribal agencies, the university research community, and the remote sensing and other geospatial information industries, to monitor the program established under section 60303 of this title. The advisory committee shall consult with the Federal Geographic Data Committee and other appropriate industry representatives and organizations. Notwithstanding section 14 of the Federal Advisory Committee Act (5 App. U.S.C.), the advisory committee established under this subsection shall remain in effect until the termination of the program under section 60303 of this title.

(b) EFFECTIVENESS EVALUATION.—Not later than December 31, 2009, the Administrator shall transmit to Congress an evaluation of the effectiveness of the program established under section 60303 of this title in exploring and promoting the integrated use of sources of remote sensing and other geospatial information to address State, local, regional, and tribal agency needs. Such evaluation shall have been conducted by an independent entity.

§ 60305. Data availability

The Administrator shall ensure that the results of each of the pilot projects completed under section 60303 of this title shall be retrievable through an electronic, internet-accessible database.

§ 60306. Education

The Administrator shall establish an educational outreach program to increase awareness at institutions of higher education and State, local, regional, and tribal agencies of the potential applications of remote sensing and other geospatial information and awareness of the need for geospatial workforce development.

CHAPTER 605—EARTH SCIENCE

Sec.
60501. Goal.
60502. Transitioning experimental research into operational services.
60503. Reauthorization of Glory Mission.
60504. Tornadoes and other severe storms.
60505. Coordination with the National Oceanic and Atmospheric Administration.
60506. Sharing of climate related data.

§ 60501. Goal

The goal for the Administration's Earth Science program shall be to pursue a program of Earth observations, research, and applications activities to better understand the Earth, how it supports life, and how human activities affect its ability to do so in the future. In pursuit of this goal, the Administration's Earth Science program shall ensure that securing practical benefits for society will be an important measure of its success in addition to securing new knowledge about the Earth system and climate change. In further pursuit of this goal, the Administration shall, together with the National Oceanic and Atmospheric Administration and other relevant agencies, provide United States leadership in developing and carrying out a cooperative international Earth observations-based research program.

§ 60502. Transitioning experimental research into operational services

(a) INTERAGENCY PROCESS.—The Director of the Office of Science and Technology Policy, in consultation with the Administrator, the Administrator of the National Oceanic and Atmospheric Administration, and other relevant stakeholders, shall develop a process to transition, when appropriate, Administration Earth science and space weather missions or sensors into operational status. The process shall include coordination of annual agency budget requests as required to execute the transitions.

(b) RESPONSIBLE AGENCY OFFICIAL.—The Administrator and the Administrator of the National Oceanic and Atmospheric Administration shall each designate an agency official who shall have the responsibility for and authority to lead the Administration's and the National Oceanic and Atmospheric Administration's transition activities and interagency coordination.

(c) PLAN.—For each mission or sensor that is determined to be appropriate for transition under subsection (a), the Administration and the National Oceanic and Atmospheric Administration shall transmit to Congress a joint plan for conducting the transition. The plan shall include the strategy, milestones, and budget required to execute the transition. The transition plan shall be transmitted to Congress no later than 60 days after the successful completion of the mission or sensor critical design review.

§ 60503. Reauthorization of Glory Mission

Congress reauthorizes the Administration to continue with development of the Glory Mission, which will examine how aerosols and solar energy affect the Earth's climate.

§ 60504. Tornadoes and other severe storms

The Administrator shall ensure that the Administration gives high priority to those parts of its existing cooperative activities with the National Oceanic and Atmospheric Administration that are related to the study of tornadoes and other severe storms, tornado-force winds, and other factors determined to influence the development of tornadoes and other severe storms, with the goal of improving the Nation's ability to predict tornados and other severe storms. Further, the Administrator shall examine whether there are additional cooperative activities with the National Oceanic and Atmospheric Administration that should be undertaken in the area of tornado and severe storm research.

§ 60505. Coordination with the National Oceanic and Atmospheric Administration

(a) JOINT WORKING GROUP.—The Administrator and the Administrator of the National Oceanic and Atmospheric Administration shall appoint a Joint Working Group, which shall review and monitor missions of the two agencies to ensure maximum coordination in the design, operation, and transition of missions where appropriate. The Joint Working Group shall also prepare the plans required by subsection (c).

(b) COORDINATION REPORT.—Not later than February 15 of each year, the Administrator and the Administrator of the National Oceanic and Atmospheric Administration shall jointly transmit a report to the Committee on Science and Technology of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate on how the Earth science programs of the Administration and the National Oceanic and Atmospheric Administration will be coordinated during the fiscal year following the fiscal year in which the report is transmitted.

(c) COORDINATION OF TRANSITION PLANNING AND REPORTING.—The Administrator, in conjunction with the Administrator of the National Oceanic and Atmospheric Administration and in consultation with other relevant agencies, shall evaluate relevant Administration science missions for their potential

operational capabilities and shall prepare transition plans for the existing and future Earth observing systems found to have potential operational capabilities.

(d) LIMITATION.—The Administrator shall not transfer any Administration Earth science mission or Earth observing system to the National Oceanic and Atmospheric Administration until the plan required under subsection (c) has been approved by the Administrator and the Administrator of the National Oceanic and Atmospheric Administration and until financial resources have been identified to support the transition or transfer in the President's budget request for the National Oceanic and Atmospheric Administration.

§ 60506. Sharing of climate related data

The Administrator shall work to ensure that the Administration's policies on the sharing of climate related data respond to the recommendations of the Government Accountability Office's report on climate change research and data-sharing policies and to the recommendations on the processing, distribution, and archiving of data by the National Academies Earth Science Decadal Survey, ''Earth Science and Applications from Space'', and other relevant National Academies reports, to enhance and facilitate their availability and widest possible use to ensure public access to accurate and current data on global warming.

Subtitle VII—Access to Space

CHAPTER 701—USE OF SPACE SHUTTLE OR ALTERNATIVES

Sec.
70101. Recovery of fair value of placing Department of Defense payloads in orbit with space shuttle.
70102. Space shuttle use policy.
70103. Commercial payloads on space shuttle.

§ 70101. Recovery of fair value of placing Department of Defense payloads in orbit with space shuttle

Notwithstanding any other provision of law, or any interagency agreement, the Administrator shall charge such prices as are necessary to recover the fair value of placing Department of Defense payloads into orbit by means of the space shuttle.

§ 70102. Space shuttle use policy

(a) USE POLICY.—

(1) IN GENERAL.—

(A) POLICY.—It shall be the policy of the United States to use the space shuttle—

(i) for purposes that require a human presence;

(ii) for purposes that require the unique capabilities of the space shuttle; or

(iii) when other compelling circumstances exist.

(B) DEFINITION OF COMPELLING CIRCUMSTANCES.—In this paragraph, the term ''compelling circumstances'' includes, but is not limited to, occasions when the Administrator determines, in consultation with the Secretary of Defense and the Secretary of State, that important national security or foreign policy interests would be served by a shuttle launch.

(2) USING AVAILABLE CARGO SPACE FOR SECONDARY PAYLOADS.—The policy stated in paragraph (1) shall not preclude the use of available cargo space, on a space shuttle mission otherwise consistent with the policy described in paragraph (1), for the purpose of carrying secondary payloads (as defined by the Administrator) that do not require a human presence if such payloads are consistent with the requirements of research, development, demonstration, scientific, commercial, and educational programs authorized by the Administrator.

(b) ANNUAL REPORT.—At least annually, the Administrator shall submit to Congress a report certifying that the payloads scheduled to be launched on the space shuttle for the next 4 years are consistent with the policy set forth in subsection (a)(1). For each payload scheduled to be launched from the space shuttle that does not require a human presence, the Administrator shall, in the certified report to Congress, state the specific circumstances that justified the use of the space shuttle. If, during the period between scheduled reports to Congress, any additions are made to the list of certified payloads intended to be launched from the shuttle, the Administrator shall inform Congress of the additions and the reasons therefor within 45 days of the change.

(c) ADMINISTRATION PAYLOADS.—The report described in subsection (b) shall also include those Administration payloads designed solely to fly on the space shuttle which have begun the phase C/D of its development cycle.

§ 70103. Commercial payloads on space shuttle

(a) DEFINITIONS.—In this section:

(1) LAUNCH VEHICLE.—The term ''launch vehicle'' means any vehicle constructed for the purpose of operating in, or placing a payload in, outer space.

(2) PAYLOAD.—The term ''payload'' means an object which a person undertakes to place in outer space by means of a launch vehicle, and includes subcomponents of the launch vehicle specifically designed or adapted for that object.

(b) IN GENERAL.—Commercial payloads may not be accepted for launch as primary payloads on the space shuttle unless the Administrator determines that—

(1) the payload requires the unique capabilities of the space shuttle; or

(2) launching of the payload on the space shuttle is important for either national security or foreign policy purposes.

CHAPTER 703—SHUTTLE PRICING POLICY FOR COMMERCIAL AND FOREIGN USERS

Sec.
70301. Congressional findings and declarations.
70302. Purpose, policy, and goals.
70303. Definition of additive cost.
70304. Duties of Administrator.

§ 70301. Congressional findings and declarations

Congress finds and declares that—

(1) the Space Transportation System is a vital element of the United States space program, contributing to the United States leadership in space research, technology, and development;

(2) the Space Transportation System is the primary space launch system for both United States national security and civil government missions;

(3) the Space Transportation System contributes to the expansion of United States private sector investment and involvement in space and therefore should serve commercial users;

(4) the availability of the Space Transportation System to foreign users for peaceful purposes is an important means of promoting international cooperative activities in the national interest and in maintaining access to space for activities which enhance the security and welfare of humankind;

(5) the United States is committed to maintaining world leadership in space transportation;

(6) making the Space Transportation System fully operational and cost effective in providing routine access to space will maximize the national economic benefits of the system; and

(7) national goals and the objectives for the Space Transportation System can be furthered by a stable and fair pricing policy for the Space Transportation System.

§ 70302. Purpose, policy, and goals

The purpose of this chapter is to set, for commercial and foreign users, the reimbursement pricing policy for the Space Transportation System that is consistent with the findings included in section 70301 of this title, encourages the full and effective use of space, and is designed to achieve the following goals:

(1) The preservation of the role of the United States as a leader in space research, technology, and development.

(2) The efficient and cost effective use of the Space Transportation System.

(3) The achievement of greatly increased commercial space activity.

(4) The enhancement of the international competitive position of the United States.

§ 70303. Definition of additive cost

In this chapter, the term ''additive cost'' means the average direct and indirect costs to the Administration of providing additional flights of the Space Transportation System beyond the costs associated with those flights necessary to meet the space transportation needs of the United States Government.

§ 70304. Duties of Administrator

(a) ESTABLISHMENT AND IMPLEMENTATION OF REIMBURSEMENT RECOVERY SYSTEM.—The Administrator shall establish and implement a pricing system to recover reimbursement in accordance with the pricing policy under section 70302 of this title from each commercial or foreign user of the Space Transportation System, which, except as provided in subsections (c), (d), and (e), shall include a base price of not less than $74,000,000 for each flight of the Space Transportation System in 1982 dollars.

(b) REPORTS TO CONGRESS.—Each year the Administrator shall submit to the President of the Senate, the Speaker of the House of Representatives, the Committee on Commerce, Science, and Transportation of the Senate, and the Committee on Science and Technology of the House of Representatives a report, transmitted contemporaneously with the annual budget request of the President, which shall inform Congress how the policy goals contained in section 70302 of this title are being furthered by the shuttle price for foreign and commercial users.

(c) REDUCTION OF BASE PRICE.—

(1) AUTHORITY TO REDUCE.—If at any time the Administrator finds that the policy goals contained in section 70302 of this title are not being achieved, the Administrator shall have authority to reduce the base price established in subsection (a) after 45 days following receipt by the President of the Senate, the Speaker of the House of Representatives, the Committee on Commerce, Science, and Transportation of the Senate, and the Committee on Science and Technology of the House of Representatives of a notice by the Administrator containing a description of the proposed reduction together with a full and complete statement of the facts and circumstances which necessitate such proposed reduction.

(2) MINIMUM PRICE.—In no case shall the minimum price established under paragraph (1) be less than additive cost.

(d) LOW OR NO-COST FLIGHTS.—The Administrator may set a price lower than the price determined under subsection (a) or (c), or provide no-cost flights, for any commercial or foreign user of the Space Transportation System that is involved in research, development, or demonstration programs with the Administration.

(e) CUSTOMER INCENTIVES.—Notwithstanding the provisions of subsection (a), the Administrator shall have the authority to offer reasonable customer incentives consistent with the policy goals in section 70302 of this title.

CHAPTER 705—EXPLORATION INITIATIVES

Sec.
70501. Space shuttle follow-on.
70502. Exploration plan and programs.
70503. Ground-based analog capabilities.
70504. Stepping stone approach to exploration.
70505. Lunar outpost.
70506. Exploration technology research.
70507. Technology development.
70508. Robotic or human servicing of spacecraft.

§ 70501. Space shuttle follow-on

(a) POLICY STATEMENT.—It is the policy of the United States to possess the capability for human access to space on a continuous basis.

(b) ANNUAL REPORT.—The Administrator shall transmit an annual report to the Committee on Science and Technology of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate describing the progress being made toward developing the Crew Exploration Vehicle and the Crew Launch Vehicle and the estimated time before they will demonstrate crewed, orbital spaceflight.

§ 70502. Exploration plan and programs

The Administrator shall—

(1) construct an architecture and implementation plan for the Administration's human exploration program that is not critically dependent on the achievement of milestones by fixed dates;

(2) implement an exploration technology development program to enable lunar human and robotic operations consistent with section 20302(b) of this title, including surface power to use on the Moon and other locations;

(3) conduct an in-situ resource utilization technology program to develop the capability to use space resources to increase independence from Earth, and sustain exploration beyond low-Earth orbit; and

(4) pursue aggressively automated rendezvous and docking capabilities that can support the International Space Station and other mission requirements.

§ 70503. Ground-based analog capabilities

(a) IN GENERAL.—The Administrator may establish a ground-based analog capability in remote United States locations in order to assist in the development of lunar operations, life support, and in-situ resource utilization experience and capabilities.

(b) ENVIRONMENTAL CHARACTERISTICS.—The Administrator shall select locations for the activities described in subsection (a) that—

(1) are regularly accessible;

(2) have significant temperature extremes and range; and

(3) have access to energy and natural resources (including geothermal, permafrost, volcanic, or other potential resources).

(c) INVOLVEMENT OF LOCAL POPULATIONS AND PRIVATE SECTOR PARTNERS.—In carrying out this section, the Administrator shall involve local populations, academia, and industrial partners as much as possible to ensure that ground-based benefits and applications are encouraged and developed.

§ 70504. Stepping stone approach to exploration

In order to maximize the cost-effectiveness of the long-term exploration and utilization activities of the United States, the Administrator shall take all necessary steps, including engaging international partners, to ensure that activities in its lunar exploration program shall be designed and implemented in a manner that gives strong consideration to how those activities might also help meet the requirements of future exploration and utilization activities beyond the Moon. The timetable of the lunar phase of the long-term international exploration initiative shall be determined by the availability of funding. However, once an exploration-related project enters its development phase, the Administrator shall seek, to the maximum extent practicable, to complete that project without undue delays.

§ 70505. Lunar outpost

(a) ESTABLISHMENT.—As the Administration works toward the establishment of a lunar outpost, the Administration shall make no plans that would require a lunar outpost to be occupied to maintain its viability. Any such outpost shall be operable as a human-tended facility capable of remote or autonomous operation for extended periods.

(b) DESIGNATION.—The United States portion of the first human-tended outpost established on the surface of the Moon shall be designated the ''Neil A. Armstrong Lunar Outpost''.

§ 70506. Exploration technology research

The Administrator shall carry out a program of long-term exploration-related technology research and development, including such things as in-space propulsion, power systems, life support, and advanced avionics, that is not tied to specific flight projects. The program shall have the funding goal of ensuring that the technology research and development can be completed in a timely manner in order to support the safe, successful, and sustainable exploration of the solar system. In addition, in order to ensure that the broadest range of innovative concepts and technologies are captured, the long-term technology program shall have the goal of having a significant portion of its funding available for external grants and contracts with universities, research institutions, and industry.

§ 70507. Technology development

The Administrator shall establish an intra-Directorate long-term technology development program for space and Earth science within the Science Mission Directorate for the development of new technology. The program shall be independent of the flight projects under development. The Administration shall have a goal of funding the intra-Directorate technology development program at a level of 5 percent of the total Science Mission Directorate annual budget. The program shall be structured to include competitively awarded grants and contracts.

§ 70508. Robotic or human servicing of spacecraft

The Administrator shall take all necessary steps to ensure that provision is made in the design and construction of all future observatory-class scientific spacecraft intended to be deployed in Earth orbit or at a Lagrangian point in space for robotic or human servicing and repair to the extent practicable and appropriate.

CHAPTER 707—HUMAN SPACE FLIGHT INDEPENDENT INVESTIGATION COMMISSION

Sec.
70701. Definitions.
70702. Establishment of Commission.
70703. Tasks of Commission.
70704. Composition of Commission.
70705. Powers of Commission.
70706. Public meetings, information, and hearings.
70707. Staff of Commission.
70708. Compensation and travel expenses.
70709. Security clearances for Commission members and staff.
70710. Reporting requirements and termination.

§ 70701. Definitions

In this chapter:

(1) COMMISSION.—The term ''Commission'' means a Commission established under this chapter.

(2) INCIDENT.—The term ''incident'' means either an accident or a deliberate act.

§ 70702. Establishment of Commission

(a) ESTABLISHMENT.—The President shall establish an independent, nonpartisan Commission within the executive branch to investigate any incident that results in the loss of—

(1) a space shuttle;

(2) the International Space Station or its operational viability;

(3) any other United States space vehicle carrying humans that is owned by the Federal Government or that is being used pursuant to a contract with the Federal Government; or

(4) a crew member or passenger of any space vehicle described in this subsection.

(b) DEADLINE FOR ESTABLISHMENT.—The President shall establish a Commission within 7 days after an incident specified in subsection (a).

§ 70703. Tasks of Commission

A Commission established pursuant to this chapter shall, to the extent possible, undertake the following tasks:

(1) INVESTIGATION.—Investigate the incident.

(2) CAUSE.—Determine the cause of the incident.

(3) CONTRIBUTING FACTORS.—Identify all contributing factors to the cause of the incident.

(4) RECOMMENDATIONS.—Make recommendations for corrective actions.

(5) ADDITIONAL FINDINGS OR RECOMMENDATIONS.—Provide any additional findings or recommendations deemed by the Commission to be important, whether or not they are related to the specific incident under investigation.

(6) REPORT.—Prepare a report to Congress, the President, and the public.

§ 70704. Composition of Commission

(a) NUMBER OF COMMISSIONERS.—A Commission established pursuant to this chapter shall consist of 15 members.

(b) SELECTION.—The members of a Commission shall be chosen in the following manner:

(1) APPOINTMENT BY PRESIDENT.—The President shall appoint the members, and shall designate the Chairman and Vice Chairman of the Commission from among its members.

(2) LISTS PROVIDED BY LEADERS OF CONGRESS.—The majority leader of the Senate, the minority leader of the Senate, the Speaker of the House of Representatives, and the minority leader of the House of Representatives shall each provide to the President a list of candidates for membership on the Commission. The President may select one of the candidates from each of the 4 lists for membership on the Commission.

(3) PROHIBITION REGARDING FEDERAL OFFICERS AND EMPLOYEES AND MEMBERS OF CONGRESS.—No officer or employee of the Federal Government or Member of Congress shall serve as a member of the Commission.

(4) PROHIBITION REGARDING CONTRACTORS.—No member of the Commission shall have, or have pending, a contractual relationship with the Administration.

(5) PROHIBITION REGARDING CONFLICT OF INTEREST.—The President shall not appoint any individual as a member of a Commission under this section who has a current or

former relationship with the Administrator that the President determines would constitute a conflict of interest.

(6) EXPERIENCE.—To the extent practicable, the President shall ensure that the members of the Commission include some individuals with experience relative to human carrying spacecraft, as well as some individuals with investigative experience and some individuals with legal experience.

(7) DIVERSITY.—To the extent practicable, the President shall seek diversity in the membership of the Commission.

(c) DEADLINE FOR APPOINTMENT.—All members of a Commission established under this chapter shall be appointed no later than 30 days after the incident.

(d) INITIAL MEETING.—A Commission shall meet and begin operations as soon as practicable.

(e) SUBSEQUENT MEETINGS.—After its initial meeting, a Commission shall meet upon the call of the Chairman or a majority of its members.

(f) QUORUM.—Eight members of a Commission shall constitute a quorum.

(g) VACANCIES.—Any vacancy in a Commission shall not affect its powers, but shall be filled in the same manner in which the original appointment was made.

§ 70705. Powers of Commission

(a) HEARINGS AND EVIDENCE.—A Commission or, on the authority of the Commission, any subcommittee or member thereof, may, for the purpose of carrying out this chapter—

(1) hold such hearings and sit and act at such times and places, take such testimony, receive such evidence, administer such oaths; and

(2) require, by subpoena or otherwise, the attendance and testimony of such witnesses and the production of such books, records, correspondence, memoranda, papers, and documents,

as the Commission or such designated subcommittee or member may determine advisable.

(b) CONTRACTING.—A Commission may, to such extent and in such amounts as are provided in appropriation Acts, enter into contracts to enable the Commission to discharge its duties under this chapter.

(c) INFORMATION FROM FEDERAL AGENCIES.—

(1) IN GENERAL.—A Commission may secure directly from any executive department, bureau, agency, board, commission, office, independent establishment, or instrumentality of the Government, information, suggestions, estimates, and statistics for the purposes of this chapter. Each department, bureau, agency, board, commission, office, independent establishment, or instrumentality shall, to the extent authorized by law, furnish such information, suggestions, estimates, and statistics directly to the Commission, upon request made by the Chairman, the chairman of any subcommittee created by a majority of the Commission, or any member designated by a majority of the Commission.

(2) RECEIPT, HANDLING, STORAGE, AND DISSEMINATION.—Information shall only be received, handled, stored, and disseminated by members of the Commission and its staff consistent with all applicable statutes, regulations, and Executive orders.

(d) ASSISTANCE FROM FEDERAL AGENCIES.—

(1) GENERAL SERVICES ADMINISTRATION.—The Administrator of General Services shall provide to a Commission on a reimbursable basis administrative support and other services for the performance of the Commission's tasks.

(2) OTHER DEPARTMENTS AND AGENCIES.—In addition to the assistance prescribed in paragraph (1), departments and agencies of the United States may provide to the Commission such services, funds, facilities, staff, and other support services as they may determine advisable and as may be authorized by law.

(3) ADMINISTRATION ENGINEERING AND SAFETY CENTER.—The Administration Engineering and Safety Center shall provide data and technical support as requested by the Commission.

§ 70706. Public meetings, information, and hearings

(a) PUBLIC MEETINGS AND RELEASE OF PUBLIC VERSIONS OF REPORTS.—A Commission shall—

(1) hold public hearings and meetings to the extent appropriate; and

(2) release public versions of the reports required under this chapter.

(b) PUBLIC HEARINGS.—Any public hearings of a Commission shall be conducted in a manner consistent with the protection of information provided to or developed for or by the Commission as required by any applicable statute, regulation, or Executive order.

§ 70707. Staff of Commission

(a) APPOINTMENT AND COMPENSATION.—The Chairman, in consultation with the Vice Chairman, in accordance with rules agreed upon by a Commission, may appoint and fix the compensation of a staff director and such other personnel as may be necessary to enable the Commission to carry out its functions.

(b) DETAILEES.—Any Federal Government employee, except for an employee of the Administration, may be detailed to a Commission without reimbursement from the Commission, and such detailee shall retain the rights, status, and privileges of his or her regular employment without interruption.

(c) CONSULTANT SERVICES.—A Commission may procure the services of experts and consultants in accordance with section 3109 of title 5, but at rates not to exceed the daily equivalent of the annual rate of basic pay in effect for positions at level IV of the Executive Schedule under section 5315 of title 5. An expert or consultant whose services are procured under this subsection shall disclose any contract or association the expert or consultant has with the Administration or any Administration contractor.

§ 70708. Compensation and travel expenses

(a) COMPENSATION.—Each member of a Commission may be compensated at a rate not to exceed the daily equivalent of the annual rate of basic pay in effect for positions at level IV of the Executive Schedule under section 5315 of title 5 for each day during which that member is engaged in the actual performance of the duties of the Commission.

(b) TRAVEL EXPENSES.—While away from their homes or regular places of business in the performance of services for the Commission, members of a Commission shall be allowed travel expenses, including per diem in lieu of subsistence, in the same manner as persons employed intermittently in the Government service are allowed expenses under section 5703 of title 5.

§ 70709. Security clearances for Commission members and staff

The appropriate Federal agencies or departments shall cooperate with a Commission in expeditiously providing to the Commission members and staff appropriate security clearances to the extent possible pursuant to existing procedures and requirements. No person shall be provided with access to classified information under this chapter without the appropriate security clearances.

§ 70710. Reporting requirements and termination

(a) INTERIM REPORTS.—A Commission may submit to the President and Congress interim reports containing such findings, conclusions, and recommendations for corrective actions as have been agreed to by a majority of Commission members.

(b) FINAL REPORT.—A Commission shall submit to the President and Congress, and make concurrently available to the public, a final report containing such findings, conclusions, and recommendations for corrective actions as have been agreed to by a majority of Commission members. Such report shall include any minority views or opinions not reflected in the majority report.

(c) TERMINATION.—

(1) IN GENERAL.—A Commission, and all the authorities of this chapter with respect to that Commission, shall terminate 60 days after the date on which the final report is submitted under subsection (b).

(2) ADMINISTRATIVE ACTIVITIES BEFORE TERMINATION.—A Commission may use the 60-day period referred to in paragraph (1) for the purpose of concluding its activities, including providing testimony to committees of Congress concerning its reports and disseminating the final report.

CHAPTER 709—INTERNATIONAL SPACE STATION

Sec.
70901. Peaceful uses of space station.
70902. Allocation of International Space Station research budget.
70903. International Space Station research.
70904. International Space Station completion.
70905. National laboratory designation.
70906. International Space Station National Laboratory Advisory Committee.
70907. Maintaining use through at least 2020.

§ 70901. Peaceful uses of space station

No civil space station authorized under section 103(a)(1) of the National Aeronautics and Space Administration Authorization Act, Fiscal Year 1991 (Public Law 101–611, 104 Stat. 3190) may be used to carry or place in orbit any nuclear weapon or any other weapon of mass destruction, to install any such weapon on any celestial body, or to station any such weapon in space in any other manner. This civil space station may be used only for peaceful purposes.

§ 70902. Allocation of International Space Station research budget

The Administrator shall allocate at least 15 percent of the funds budgeted for International Space Station research to ground-based, free-flyer, and International Space Station life and microgravity science research that is not directly related to supporting the human exploration program, consistent with section 40904 of this title.

§ 70903. International Space Station research

The Administrator shall—

(1) carry out a program of microgravity research consistent with section 40904 of this title; and

(2) consider the need for a life sciences centrifuge and any associated holding facilities.

§ 70904. International Space Station completion

(a) POLICY.—It is the policy of the United States to achieve diverse and growing utilization of, and benefits from, the International Space Station.

(b) ELEMENTS, CAPABILITIES, AND CONFIGURATION CRITERIA.—The Administrator shall ensure that the International Space Station will—

(1) be assembled and operated in a manner that fulfills international partner agreements, as long as the Administrator determines that the shuttle can safely enable the United States to do so;

(2) be used for a diverse range of microgravity research, including fundamental, applied, and commercial research, consistent with section 40904 of this title;

(3) have an ability to support a crew size of at least 6 persons, unless the Administrator transmits to the Committee on Science and Technology of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate not later than 60 days after December 30, 2005, a report explaining why such a requirement should not be met, the impact of not meeting the requirement on the International Space Station research agenda and operations and international partner agreements, and what additional funding or other steps would be required to have an ability to support a crew size of at least 6 persons;

(4) support Crew Exploration Vehicle docking and automated docking of cargo vehicles or modules launched by either heavy-lift or commercially-developed launch vehicles;

(5) support any diagnostic human research, on-orbit characterization of molecular crystal growth, cellular research, and other research that the Administration believes is necessary to conduct, but for which the Administration lacks the capacity to return the materials that need to be analyzed to Earth; and

(6) be operated at an appropriate risk level.

(c) CONTINGENCIES.—

(1) POLICY.—The Administrator shall ensure that the International Space Station can have available, if needed, sufficient logistics and on-orbit capabilities to support any potential period during which the space shuttle or its follow-on crew and cargo systems are unavailable, and can have available, if needed, sufficient surge delivery capability or prepositioning of spares and other supplies needed to accommodate any such hiatus.

(2) PLAN.—Before making any change in the International Space Station assembly sequence in effect on December 30, 2005, the Administrator shall transmit to the Committee on Science and Technology of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate a plan to carry out the policy described in paragraph (1).

§ 70905. National laboratory designation

(a) DEFINITION OF UNITED STATES SEGMENT OF THE INTERNATIONAL SPACE STATION.—In this section the term ''United States segment of the International Space Station'' means those elements of the International Space Station manufactured—

(1) by the United States; or

(2) for the United States by other nations in exchange for funds or launch services.

(b) DESIGNATION.—To further the policy described in section 70501(a) of this title, the United States segment of the International Space Station is hereby designated a national laboratory.

(c) MANAGEMENT.—

(1) PARTNERSHIPS.—The Administrator shall seek to increase the utilization of the International Space Station by other Federal entities and the private sector through partnerships, cost-sharing agreements, and other arrangements that would supplement Administration funding of the International Space Station.

(2) CONTRACTING.—The Administrator may enter into a contract with a nongovernmental entity to operate the International Space Station national laboratory, subject to all applicable Federal laws and regulations.

§ 70906. International Space Station National Laboratory Advisory Committee

(a) ESTABLISHMENT.—Not later than one year after October 15, 2008, the Administrator shall establish under the Federal Advisory Committee Act a committee to be known as the ''International Space Station National Laboratory Advisory Committee'' (hereafter in this section referred to as the ''Committee'').

(b) MEMBERSHIP.—

(1) COMPOSITION.—The Committee shall be composed of individuals representing organizations that have formal agreements with the Administration to utilize the United States portion of the International Space Station, including allocations within partner elements.

(2) CHAIR.—The Administrator shall appoint a chair from among the members of the Committee, who shall serve for a 2-year term.

(c) DUTIES OF THE COMMITTEE.—

(1) IN GENERAL.—The Committee shall monitor, assess, and make recommendations regarding effective utilization of the International Space Station as a national laboratory and platform for research.

(2) ANNUAL REPORT.—The Committee shall submit to the Administrator, on an annual basis or more frequently as considered necessary by a majority of the members of the Committee, a report containing the assessments and recommendations required by paragraph (1).

(d) DURATION.—The Committee shall exist for the life of the International Space Station.

§ 70907. Maintaining use through at least 2020

The Administrator shall take all necessary steps to ensure that the International Space Station remains a viable and productive facility capable of potential United States utilization through at least 2020 and shall take no steps that would preclude its continued operation and utilization by the United States after 2015.

CHAPTER 711—NEAR-EARTH OBJECTS

Sec.
71101. Reaffirmation of policy.
71102. Requests for information.
71103. Developing policy and recommending responsible Federal agency.
71104. Planetary radar.

§ 71101. Reaffirmation of policy

Congress reaffirms the policy set forth in section 20102(g) of this title (relating to surveying near-Earth asteroids and comets).

§ 71102. Requests for information

The Administrator shall issue requests for information on—

(1) a low-cost space mission with the purpose of rendezvousing with, attaching a tracking device, and characterizing the Apophis asteroid; and

(2) a medium-sized space mission with the purpose of detecting near-Earth objects equal to or greater than 140 meters in diameter.

§ 71103. Developing policy and recommending responsible Federal agency

Within 2 years after October 15, 2008, the Director of the Office of Science and Technology Policy shall—

(1) develop a policy for notifying Federal agencies and relevant emergency response institutions of an impending near-Earth object threat, if near-term public safety is at risk; and

(2) recommend a Federal agency or agencies to be responsible for—

(A) protecting the United States from a near-Earth object that is expected to collide with Earth; and

(B) implementing a deflection campaign, in consultation with international bodies, should one be necessary.

§ 71104. Planetary radar

The Administrator shall maintain a planetary radar that is comparable to the capability provided through the Deep Space Network Goldstone facility of the Administration.

CHAPTER 713—COOPERATION FOR SAFETY AMONG SPACEFARING NATIONS

Sec.
71301. Common docking system standard to enable rescue.
71302. Information sharing to avoid physical or radio-frequency interference.

§ 71301. Common docking system standard to enable rescue

In order to maximize the ability to rescue astronauts whose space vehicles have become disabled, the Administrator shall enter into discussions with the appropriate representatives of spacefaring nations who have or plan to have crew transportation systems capable of orbital flight or flight beyond low Earth orbit for the purpose of agreeing on a common docking system standard.

§ 71302. Information sharing to avoid physical or radio-frequency interference

The Administrator shall, in consultation with other agencies of the Federal Government as the Administrator considers appropriate, initiate discussions with the appropriate representatives of spacefaring nations to determine an appropriate frame-work under which information intended to promote safe access into outer space, operations in outer space, and return from outer space to Earth free from physical or radio-frequency interference can be shared among the nations.

SEC. 4. CONFORMING AMENDMENTS TO OTHER LAWS.

(a) TITLE 5.—Section 9811(a)(1)(E) of title 5, United States Code, is amended by striking ''section 203(c)(2)(A) of the National Aeronautics and Space Act of 1958 (42 U.S.C. 2473(c)(2)(A))'' and substituting ''section 20113(b)(1) of title 51''.

(b) TITLE 31.—Section 1304(a)(3)(D) of title 31, United States Code, is amended by striking ''section 203 of the National Aeronautics and Space Act of 1958 (42 U.S.C. 2473)'' and substituting ''section 20113 of title 51''.

(c) TITLE 35.—Section 210(a)(7) of title 35, United States Code, is amended by striking ''section 305 of the National Aeronautics and Space Act of 1958 (42 U.S.C. 2457)'' and substituting ''section 20135 of title 51''.

(d) TRANSFER OF CHAPTERS 701 AND 703 OF TITLE 49, UNITED STATES CODE.—

(1) TITLE 49, UNITED STATES CODE.—Title 49, United States Code, is amended as follows:

(A) In the analysis for title 49, United States Code, the item related to subtitle IX is amended to read as follows:

''IX. [TRANSFERRED]''.

(B) The heading and analysis for subtitle IX of title 49, United States Code, are amended to read as follows:

''Subtitle IX—[Transferred]

''Chapter Sec.
''701. [Transferred]
''703. [Transferred]''.

(2) RENUMBERING AND TRANSFER OF CHAPTERS.—Chapters 701 and 703 of title 49, United States Code, are renumbered as chapters 509 and 511, respectively, of title 51, United States Code, and transferred so as to appear after chapter 507 of title 51, United States Code, as enacted by section 3 of this Act.

(3) RENUMBERING OF SECTIONS IN CHAPTER 509 OF TITLE 51, UNITED STATES CODE.—In chapter 509 of title 51, United States Code, as renumbered by paragraph (2), and in the chapter analysis, the sections are renumbered as follows:

(A) Section 70101 is renumbered 50901.
(B) Section 70102 is renumbered 50902.
(C) Section 70103 is renumbered 50903.
(D) Section 70104 is renumbered 50904.
(E) Section 70105 is renumbered 50905.
(F) Section 70105a is renumbered 50906.
(G) Section 70106 is renumbered 50907.
(H) Section 70107 is renumbered 50908.
(I) Section 70108 is renumbered 50909.
(J) Section 70109 is renumbered 50910.
(K) Section 70109a is renumbered 50911.
(L) Section 70110 is renumbered 50912.
(M) Section 70111 is renumbered 50913.
(N) Section 70112 is renumbered 50914.
(O) Section 70113 is renumbered 50915.
(P) Section 70114 is renumbered 50916.
(Q) Section 70115 is renumbered 50917.
(R) Section 70116 is renumbered 50918.
(S) Section 70117 is renumbered 50919.
(T) Section 70118 is renumbered 50920.
(U) Section 70119 is renumbered 50921.
(V) Section 70120 is renumbered 50922.
(W) Section 70121 is renumbered 50923.

(4) RENUMBERING OF SECTIONS IN CHAPTER 511 OF TITLE 51, UNITED STATES CODE.—In chapter 511 of title 51, United States Code, as renumbered by paragraph (2), and in the chapter analysis, the sections are renumbered as follows:

(A) Section 70301 is renumbered 51101.
(B) Section 70302 is renumbered 51102.
(C) Section 70303 is renumbered 51103.
(D) Section 70304 is renumbered 51104.
(E) Section 70305 is renumbered 51105.

(5) CROSS REFERENCES IN CHAPTER 509 OF TITLE 51, UNITED STATES CODE.—

(A) Section 50902(11) of title 51, United States Code, as renumbered by paragraph (3), is amended—

(i) by striking ''section 70104(c)'' and substituting ''section 50904(c)''; and

(ii) by striking ''section 70105a'' and substituting ''section 50906''.

(B) Section 50902(19) of title 51, United States Code, as renumbered by paragraph (3), is amended by striking ''section 70120(c)(2)'' and substituting ''section 50922(c)(2)''.

(C) Section 50904(a)(2) of title 51, United States Code, as renumbered by paragraph (3), is amended by striking ''section 70102(1)(A) or (B)'' and substituting ''section 50902(1)(A) or (B)''.

(D) Section 50904(a)(3) of title 51, United States Code, as renumbered by paragraph (3), is amended by striking ''section 70102(1)(C)'' and substituting ''section 50902(1)(C)''.

(E) Section 50904(a)(4) of title 51, United States Code, as renumbered by paragraph (3), is amended by striking ''section 70102(1)(C)'' and substituting ''section 50902(1)(C)''.

(F) Section 50905(b)(5)(A) of title 51, United States Code, as renumbered by paragraph (3), is amended by striking ''section 70112(a)(2) and (c)'' and substituting ''section 50914(a)(2) and (c)''.

(G) Section 50906(c) of title 51, United States Code, as renumbered by paragraph (3), is amended by striking ''section 70105(b)(2)(C)'' and substituting ''section 50905(b)(2)(C)''.

(H) Section 50906(i) of title 51, United States Code, as renumbered by paragraph (3), is amended by striking ''sections 70106, 70107, 70108, 70109, 70110, 70112, 70115, 70116, 70117, and 70121'' and substituting ''sections 50907, 50908, 50909, 50910, 50912, 50914, 50917, 50918, 50919, and 50923''.

(I) Section 50907(a) of title 51, United States Code, as renumbered by paragraph (3), is amended by striking ''sections 70104(c), 70105, and 70105a'' and substituting ''sections 50904(c), 50905, and 50906''.

(J) Section 50908(b)(2) of title 51, United States Code, as renumbered by paragraph (3), is amended by striking ''section 70105(c)'' and substituting ''section 50905(c)''.

(K) Section 50908(e) of title 51, United States Code, as renumbered by paragraph (3), is amended by striking ''section 70110'' and substituting ''section 50912''.

(L) Section 50909(b) of title 51, United States Code, as renumbered by paragraph (3), is amended by striking ''section 70110'' and substituting ''section 50912''.

(M) Section 50912(a)(1) of title 51, United States Code, as renumbered by paragraph (3), is amended by striking ''section 70105(a) or 70105a'' and substituting ''section 50905(a) or 50906''.

(N) Section 50912(a)(2) of title 51, United States Code, as renumbered by paragraph (3), is amended by striking ''section 70104(c)'' and substituting ''section 50904(c)''.

(O) Section 50912(a)(3)(A) of title 51, United States Code, as renumbered by paragraph (3), is amended by striking ''section 70107(b) or (c)'' and substituting ''section 50908(b) or (c)''.

(P) Section 50912(a)(3)(B) of title 51, United States Code, as renumbered by paragraph (3), is amended by striking ''section 70108(a)'' and substituting ''section 50909(a)''.

(Q) Section 50915(a)(1)(A) of title 51, United States Code, as renumbered by paragraph (3), is amended by striking ''section 70112(a)(1)(A)'' and substituting ''section 50914(a)(1)(A)''.

(R) Section 50915(a)(2) of title 51, United States Code, as renumbered by paragraph (3), is amended—

(i) by striking ''section 70112(a)(1)(A)'' and substituting ''section 50914(a)(1)(A)''; and

(ii) by striking ''section 70112(a)(1)'' and substituting ''section 50914(a)(1)''.

(S) Section 50916 of title 51, United States Code, as renumbered by paragraph (3), is amended by striking ''section 70106(b)'' and substituting ''section 50907(b)''.

(T) Section 50919(b)(2) of title 51, United States Code, as renumbered by paragraph (3), is amended by striking ''the Land Remote Sensing Policy Act of 1992 (15 U.S.C. 5601 et seq.)'' and substituting ''chapter 601 of this title''.

(U) Section 50922(c)(2)(B) of title 51, United States Code, as renumbered by paragraph (3), is amended by striking ''section 70102'' and substituting ''section 50902''.

(6) CROSS REFERENCES IN CHAPTER 511 OF TITLE 51, UNITED STATES CODE.—

(A) Section 51101(1) of title 51, United States Code, as renumbered by paragraph (4), is amended by striking ''section 502 of the National Aeronautics and Space Administration Authorization Act, Fiscal Year 1993 (15 U.S.C. 5802)'' and substituting ''section 50501 of this title''.

(B) Section 51104(d)(1) of title 51, United States Code, as renumbered by paragraph (4), is amended by striking ''section 303 of this title'' and substituting ''section 303 of title 49''.

(7) ANALYSIS FOR TITLE 51, UNITED STATES CODE.—The analysis for title 51, United States Code, as enacted by section 3 of this Act, is amended by adding, after the item for chapter 507, the following items:

''509. Commercial Space Launch Activities 50901
''511. Space Transportation Infrastructure Matching Grants ..... 51101''.

(8) DEEMED REFERENCES TO TITLE 49, UNITED STATES CODE.—In title 49, United States Code, references to ''this title'' are deemed to refer also to chapters 509 and 511 of title 51, United States Code.

(e) NATIONAL AERONAUTICS AND SPACE ADMINISTRATION AUTHORIZATION ACT OF 2005.—Section 304 of the National Aeronautics and Space Administration Authorization Act of 2005 (42 U.S.C. 16654) is amended as follows:

(1) Subsection (a)(1) is redesignated as subsection (a) and amended to read as follows:

''(a) ASSESSMENT OF CERTAIN MISSIONS.—Not later than 60 days after the date of enactment of this Act, the Administrator shall carry out an assessment under section 30504 of title 51, United States Code, for at least the following missions: FAST, TIMED, Cluster, Wind, Geotail, Polar, TRACE, Ulysses, and Voyager.''.

(2) Subsection (b) is amended by striking ''subsection (a)(1)'' and substituting ''subsection (a)''.

SEC. 5. TRANSITIONAL AND SAVINGS PROVISIONS.

(a) DEFINITIONS.—In this section:

(1) SOURCE PROVISION.—The term ''source provision'' means a provision of law that is replaced by a title 51 provision.

(2) TITLE 51 PROVISION.—The term ''title 51 provision'' means a provision of title 51, United States Code, that is enacted by section 3.

(b) CUTOFF DATE.—The title 51 provisions replace certain provisions of law enacted on or before July 1, 2009. If a law enacted after that date amends or repeals a source provision, that law is deemed to amend or repeal, as the case may be, the corresponding title 51 provision. If a law enacted after that date is otherwise inconsistent with a title 51 provision or a provision of this Act, that law supersedes the title 51 provision or provision of this Act to the extent of the inconsistency.

(c) ORIGINAL DATE OF ENACTMENT UNCHANGED.—For purposes of determining whether one provision of law supersedes another based on enactment later in time, a title 51 provision is deemed to have been enacted on the date of enactment of the corresponding source provision.

(d) REFERENCES TO TITLE 51 PROVISIONS.—A reference to a title 51 provision is deemed to refer to the corresponding source provision.

(e) REFERENCES TO SOURCE PROVISIONS.—A reference to a source provision, including a reference in a regulation, order, or other law, is deemed to refer to the corresponding title 51 provision.

(f) REGULATIONS, ORDERS, AND OTHER ADMINISTRATIVE ACTIONS.—A regulation, order, or other administrative action in effect under a source provision continues in effect under the corresponding title 51 provision.

(g) ACTIONS TAKEN AND OFFENSES COMMITTED.—An action taken or an offense committed under a source provision is deemed to have been taken or committed under the corresponding title 51 provision.

SEC. 6. REPEALS.

The following provisions of law are repealed, except with respect to rights and duties that matured, penalties that were incurred, or proceedings that were begun before the date of enactment of this Act:

Schedule of Laws Repealed

Act	Section	United States Code
National Aeronautics and Space Act of 1958 (Public Law 85–568)	102	42 U.S.C. 2451.
	103	42 U.S.C. 2452.
	201	42 U.S.C. 2471 (prior).
	202	42 U.S.C. 2472.

Schedule of Laws Repealed—Continued

Act	Section	United States Code
	203	42 U.S.C. 2473.
	204	42 U.S.C. 2474.
	205	42 U.S.C. 2475.
	206	42 U.S.C. 2476.
	207	42 U.S.C. 2476a.
	208	42 U.S.C. 2476b.
	302	42 U.S.C. 2453.
	303	42 U.S.C. 2454.
	304(a)	42 U.S.C. 2455(a).
	304(e)	42 U.S.C. 2456.
	304(f)	42 U.S.C. 2456a.
	305	42 U.S.C. 2457.
	306	42 U.S.C. 2458.
	307	42 U.S.C. 2458a.
	308	42 U.S.C. 2458b.
	309	42 U.S.C. 2458c.
	310	42 U.S.C. 2459.
	311	42 U.S.C. 2459b.
	312	42 U.S.C. 2459c.
	313	42 U.S.C. 2459f.
	314	42 U.S.C. 2459f–1.
	315	42 U.S.C. 2459j.
	316	42 U.S.C. 2459k.
	317	42 U.S.C. 2459*l*.
	401	42 U.S.C. 2481.
	402	42 U.S.C. 2482.
	403	42 U.S.C. 2483.
	404	42 U.S.C. 2484.
Act of June 15, 1959 (Public Law 86–45)	4	42 U.S.C. 2460.
National Aeronautics and Space Administration Authorization Act, 1968 (Public Law 90–67)	6	42 U.S.C. 2477.
Joint Resolution of September 29, 1969 (Public Law 91–76)	1, 2	42 U.S.C. 2461.
National Aeronautics and Space Administration Authorization Act, 1978 (Public Law 95–76)	6	42 U.S.C. 2463.
National Aeronautics and Space Administration Authorization Act, 1983 (Public Law 97–324)	106(a)	42 U.S.C. 2464.
National Aeronautics and Space Administration Authorization Act of 1986 (Public Law 99–170)	201	42 U.S.C. 2466.
	202	42 U.S.C. 2466a.
	203	42 U.S.C. 2466b.
	204	42 U.S.C. 2466c.
National Space Grant College and Fellowship Act (Title II of Public Law 100–147)	203	42 U.S.C. 2486a.
	204	42 U.S.C. 2486b.
	205	42 U.S.C. 2486c.
	206	42 U.S.C. 2486d.
	207	42 U.S.C. 2486e.
	208	42 U.S.C. 2486f.
	209	42 U.S.C. 2486g.
	210	42 U.S.C. 2486h.
	211	42 U.S.C. 2486i.
	213	42 U.S.C. 2486k.
	214	42 U.S.C. 2486*l*.
Department of Housing and Urban Development—Independent Agencies Appropriations Act, 1989 (Public Law 100–404)	(par. under heading ''Science, Space, and Technology Education Trust Fund'', at 102 Stat. 1028).	42 U.S.C. 2467.
Departments of Veterans Affairs and Housing and Urban Development, and Independent Agencies Appropriations Act, 1990 (Public Law 101–144)	(pars. under heading ''Small and Disadvantaged Business'', at 103 Stat. 863).	42 U.S.C. 2473b.
National Aeronautics and Space Administration Authorization Act, Fiscal Year 1991 (Public Law 101–611)	112	42 U.S.C. 2465a.
	115(b)	15 U.S.C. 1535.
	123	(not previously classified).
	203	42 U.S.C. 2465c.
	206	42 U.S.C. 2465f.
Departments of Veterans Affairs and Housing and Urban Development, and Independent Agencies Appropriations Act, 1992 (Public Law 102–139)	(1st par. under heading ''Administrative Provisions'', at 105 Stat. 771).	42 U.S.C. 2459d.
National Aeronautics and Space Administration Authorization Act, Fiscal Year 1992 (Public Law 102–195)	19	42 U.S.C. 2459e.
	20	42 U.S.C. 2467a.
	21(a)	42 U.S.C. 2473c(a).
	21(c)	42 U.S.C. 2473c(c).
	21(d)	42 U.S.C. 2473c(d).
	21(e)	42 U.S.C. 2473c(e).
	21(f)	42 U.S.C. 2473c(f).
	21(g)	42 U.S.C. 2473c(g).
	21(h)	42 U.S.C. 2473c(h).
Land Remote Sensing Policy Act of 1992 (Public Law 102–555)	3	15 U.S.C. 5602.
	101	15 U.S.C. 5611.

Schedule of Laws Repealed—Continued

Act	Section	United States Code
	102	15 U.S.C. 5612.
	103	15 U.S.C. 5613.
	104	15 U.S.C. 5614.
	105	15 U.S.C. 5615.
	201	15 U.S.C. 5621.
	202	15 U.S.C. 5622.
	203	15 U.S.C. 5623.
	204	15 U.S.C. 5624.
	205	15 U.S.C. 5625.
	301	15 U.S.C. 5631.
	302	15 U.S.C. 5632.
	303	15 U.S.C. 5633.
	401	15 U.S.C. 5641.
	501	15 U.S.C. 5651.
	502	15 U.S.C. 5652.
	503	15 U.S.C. 5653.
	504	15 U.S.C. 5654.
	505	15 U.S.C. 5655.
	506	15 U.S.C. 5656.
	507	15 U.S.C. 5657.
	508	15 U.S.C. 5658.
	601	15 U.S.C. 5671.
	602	15 U.S.C. 5672.
National Aeronautics and Space Administration Authorization Act, Fiscal Year 1993 (Public Law 102–588)	304	42 U.S.C. 2467b.
	502	15 U.S.C. 5802.
	504	15 U.S.C. 5803.
	506	15 U.S.C. 5805.
	507	15 U.S.C. 5806.
	508	15 U.S.C. 5807.
	510	15 U.S.C. 5808.
	602	42 U.S.C. 2487a.
	603	42 U.S.C. 2487b.
	604	42 U.S.C. 2487c.
	606	42 U.S.C. 2487e.
	607	42 U.S.C. 2487f.
	608	42 U.S.C. 2487g.
Commercial Space Act of 1998 (Public Law 105–303)	2	42 U.S.C. 14701.
	101	42 U.S.C. 14711.
	104(b)	42 U.S.C. 14712(b).
	105	42 U.S.C. 14713.
	106	42 U.S.C. 14714.
	107	42 U.S.C. 14715, 15 U.S.C. 5621, 5622.
	201	42 U.S.C. 14731.
	202	42 U.S.C. 14732.
	204	42 U.S.C. 14733.
	205	42 U.S.C. 14734.
	206	42 U.S.C. 14735.
Technology Administration Act of 1998 (Public Law 105–309)	8	15 U.S.C. 1511e.
National Aeronautics and Space Administration Authorization Act of 2000 (Public Law 106–391)	126	42 U.S.C. 2475a.
	301	42 U.S.C. 2459g.
	304	42 U.S.C. 2459h.
	305	42 U.S.C. 2475b.
	325	42 U.S.C. 2473d.
Commercial Reusable In-Space Transportation Act of 2002 (Title IX of Public Law 107–248)	903	42 U.S.C. 14752.
	904	42 U.S.C. 14753.
Departments of Veterans Affairs and Housing and Urban Development, and Independent Agencies Appropriations Act, 2003 (Division K of Public Law 108–7)	(last par. under heading ''Administrative Provisions'', at 117 Stat. 520).	42 U.S.C. 2459i.
National Aeronautics and Space Administration Authorization Act of 2005 (Public Law 109–155)	101(a)	42 U.S.C. 16611(a).
	101(b)	42 U.S.C. 16611(b).
	101(h)(1)	42 U.S.C. 16611(h)(1).
	101(i)	42 U.S.C. 16611(i).
	103	42 U.S.C. 16613.
	105	42 U.S.C. 16614.
	107	42 U.S.C. 16615.
	110	42 U.S.C. 16618.
	202	42 U.S.C. 16631.
	203	42 U.S.C. 16632.
	204	42 U.S.C. 16633.
	205	42 U.S.C. 16634.
	301	42 U.S.C. 16651.
	304(a) (matter before par. (1)).	42 U.S.C. 16654(a) (matter before par. (1)).
	304(a)(2)	42 U.S.C. 16654(a)(2).
	305(2)	42 U.S.C. 16655(2).
	305(3)	42 U.S.C. 16655(3).
	306	42 U.S.C. 16656.
	311	42 U.S.C. 16671.
	312	42 U.S.C. 16672.
	313	42 U.S.C. 16673.
	314	42 U.S.C. 16674.
	315	42 U.S.C. 16675.
	316	42 U.S.C. 16676.

Schedule of Laws Repealed—Continued

Act	Section	United States Code
	401	42 U.S.C. 16701.
	411	42 U.S.C. 16711.
	421	42 U.S.C. 16721.
	422	42 U.S.C. 16722.
	423	42 U.S.C. 16723.
	424	42 U.S.C. 16724.
	425	42 U.S.C. 16725.
	426	42 U.S.C. 16726.
	427	42 U.S.C. 16727.
	431	42 U.S.C. 16741.
	441	42 U.S.C. 16751.
	501(a)	42 U.S.C. 16761(a).
	501(b)	42 U.S.C. 16761(b).
	503	42 U.S.C. 16763.
	504	42 U.S.C. 16764.
	505	42 U.S.C. 16765.
	506(1)	42 U.S.C. 16766(1).
	506(2)	42 U.S.C. 16766(2).
	507(a)	42 U.S.C. 16767(a).
	507(b)	42 U.S.C. 16767(b).
	507(d)	42 U.S.C. 16767(d).
	601	42 U.S.C. 16781.
	612	42 U.S.C. 16791.
	613	42 U.S.C. 16792.
	615	42 U.S.C. 16794.
	616	42 U.S.C. 16795.
	618	42 U.S.C. 16797.
	619(b)	42 U.S.C. 16798(b).
	621	42 U.S.C. 16811.
	707	42 U.S.C. 16821.
	708	42 U.S.C. 16822.
	709	42 U.S.C. 16823.
	821	42 U.S.C. 16841.
	822	42 U.S.C. 16842.
	823	42 U.S.C. 16843.
	824	42 U.S.C. 16844.
	825	42 U.S.C. 16845.
	826	42 U.S.C. 16846.
	827	42 U.S.C. 16847.
	828	42 U.S.C. 16848.
	829	42 U.S.C. 16849.
	830	42 U.S.C. 16850.
America COMPETES Act (Public Law 110–69)	2001(a)	42 U.S.C. 16611a(a).
	2001(b)	42 U.S.C. 16611a(b).
	2001(c)	42 U.S.C. 16611a(c).
	2001(e)	42 U.S.C. 16611a(e).
	2002(b)	42 U.S.C. 16712(b).
	2003	42 U.S.C. 16658.
Science Appropriations Act, 2008 (Public Law 110–161, div. B, title III)	(7th par. under heading ''Administrative Provisions'', at 121 Stat. 1919).	42 U.S.C. 16611b.
National Aeronautics and Space Administration Authorization Act of 2008 (Public Law 110–422)	201	42 U.S.C. 17711.
	204(b)	42 U.S.C. 17712(b).
	204(c)	42 U.S.C. 17712(c).
	204(d)	42 U.S.C. 17712(d).
	206(a)	42 U.S.C. 17713(a).
	208	42 U.S.C. 17714.
	302	42 U.S.C. 17721.
	303	42 U.S.C. 17722.
	304(b)	42 U.S.C. 17723(b).
	304(c)	42 U.S.C. 17723(c).
	307	42 U.S.C. 17724.
	403	42 U.S.C. 17731.
	404(a)	42 U.S.C. 17732(a).
	404(b)	42 U.S.C. 17732(b).
	405(b)	42 U.S.C. 17733(b).
	407	42 U.S.C. 17734.
	501	42 U.S.C. 17741.
	502	42 U.S.C. 17742.
	601(a)	42 U.S.C. 17751(a).
	602	42 U.S.C. 17752.
	704(b)	42 U.S.C. 17781(b).
	704(c)	42 U.S.C. 17781(c).
	801(a)	42 U.S.C. 17791(a).
	803	42 U.S.C. 17793.
	804	42 U.S.C. 17794.
	805	42 U.S.C. 17795.
	902	42 U.S.C. 17801.
	1002(a)	42 U.S.C. 17811(a).
	1003(a)	42 U.S.C. 17812(a).
	1102(b)	42 U.S.C. 17821(b).
	1103	42 U.S.C. 17822.
	1104	42 U.S.C. 17823.
	1107	42 U.S.C. 17824.
	1109(c)	42 U.S.C. 17825(c).
	1112	42 U.S.C. 17827.
	1116	42 U.S.C. 17828.
	1117	42 U.S.C. 17829.

Schedule of Laws Repealed—Continued

Act	Section	United States Code
Science Appropriations Act, 2009 (Public Law 111–8, div. B, title III	(3d proviso in par. under heading ''Cross Agency Support'', at 123 Stat. 589).	42 U.S.C. 16611b note.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Tennessee (Mr. COHEN) and the gentleman from Texas (Mr. SMITH) each will control 20 minutes.

The Chair recognizes the gentleman from Tennessee.

GENERAL LEAVE

Mr. COHEN. I ask unanimous consent that all Members have 5 legislative days to revise and extend their remarks and include extraneous material on the bill under consideration.

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

There was no objection.

Mr. COHEN. I yield myself such time as I may consume.

H.R. 3237 codifies into positive law as title 51, United States Code, the laws related to national and commercial space programs. It was jointly introduced by Judiciary Committee Chairman JOHN CONYERS from the great State of Michigan and Ranking Member LAMAR SMITH from the great State of Texas, where many of these space programs are located. It was prepared by the Office of Law Revision Counsel as part of its functions under 2 U.S.C. 285(b), which it performs in coordination with our committee.

This bill is not intended to make any substantive changes in the law. As is typical with the codification process, a number of nonsubstantive revisions are made, including the reorganization of sections into a more coherent overall structure, but these changes are not intended to have any substantive effect. The bill has been subject to extensive public review in the previous two Congresses, including by relevant congressional committees, agencies, practitioners, academic experts and whoever else is left. The current bill is substantially identical to the bill Chairman CONYERS and Ranking Member SMITH introduced 2 years ago, with a few additional technical clarifications suggested by interested parties.

I urge my colleagues to support this legislation, and I reserve the balance of my time.

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

I support H.R. 3237, a bill proposed by the Office of Law Revision Counsel to enact title 51 of the U.S. Code, as positive law. The Judiciary Committee has jurisdiction over law revision bills, and this particular bill creates a new title to address national and commercial space programs.

Many laws have been enacted over the years dealing with national and commercial space programs. However, there is no distinct title in the U.S. Code to consolidate these laws. This is because the U.S. Code was established in 1926, long before space programs were ever contemplated. This bill would put all of these laws into one title within the Code. H.R. 3237 and similar law revision bills are important because they ensure that the U.S. Code is up to date and accurate, without making substantive changes to the law. I am happy to support this legislation today.

I yield back the balance of my time.

Mr. COHEN. Madam Speaker, at this point I ask everybody to vote unanimously in support of H.R. 3237 and pass it, and I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Tennessee (Mr. COHEN) that the House suspend the rules and pass the bill, H.R. 3237.

The question was taken; and (two-thirds being in the affirmative) the rules were suspended and the bill was passed.

A motion to reconsider was laid on the table.

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 1 p.m.), the House stood in recess subject to the call of the Chair.

□ 1505

AFTER RECESS

The recess having expired, the House was called to order by the Speaker pro tempore (Mr. DRIEHAUS) at 3 o'clock and 5 minutes p.m.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, proceedings will resume on questions previously postponed.

Votes will be taken in the following order, each by the yeas and nays:

Passage of H.J. Res. 64, notwithstanding the objections of the President to the contrary; and suspending the rules with regard to H. Res. 1002, H. Res. 860, and H.R. 3892.

The first electronic vote will be conducted as a 15-minute vote. Remaining electronic votes will be conducted as 5-minute votes.

VETO MESSAGE ON HOUSE JOINT RESOLUTION 64, FURTHER CONTINUING APPROPRIATIONS, FISCAL YEAR 2010

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, the unfinished business is the question whether the House, on reconsideration, will pass House Joint Resolution 64, the objections of the President to the contrary notwithstanding.

In accord with the Constitution, the yeas and nays are ordered.

The vote was taken by electronic device, and there were—yeas 143, nays 245, answered ''present'' 1, not voting 44, as follows:

[Roll No. 2]

YEAS—143

Aderholt
Akin
Alexander
Austria
Bachmann
Bachus
Barrett (SC)
Bartlett
Barton (TX)
Biggert
Bilirakis
Bishop (UT)
Blackburn
Blunt
Boehner
Bonner
Bono Mack
Boozman
Brady (TX)
Brown (SC)
Brown-Waite, Ginny
Buchanan
Burgess
Burton (IN)
Camp
Cantor
Capito
Carney
Carter
Cassidy
Chaffetz
Coble
Coffman (CO)
Cole
Conaway
Culberson
Davis (KY)
Dent
Diaz-Balart, L.
Diaz-Balart, M.
Dreier
Emerson
Fallin
Filner
Flake
Fleming
Forbes
Fortenberry
Franks (AZ)
Frelinghuysen
Garrett (NJ)
Gerlach
Gingrey (GA)
Gohmert
Goodlatte
Griffith
Guthrie
Hall (TX)
Harper
Hastings (WA)
Heller
Hensarling
Herger
Hoekstra
Hunter
Inglis
Issa
Jenkins
Johnson, Sam
Jordan (OH)
King (NY)
Kingston
Kline (MN)
Lamborn
Lance
Latham
LaTourette
Latta
Lee (NY)
Linder
LoBiondo
Lucas
Luetkemeyer
Lummis
Lungren, Daniel E.
Mack
Marchant
McCarthy (CA)
McCaul
McCotter
McHenry
McKeon
McMorris Rodgers
Mica
Miller (FL)
Miller (MI)
Moran (KS)
Myrick
Neugebauer
Nunes
Olson
Paulsen
Pence
Petri
Pitts
Platts
Putnam
Rehberg
Reichert
Roe (TN)
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Rooney
Roskam
Royce
Ryan (WI)
Scalise
Schmidt
Schock
Sensenbrenner
Sessions
Shadegg
Shimkus
Smith (NE)
Smith (NJ)
Smith (TX)
Souder
Stearns
Sullivan
Taylor
Terry
Thornberry
Tiahrt
Turner
Upton
Walden
Westmoreland
Whitfield
Wilson (SC)
Wittman
Wolf

NAYS—245

Ackerman
Adler (NJ)
Altmire
Andrews
Arcuri
Baca
Baird
Baldwin
Bean
Becerra
Berkley
Bishop (GA)
Bishop (NY)
Blumenauer
Boccieri
Boren
Boswell
Boucher
Brady (PA)
Braley (IA)
Bright
Broun (GA)
Brown, Corrine
Butterfield
Buyer
Cao
Capps
Capuano
Carnahan
Carson (IN)
Castle
Castor (FL)
Childers

Chu
Clarke
Clay
Cleaver
Cohen
Connolly (VA)
Conyers
Cooper
Costello
Courtney
Crowley
Cuellar
Cummings
Dahlkemper
Davis (CA)
Davis (IL)
Davis (TN)
DeFazio
DeGette
Delahunt
DeLauro
Dicks
Dingell
Doggett
Donnelly (IN)
Doyle
Driehaus
Duncan
Edwards (MD)
Edwards (TX)
Ellison
Ellsworth
Engel
Eshoo
Etheridge
Farr
Fattah
Foster
Foxx
Fudge
Garamendi
Giffords
Gonzalez
Gordon (TN)
Granger
Graves
Grayson
Green, Al
Green, Gene
Hall (NY)
Halvorson
Hare
Heinrich
Herseth Sandlin
Hill
Himes
Hinchey
Hinojosa
Hirono
Hodes
Holden
Holt
Honda
Hoyer
Inslee
Israel
Jackson (IL)
Jackson Lee (TX)
Johnson (GA)
Johnson (IL)
Jones
Kagen
Kanjorski
Kaptur
Kennedy
Kildee
Kilpatrick (MI)
Kilroy
King (IA)
Kirkpatrick (AZ)
Kissell
Klein (FL)
Kosmas
Kratovil
Kucinich
Langevin
Larsen (WA)
Larson (CT)
Lee (CA)
Levin
Lipinski
Loebsack
Lofgren, Zoe
Lowey
Luján
Lynch
Maffei
Maloney
Manzullo
Markey (CO)
Markey (MA)
Marshall
Massa
Matheson
Matsui
McCarthy (NY)
McClintock
McCollum
McDermott
McGovern
McIntyre
McMahon
McNerney
Meek (FL)
Melancon
Michaud
Miller (NC)
Miller, Gary
Miller, George
Minnick
Mitchell
Mollohan
Moore (KS)
Moran (VA)
Murphy (CT)
Murphy (NY)
Murphy, Patrick
Murphy, Tim
Murtha
Nadler (NY)
Napolitano
Neal (MA)
Nye
Oberstar
Obey
Olver
Ortiz
Owens
Pallone
Pascrell
Pastor (AZ)
Paul
Payne
Perlmutter
Perriello
Peters
Peterson
Polis (CO)
Pomeroy
Posey
Price (GA)
Price (NC)
Quigley
Reyes
Richardson
Rodriguez
Ross
Rothman (NJ)
Roybal-Allard
Ruppersberger
Rush
Ryan (OH)
Salazar
Sánchez, Linda T.
Sanchez, Loretta
Sarbanes
Schakowsky
Schauer
Schiff
Schrader
Scott (GA)
Scott (VA)
Serrano
Sestak
Shea-Porter
Sherman
Simpson
Sires
Skelton
Slaughter
Smith (WA)
Snyder
Space
Speier
Spratt
Stark
Stupak
Sutton
Teague
Thompson (CA)
Thompson (MS)
Tiberi
Tierney
Titus
Tonko
Towns
Tsongas
Van Hollen
Velázquez
Visclosky
Walz
Wasserman Schultz
Watson
Watt
Weiner
Welch
Wilson (OH)
Woolsey
Wu
Yarmuth
Young (AK)
Young (FL)

ANSWERED ''PRESENT''—1

Thompson (PA)

NOT VOTING—44

Abercrombie
Barrow
Berman
Berry
Bilbray
Boustany
Boyd
Calvert
Campbell
Cardoza
Chandler
Clyburn
Costa
Crenshaw
Davis (AL)
Deal (GA)
Ehlers
Frank (MA)
Gallegly
Grijalva
Gutierrez
Harman
Hastings (FL)
Higgins
Johnson, E.B.
Kind
Kirk
Lewis (CA)
Lewis (GA)
Meeks (NY)
Moore (WI)
Pingree (ME)
Poe (TX)
Radanovich
Rahall
Rangel
Ros-Lehtinen
Schwartz
Shuler
Shuster
Tanner
Wamp
Waters
Waxman

□ 1535

Messrs. JACKSON of Illinois, SMITH of Washington, POSEY, Mrs. NAPOLITANO, Mr. ELLSWORTH, Mrs. MALONEY, Mr. SPRATT, Ms. GRANGER, Ms. MCCOLLUM, Ms. LEE of California, and Ms. WASSERMAN SCHULTZ changed their vote from ''yea'' to ''nay.''

Messrs. WHITFIELD, McCARTHY of California, FRELINGHUYSEN, HERGER, BONNER, Ms. GINNY BROWN-WAITE of Florida, and Mr. PAULSEN changed their vote from ''nay'' to ''yea.''

So (two-thirds not being in the affirmative) the veto of the President was sustained and the joint resolution was rejected.

The result of the vote was announced as above recorded.

Stated against:

Ms. SCHWARTZ. Mr. Speaker, on rollcall No. 2, had I been present, I would have voted "nay."

The SPEAKER pro tempore. The veto message and the joint resolution are referred to the Committee on Appropriations.

The Clerk will notify the Senate of the action of the House.

REMEMBERING PAULA NOWAKOWSKI

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

Mr. BOEHNER. Mr. Speaker and my colleagues, first I would like to thank Speaker PELOSI and the majority leader, Mr. HOYER, for their graciousness over the last couple of days. I also want to say thanks to all of the Members on both sides of the aisle who have offered their condolences to me, personally, and to my staff. A special ''thank you'' to President Obama and former President Bush for their calls of condolence.

I think all of us know that this institution couldn't operate without staff; it just couldn't function. And this last week, we lost one of the best. I was fortunate enough to have a great leader of my team; and we rise today and remember Paula Nowakowski.

Now, let me say that she was no picnic. She was as tough as nails, and any of you who have worked with her—George, you remember—she was as tough as nails—a brilliant strategist who had a wicked sense of humor. Haley Barbour, whom she once worked for, said that she was as smart as a whip, and you have to visualize that coming from Haley; but there was a softer side of Paula as well. She made a positive difference in thousands of lives around the Hill and around this town.

She loved all things Detroit, especially her beloved Detroit Red Wings, and so you will see that I and a lot of my staff will have a Detroit Red Wings pin on for the balance of this year. She loved her country. She was a warrior for freedom, and two of her biggest heroes were Ronald Reagan and Pope John Paul, II, who worked together to bring Soviet communism to its knees. She loved this institution, and she loved all of the Members and the staff, and had friends on both sides of the aisle; but most of all, she loved her family. Her mother, Teo, and her brother Gary are with us today.

And, Mrs. Nowakowski, please accept our condolences, and thank you for the shining light that was your daughter. Of her 46 years, that light shined brightly and touched countless lives, and she will never be replaced in this institution, nor will she be forgotten.

With that, I would be happy to yield to my friend, the Speaker of the House.

Ms. PELOSI. I thank the gentleman, the distinguished leader, for yielding, and express to him on behalf of all Members of the House of Representatives, indeed, the Congress, the condolences that we all feel. We extend them to you on Paula's passing.

As the leader has said, we all were aware of her brilliance and her effectiveness when the leader was chairman of the Education and Workforce Committee. Mr. MILLER, that is why he is presiding in the chair, became a fan of Paula, as did John Lawrence, her counterpart, as well.

This is a very special person, a devoted conservative as the leader has said. She loved Ronald Reagan and John Paul, II. She had a strong perspective, was very innovative in her orientation in terms of solutions and had a beautiful, beautiful smile. It is with great sadness that all of us received the news of her passing.

And, to her mother, I say, we were shocked by it, in a state of disbelief, and especially for someone so vibrant, so full of life, with this brilliant intellect again, and this strong personality to leave us so young. She left us, but she has made her mark. She is a person we will never forget because of her leadership skills and because of her friendship.

So it is with great respect, admiration, sadness, and affection that I extend to Paula's family the sympathy and condolences of the Congress as I join the distinguished leader in doing so.

I extend those condolences to you, Mr. Leader, because I know what a great partner she was to you as you lead the Republicans in the Congress.

But she was here for everyone because, as the leader said, she loved this institution. So we are all shocked by her loss. Her belief in John Paul, II, enables the rest of us to be comforted by the fact that now she has joined him and so many others in heaven; and just to express the gratitude of a grateful Congress to all who knew her, to her family—to Michael, to her mother—to all of you, I hope it is a comfort to you that, with the greatest sadness, so many people mourn your loss and are praying for your family at this very, very difficult time.

With that, I—and in sorrow—yield back to the distinguished leader.

Mr. BOEHNER. I am pleased to yield to the gentleman from Virginia (Mr. CANTOR).

Mr. CANTOR. I thank the gentleman.

And I, too, stand with much respect as we today commemorate the life of Paula Nowakowski.

To her family that is here with us, we gather today in this moment to salute a dear friend, a dedicated staffer, an indispensable member of our leader's team and, frankly, of our conference's team.

Paula had an unshakable devotion to our country and its principles. As the Speaker just indicated, she had a very innovative spirit about her and about the commonsense solutions that we are trying to arrive at here to address the challenges of the people whom we represent.

Her sage advice and counsel made her an invaluable resource to our Members each and every day and, frankly, to this institution. She will be in our thoughts every day as we pass legislation that empowers individuals and that lifts the American spirit.

Paula was particularly concerned about the working families in her beloved State of Michigan. Almost daily, we would hear in leadership meetings, in conference meetings about the plight of the manufacturing workers who would see nothing but closed-up factories and question their future. Paula was there for them.

Paula's life was cut short way too soon. We will, Mr. Leader, all miss her terribly, but we will find strength, determination and inspiration in the example that she set for all of us. All of us, I guess, can learn from this when it is all said and done. What is most important is not when you die but how you lived. Everyone who knew Paula knows, as the leader said, she was tough as nails, but she lived every day to the fullest, giving her heart and her soul to help make America a better, more prosperous place.

□ 1545

We will all remember her each day. We will remember her when we do the work on this floor, we will remember her in our places of worship, and we will smile and think of her the next time that her beloved Detroit Red Wings win another Stanley Cup. Our party and our Nation owe Paula a tremendous debt of gratitude.

Mr. Speaker, I would now like to read a letter from Senator MITCH MCCONNELL, the distinguished Senate Minority Leader.

''Dear Leader Boehner:

''I share your sorrow over the untimely passing of Paula Nowakowski. I too considered Paula a trusted confidant. Over the years, I came to deeply value her candid counsel, her sound instincts and her warm good humor. She was unafraid to speak the truth. Her sense of teamwork and loyalty helped to lay a foundation of open communication and trust on both sides of the Capitol dome. My staff and I will miss her tremendously.

''It is a testament to the respect and admiration that she enjoyed on this side of the Capitol that if any of us ever started a conversation with 'I just talked to Paula,' or 'Paula said,' everyone from Senators to staffers not only knew who you were talking about, but that whatever she said carried an implicit guarantee. You could take it to the bank. She was regarded by everyone here as a consummate professional, a tremendous asset to our party and the Congress, and sharp as they come—in short, an extraordinary woman.

''All those qualities aren't easy to find in one place. But that is what made Paula stand out, and that's why her passing has prompted so many heartfelt expressions of grief and admiration from both sides of the aisle. It's a truly trusted adviser who can finish his or her boss's sentences—and she was one who could.'' And often did, I might add. ''It is also a rare staffer who could be so intensely focused on the business of the House even as she succeeded in building such a strong sense of teamwork with the Senate.

''So on behalf of the entire Senate family, please accept our condolences on this loss to you, your staff, to Congress, and, indeed, to our country. Hopefully the memory of her spirit and example will provide some measure of consolation at this difficult time.

''Yours Sincerely, Mitch McConnell, Republican Leader.''

At this time, I yield to the gentleman from Maryland, the majority leader.

Mr. HOYER. I thank my friend for yielding.

There are times in life when you get a call and you are shocked, you are saddened, you are stunned. That was such a call for, I am sure, all of us when we learned that Paula Nowakowski had passed away.

Shakespeare said, ''She should have died hereafter. There would have been time for such a word. Tomorrow, and tomorrow, and tomorrow.''

Paula will not see those tomorrows, and we are sad. And we share the sadness and loss that her family has experienced.

And, JOHN, we share the loss that you have experienced. All of us who have staff know that they become family, not just staff, not just bureaucrats or somebody that we rely on to do this, that, or the other. They become alter egos, in many respects, particularly those who lead our offices. Paula Nowakowski had that relationship to JOHN BOEHNER and, indeed, to others as well.

Since 1995, Paula was an important and positive part of Leader BOEHNER's team, and in that time she earned respect throughout the Congress for her political skill, for her work ethic and her dedication to her ideals.

I particularly remember her kindness and cooperation during the transition from a Republican majority to a Democratic one in November and December of 2006. Clearly, a difficult time for those who were moving from the majority to the minority. I have been there. I understand how it feels. It was a disappointing time for her and for Mr. BOEHNER, and for her party as well. However, throughout that time she maintained a professionalism, a courtesy, and a kindness that I will always remember.

Paula's premature passing reminds us all of the uncertainty of our future and the importance of today and now, and how important it is to be nice to one another, respectful of one another so that we do not lament tomorrow what we did not do today.

The absence she leaves behind reminds us that Congress is not simply an inanimate branch of government, but a living and vibrant community of public servants and, quite often, friends, a place for very talented Americans who love their country and seek to serve it well. Paula Nowakowski was such a person, such a fellow citizen, such an American. She was a valued friend of many, a loyal and effective leader of Congressman BOEHNER's staff, and an outstanding example of the dedication and hard work displayed by so many who serve this House and our country. Paula's absence will be felt in this community and especially in Leader BOEHNER's office for years and years to come.

So my thoughts are with you, Mr. Leader, at your loss. And our thoughts are with her family as well. We are pleased that they are here. They loved her.

It is important for them to know that although Paula was a partisan, as all of us for the most part are on this floor, she rose above partisanship. We rise above partisanship in our respect and love and sense of loss.

I yield back my time to the Republican leader.

Mr. BOEHNER. Let me thank my fellow leaders for their kind words.

Mr. Speaker, I ask that the House observe a moment of silence.

The SPEAKER pro tempore (Mr. GEORGE MILLER of California). The Chair would ask all present to rise for the purpose of a moment of silence.

Mr. NUNES. Mr. Speaker, I rise today to extend my deepest condolences to the family and friends of Paula Nowakowski. Paula served the Congress and our nation with distinction for many years, most recently as Chief of Staff to my good friend, the Republican Leader, Mr. BOEHNER.

I had the pleasure of knowing and working with Paula for nearly a decade. She was a trusted advisor and I always appreciated her counsel and support. Her love for the House of Representatives, humility, professionalism, and abilities were well-known. Paula will be sadly missed by all of us who had the honor and privilege of working with her.

Ms. ROS-LEHTINEN. Mr. Speaker, as I searched for the words to honor and remember Paula Nowakowski, the journey led me to former President Reagan.

President Reagan was an inspiration for Paula the professional, the strategist, the conservative, and, most importantly, Paula, the proud American, whose love of country brought her to the Congress and to JOHN BOEHNER's staff.

President Reagan said:

Let us be sure that those who come after will say of us . . . that in our time we did everything that could be done . . . we kept them free; we kept the faith.

I think these words best encapsulate who Paula was—a tireless advocate; a devout Catholic; and a formidable warrior and human being.

We are all the better for having known her. Paula, you will be sorely missed.

Mr. MCKEON. Mr. Speaker, I rise today to commemorate the life of Paula T. Nowakowski, who tragically and unexpectedly passed away Saturday, January 9, 2010. As a trusted aide to Republican Leader JOHN BOEHNER, she was there for each and every Member of the Republican Conference. Before I served as Chairman and Ranking Member of the Education and Workforce Committee, Paula effectively led the staff as Staff Director for nearly six years, helping to enact legislation that were major initiatives of President Bush's administration. Paula held a deep love and respect for the institution of Congress and the people who are elected and chosen to serve our nation. She was extraordinarily talented, loyal, and to-the-point. She will be greatly missed.

Mr. PENCE. Mr. Speaker, I rise today to honor the life and memory of Paula Nowakowski, and to express my deep sadness over her passing.

Paula, the dedicated chief of staff to House Republican Leader JOHN BOEHNER, died unexpectedly last Saturday evening, January 9, 2010, at the young age of 46.

Her death leaves a void on Capitol Hill that can never be filled. Paula was a true professional and a devoted patriot on behalf of her country.

During twenty-five years of public service, Paula spent fifteen years as a faithful aide to Leader BOEHNER and proved herself to be a woman of integrity and compassion.

And as we all know, it is difficult to overstate the love she held for her home in Michigan.

Paula will not only be remembered for her work on the Hill, but for her tireless efforts off the Hill as well.

Paula worked extensively, on Leader BOEHNER's behalf, in developing an annual gala to benefit Catholic schools in Washington, D.C. Over the last six years, this gala has offered more than $5 million in support for local Catholic schools struggling to keep their doors open.

If further proof was needed of Paula's impact in the lives of so many, look no further than a Facebook page that in just a few days has signed up over 650 individuals to honor Paula's memory.

This past weekend, Congress lost a talented public servant and House Republicans lost a dear friend.

As one leadership aide noted, Paula "demanded excellence."

May we continue our work on behalf of the American people the way Paula would have wanted us to—in a manner that promotes excellence.

On behalf of my family and staff, I extend my sincere thoughts and prayers to Paula's family, friends and to the entire staff at the Republican Leader's office, as they cope with this incalculable loss.

May God comfort them during this difficult time.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. Without objection, 5-minute voting will continue.

There was no objection.

HONORING THE LIFE AND WORK OF DR. MARTIN LUTHER KING, JR.

The SPEAKER pro tempore. The unfinished business is the vote on the motion to suspend the rules and agree to the resolution, H. Res. 1002, on which the yeas and nays were ordered.

The Clerk read the title of the resolution.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Michigan (Mr. KILDEE) that the House suspend the rules and agree to the resolution, H. Res. 1002.

This will be a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 379, nays 0, not voting 54, as follows:

[Roll No. 3]

YEAS—379

Ackerman
Aderholt
Adler (NJ)
Akin
Alexander
Altmire
Andrews
Austria
Baca
Bachmann
Bachus
Baird
Baldwin
Barrett (SC)
Bartlett
Bean
Becerra
Berkley
Biggert
Bilirakis
Bishop (GA)
Bishop (NY)
Bishop (UT)
Blackburn
Blumenauer
Blunt
Boccieri
Boehner
Bonner
Bono Mack
Boozman
Boren
Boswell
Boucher
Brady (PA)
Brady (TX)
Braley (IA)
Bright
Broun (GA)
Brown (SC)
Brown, Corrine
Brown-Waite, Ginny
Buchanan
Burton (IN)
Butterfield
Buyer
Camp
Cantor
Cao
Capito
Capps
Capuano
Carnahan
Carney
Carson (IN)
Cassidy
Castle
Castor (FL)
Chaffetz
Childers
Chu
Clarke
Clay
Cleaver
Coble
Coffman (CO)
Cohen
Cole
Conaway
Conyers
Cooper
Costello
Courtney
Crowley
Cuellar
Culberson
Cummings
Dahlkemper
Davis (CA)
Davis (IL)
Davis (KY)
Davis (TN)
DeGette
DeLauro
Dent
Diaz-Balart, L.
Diaz-Balart, M.
Dicks
Dingell
Doggett
Donnelly (IN)
Dreier
Driehaus
Duncan
Edwards (MD)
Edwards (TX)
Ellison
Ellsworth
Emerson
Engel
Eshoo
Etheridge
Fallin
Farr
Fattah
Filner
Flake
Fleming
Forbes
Fortenberry
Foster
Foxx
Franks (AZ)
Frelinghuysen
Fudge
Garamendi
Garrett (NJ)
Gerlach
Giffords
Gingrey (GA)
Gohmert
Gonzalez
Goodlatte
Gordon (TN)
Granger
Graves
Grayson
Green, Al
Green, Gene
Griffith
Guthrie
Hall (NY)
Halvorson
Hare
Harper
Heinrich
Heller
Hensarling
Herger
Herseth Sandlin
Hill
Himes
Hinchey
Hinojosa
Hirono
Hodes
Hoekstra
Holden
Holt
Honda
Hoyer
Hunter
Inglis
Inslee
Israel
Issa
Jackson (IL)
Jackson Lee (TX)
Jenkins
Johnson (GA)
Johnson (IL)
Johnson, Sam
Jones
Jordan (OH)
Kagen
Kanjorski
Kaptur
Kennedy
Kildee
Kilpatrick (MI)
Kilroy
King (IA)
King (NY)
Kingston
Kirkpatrick (AZ)
Kissell
Klein (FL)
Kline (MN)
Kosmas
Kratovil
Kucinich
Lamborn
Lance
Langevin
Larsen (WA)
Larson (CT)
Latham
LaTourette
Latta
Lee (CA)
Lee (NY)
Levin
Linder
Lipinski
LoBiondo
Loebsack
Lofgren, Zoe
Lowey
Luetkemeyer
Luján
Lummis
Lungren, Daniel E.
Lynch
Mack
Maffei
Maloney
Manzullo
Markey (CO)
Markey (MA)
Marshall
Massa
Matheson
Matsui
McCarthy (CA)
McCarthy (NY)
McCaul
McClintock
McCollum
McCotter
McDermott
McGovern
McHenry
McIntyre
McKeon
McMahon
McMorris Rodgers
McNerney
Meek (FL)
Melancon
Mica
Michaud
Miller (FL)
Miller (MI)
Miller (NC)
Miller, Gary
Miller, George
Minnick
Mitchell
Mollohan
Moore (KS)
Moran (KS)
Moran (VA)
Murphy (CT)
Murphy (NY)
Murphy, Patrick
Murphy, Tim
Murtha
Myrick
Nadler (NY)
Napolitano
Neal (MA)
Neugebauer
Nunes
Nye
Oberstar
Obey
Olson
Olver
Ortiz
Owens
Pallone
Pascrell
Pastor (AZ)
Paul
Paulsen
Payne
Pence
Perlmutter
Perriello
Peters
Peterson
Petri
Pingree (ME)
Pitts
Platts
Polis (CO)
Pomeroy
Posey
Price (GA)
Price (NC)
Putnam
Quigley
Rehberg
Reichert
Reyes
Richardson
Rodriguez
Roe (TN)
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Rooney
Roskam
Ross
Rothman (NJ)
Roybal-Allard
Royce
Ruppersberger
Rush
Ryan (OH)
Ryan (WI)
Salazar
Sánchez, Linda T.
Sanchez, Loretta
Sarbanes
Scalise
Schakowsky
Schauer
Schiff
Schmidt
Schock
Schrader
Schwartz
Scott (GA)
Scott (VA)
Sensenbrenner
Serrano
Sessions
Sestak
Shadegg
Shea-Porter
Sherman
Shimkus
Simpson
Sires
Skelton
Slaughter
Smith (NE)
Smith (NJ)
Smith (TX)
Smith (WA)
Snyder
Souder
Space
Speier
Spratt
Stark
Stearns
Stupak
Sullivan
Sutton
Taylor
Teague
Terry
Thompson (CA)
Thompson (MS)
Thompson (PA)
Thornberry
Tiahrt
Tiberi
Tierney
Titus
Tonko
Towns
Tsongas
Turner
Upton
Van Hollen
Velázquez
Visclosky
Walden
Walz
Wasserman Schultz
Watson
Watt
Weiner
Welch
Westmoreland
Whitfield
Wilson (OH)
Wilson (SC)
Wittman
Wolf
Woolsey
Wu
Yarmuth
Young (AK)
Young (FL)

NOT VOTING—54

Abercrombie
Arcuri
Barrow
Barton (TX)
Berman
Berry
Bilbray
Boustany
Boyd
Burgess
Calvert
Campbell
Cardoza
Carter
Chandler
Clyburn
Connolly (VA)
Costa
Crenshaw
Davis (AL)
Deal (GA)
DeFazio
Delahunt
Doyle
Ehlers
Frank (MA)
Gallegly
Grijalva
Gutierrez
Hall (TX)
Harman
Hastings (FL)
Hastings (WA)
Higgins
Johnson, E. B.
Kind
Kirk
Lewis (CA)
Lewis (GA)
Lucas
Marchant
Meeks (NY)
Moore (WI)
Poe (TX)
Radanovich
Rahall
Rangel
Ros-Lehtinen
Shuler
Shuster
Tanner
Wamp
Waters
Waxman

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (during the vote). There is 1 minute remaining in this vote.

□ 1559

So (two-thirds being in the affirmative) the rules were suspended and the resolution was agreed to.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

MOMENT OF SILENCE FOR HAITI EARTHQUAKE VICTIMS

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

Ms. LEE of California. Madam Speaker, I rise to ask for a moment of silence for the people of Haiti, for the American citizens in Haiti, for the Haitian American community, and for all of those whose families and friends have been injured or killed in this devastating earthquake. Of course, Haiti has suffered through many challenges and crises—earthquakes, hurricanes, food insecurity, hunger, poverty. Haiti needs increased attention and resources from the United States and the international community to help it recover during this difficult period. Of course, at this moment our priority is search and rescue.

We have been in touch with the administration, and the President is quickly deploying all available assets and resources to assist. We ask the global humanitarian community to help us in this massive, massive undertaking. Our commitment to Haiti must extend beyond this emergency period to recovery and to rebuilding efforts. Our thoughts and our prayers go out to all of those who have been impacted by this catastrophe of enormous proportions.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. Without objection, 5-minute voting will continue.

There was no objection.

SUPPORTING THE INITIATIVES OF CHICAGO WILDERNESS

The SPEAKER pro tempore. The unfinished business is the vote on the motion to suspend the rules and agree to the resolution, H. Res. 860, as amended, on which the yeas and nays were ordered.

The Clerk read the title of the resolution.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Michigan (Mr. KILDEE) that the House suspend the rules and agree to the resolution, H. Res. 860, as amended.

This is a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 369, nays 1, not voting 63, as follows:

[Roll No. 4]

YEAS—369

Ackerman
Aderholt
Adler (NJ)
Akin
Alexander
Altmire
Andrews
Austria
Baca
Bachmann
Bachus
Baird
Baldwin
Barrett (SC)
Bartlett
Bean
Berkley
Biggert
Bilirakis
Bishop (GA)
Bishop (NY)
Blackburn
Blumenauer
Blunt
Boccieri
Boehner
Bonner
Bono Mack
Boozman
Boren
Boswell
Boucher
Brady (PA)
Brady (TX)
Braley (IA)
Bright
Broun (GA)
Brown (SC)
Brown, Corrine
Brown-Waite, Ginny
Buchanan
Burton (IN)
Butterfield
Buyer
Camp
Cantor
Cao
Capito
Capps
Capuano
Carnahan
Carney
Carson (IN)
Cassidy
Castle
Castor (FL)
Chaffetz
Childers
Chu
Clarke
Clay
Cleaver
Coble
Coffman (CO)
Cohen
Cole
Conaway
Conyers
Cooper
Costello
Courtney
Crowley
Cuellar
Culberson
Cummings
Dahlkemper
Davis (CA)
Davis (IL)
Davis (KY)
Davis (TN)
DeFazio
DeGette
DeLauro
Dent
Diaz-Balart, L.
Diaz-Balart, M.
Dicks
Dingell
Doggett
Donnelly (IN)
Dreier
Driehaus
Duncan
Edwards (MD)
Edwards (TX)
Ellison
Ellsworth
Emerson
Engel
Eshoo
Etheridge
Fallin
Farr
Fattah
Filner
Flake
Fleming
Forbes
Fortenberry
Foster
Foxx
Franks (AZ)
Frelinghuysen
Fudge
Garamendi
Garrett (NJ)
Gerlach
Giffords
Gingrey (GA)
Gonzalez
Goodlatte
Gordon (TN)
Granger
Graves
Grayson
Green, Al
Green, Gene
Griffith
Guthrie
Hall (NY)
Halvorson
Hare
Harper
Heinrich
Heller
Hensarling
Herger
Herseth Sandlin
Hill
Himes
Hinchey
Hinojosa
Hirono
Hodes
Hoekstra
Holden
Holt
Honda
Hoyer
Hunter
Inglis
Inslee
Israel
Issa
Jackson (IL)
Jackson Lee (TX)
Jenkins
Johnson (GA)
Johnson (IL)
Johnson, Sam
Jones
Jordan (OH)
Kagen
Kanjorski
Kaptur
Kennedy
Kildee
Kilpatrick (MI)
Kilroy
King (NY)
Kingston
Kirkpatrick (AZ)
Kissell
Klein (FL)
Kline (MN)
Kosmas
Kratovil
Kucinich
Lamborn
Lance
Langevin
Larsen (WA)
Larson (CT)
Latham
LaTourette
Latta
Lee (CA)
Lee (NY)
Levin
Linder
Lipinski
LoBiondo
Loebsack
Lofgren, Zoe
Lowey
Luetkemeyer
Luján
Lummis
Lungren, Daniel E.
Lynch
Mack
Maffei
Maloney
Manzullo
Markey (CO)
Markey (MA)
Marshall
Massa
Matheson
Matsui
McCarthy (CA)
McCarthy (NY)
McCaul
McClintock
McCollum
McCotter
McDermott
McGovern
McHenry
McIntyre
McKeon
McMahon
McMorris Rodgers
McNerney
Meek (FL)
Melancon
Mica
Michaud
Miller (MI)
Miller, Gary
Minnick
Mitchell
Mollohan
Moore (KS)
Moran (KS)
Moran (VA)
Murphy (CT)
Murphy (NY)
Murphy, Patrick
Murphy, Tim
Murtha
Myrick
Nadler (NY)
Napolitano
Neal (MA)
Neugebauer
Nunes
Nye
Oberstar
Obey
Olson
Olver
Ortiz
Owens
Pallone
Pascrell
Pastor (AZ)
Paulsen
Payne
Pence
Perlmutter
Perriello
Peters
Peterson
Petri
Pingree (ME)
Pitts
Platts
Polis (CO)
Pomeroy
Posey
Price (GA)
Price (NC)
Putnam
Quigley
Rehberg
Reichert
Reyes
Richardson
Rodriguez
Roe (TN)
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Rooney
Roskam
Rothman (NJ)
Roybal-Allard
Royce
Ruppersberger
Rush
Ryan (OH)
Ryan (WI)
Salazar
Sánchez, Linda T.
Sanchez, Loretta
Sarbanes
Scalise
Schakowsky
Schauer
Schiff
Schmidt
Schock
Schrader
Schwartz
Scott (GA)
Scott (VA)
Sensenbrenner
Serrano
Sessions
Sestak
Shadegg
Shea-Porter
Sherman
Shimkus
Simpson
Sires
Skelton
Slaughter
Smith (NE)
Smith (NJ)
Smith (TX)
Smith (WA)
Snyder
Souder
Space
Spratt
Stark
Stearns
Stupak
Sullivan
Sutton
Taylor
Teague
Terry
Thompson (CA)
Thompson (MS)
Thompson (PA)
Thornberry
Tiahrt
Tiberi
Tierney
Titus
Tonko
Towns
Tsongas
Turner
Upton
Van Hollen
Velázquez
Visclosky
Walden
Walz
Wasserman Schultz
Watson
Watt
Welch
Westmoreland
Whitfield
Wilson (OH)
Wilson (SC)
Wittman
Wolf
Woolsey
Wu
Yarmuth
Young (AK)
Young (FL)

NAYS—1

Paul

NOT VOTING—63

Abercrombie
Arcuri
Barrow
Barton (TX)
Becerra
Berman
Berry
Bilbray
Bishop (UT)
Boustany
Boyd
Burgess
Calvert
Campbell
Cardoza
Carter
Chandler
Clyburn
Connolly (VA)
Costa
Crenshaw
Davis (AL)
Deal (GA)
Delahunt
Doyle
Ehlers
Frank (MA)
Gallegly
Gohmert
Grijalva
Gutierrez
Hall (TX)
Harman
Hastings (FL)
Hastings (WA)
Higgins
Johnson, E. B.
Kind
King (IA)
Kirk
Lewis (CA)
Lewis (GA)
Lucas
Marchant
Meeks (NY)
Miller (FL)
Miller (NC)
Miller, George
Moore (WI)
Poe (TX)
Radanovich
Rahall
Rangel
Ros-Lehtinen
Ross
Shuler
Shuster
Speier
Tanner
Wamp
Waters
Waxman
Weiner

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

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

□ 1609

So (two-thirds being in the affirmative) the rules were suspended and the resolution, as amended, was agreed to.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

Stated for:

Mr. BECERRA. Mr. Speaker, earlier today I was unavoidably detained and missed rollcall No. 4. If present, I would have voted "yea."

E.V. WILKINS POST OFFICE

The SPEAKER pro tempore. The unfinished business is the vote on the motion to suspend the rules and pass the bill, H.R. 3892, 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 Massachusetts (Mr. LYNCH) that the House suspend the rules and pass the bill, H.R. 3892.

This is a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 356, nays 1, not voting 76, as follows:

[Roll No. 5]

YEAS—356

Ackerman
Aderholt
Adler (NJ)
Akin
Altmire
Austria

Baca
Bachmann
Bachus
Baird
Baldwin
Barrett (SC)
Bartlett
Bean
Becerra
Berkley
Biggert
Bilirakis
Bishop (GA)
Bishop (NY)
Bishop (UT)
Blackburn
Blumenauer
Blunt
Boehner
Bonner
Bono Mack
Boozman
Boren
Boswell
Boucher
Brady (PA)
Brady (TX)
Braley (IA)
Bright
Broun (GA)
Brown (SC)
Brown, Corrine
Brown-Waite, Ginny
Buchanan
Burton (IN)
Butterfield
Buyer
Camp
Cao
Capito
Capps
Capuano
Carnahan
Carney
Carson (IN)
Cassidy
Castle
Childers
Chu
Clarke
Clay
Cleaver
Coble
Coffman (CO)
Cohen
Cole
Conaway
Conyers
Cooper
Costello
Courtney
Crowley
Cuellar
Culberson
Cummings
Dahlkemper
Davis (CA)
Davis (IL)
Davis (KY)
Davis (TN)
DeFazio
DeLauro
Dent
Diaz-Balart, L.
Diaz-Balart, M.
Dicks
Dingell
Doggett
Donnelly (IN)
Dreier
Driehaus
Duncan
Edwards (MD)
Edwards (TX)
Ellison
Ellsworth
Emerson
Engel
Eshoo
Etheridge
Fallin
Farr
Fattah
Filner
Flake
Fleming
Forbes
Fortenberry
Foster
Foxx
Franks (AZ)
Frelinghuysen
Fudge
Garrett (NJ)
Gerlach
Giffords
Gingrey (GA)
Gohmert
Gonzalez
Goodlatte
Granger
Graves
Grayson
Green, Al
Green, Gene
Griffith
Guthrie
Hall (NY)
Halvorson
Hare
Harper
Heinrich
Heller
Hensarling
Herger
Herseth Sandlin
Hill
Himes
Hinchey
Hinojosa
Hirono
Hodes
Hoekstra
Holden
Holt
Honda
Hunter
Inglis
Inslee
Israel
Issa
Jackson (IL)
Jackson Lee (TX)
Jenkins
Johnson (IL)
Johnson, Sam
Jones
Jordan (OH)
Kagen
Kanjorski
Kaptur
Kennedy
Kildee
Kilpatrick (MI)
Kilroy
King (IA)
King (NY)
Kingston
Kirkpatrick (AZ)
Kissell
Klein (FL)
Kline (MN)
Kosmas
Kratovil
Kucinich
Lamborn
Lance
Langevin
Larsen (WA)
Larson (CT)
Latham
LaTourette
Latta
Lee (CA)
Lee (NY)
Levin
Linder
Lipinski
LoBiondo
Loebsack
Lofgren, Zoe
Lowey
Luetkemeyer
Luján
Lummis
Lungren, Daniel E.
Lynch
Mack
Maffei
Maloney
Manzullo
Markey (CO)
Markey (MA)
Marshall
Massa
Matheson
Matsui
McCarthy (CA)
McCarthy (NY)
McCaul
McClintock
McCollum
McDermott
McHenry
McIntyre
McKeon
McMahon
McMorris Rodgers
McNerney
Meek (FL)
Mica
Michaud
Miller (FL)
Miller (MI)
Miller (NC)
Miller, Gary
Minnick
Mitchell
Mollohan
Moore (KS)
Moran (KS)
Moran (VA)
Murphy (CT)
Murphy (NY)
Murphy, Patrick
Murphy, Tim
Murtha
Myrick
Nadler (NY)
Neal (MA)
Neugebauer
Nunes
Nye
Obey
Olson
Olver
Ortiz
Owens
Pallone
Pascrell
Pastor (AZ)
Paulsen
Payne
Pence
Perlmutter
Perriello
Peters
Peterson
Petri
Pingree (ME)
Pitts
Platts
Polis (CO)
Pomeroy
Posey
Price (GA)
Price (NC)
Putnam
Rehberg
Reichert
Reyes
Richardson
Rodriguez
Roe (TN)
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Rooney
Roskam
Roybal-Allard
Royce
Ruppersberger
Rush
Ryan (OH)
Ryan (WI)
Salazar
Sánchez, Linda T.
Sanchez, Loretta
Sarbanes
Scalise
Schakowsky
Schauer
Schiff
Schmidt
Schock
Schrader
Schwartz
Scott (GA)
Scott (VA)
Sensenbrenner
Serrano
Sessions
Sestak
Shadegg
Shea-Porter
Sherman
Shimkus
Simpson
Sires
Skelton
Slaughter
Smith (NE)
Smith (NJ)
Smith (TX)
Smith (WA)
Souder
Spratt
Stark
Stearns
Stupak
Sullivan
Sutton
Taylor
Teague
Terry
Thompson (CA)
Thompson (MS)
Thompson (PA)
Thornberry
Tiahrt
Tiberi
Tierney
Titus
Tonko
Towns
Tsongas
Turner
Upton
Van Hollen
Velázquez
Visclosky
Walden
Walz
Wasserman Schultz
Watson
Watt
Weiner
Welch
Westmoreland
Whitfield
Wilson (OH)
Wilson (SC)
Wittman
Wolf
Woolsey
Wu
Yarmuth
Young (AK)
Young (FL)

NAYS—1

Paul

NOT VOTING—76

Abercrombie
Alexander
Andrews
Arcuri
Barrow
Barton (TX)
Berman
Berry
Bilbray
Boccieri
Boustany
Boyd
Burgess
Calvert
Campbell
Cantor
Cardoza
Carter
Castor (FL)
Chaffetz
Chandler
Clyburn
Connolly (VA)
Costa
Crenshaw
Davis (AL)
Deal (GA)
DeGette
Delahunt
Doyle
Ehlers
Frank (MA)
Gallegly
Garamendi
Gordon (TN)
Grijalva
Gutierrez
Hall (TX)
Harman
Hastings (FL)
Hastings (WA)
Higgins
Hoyer
Johnson (GA)
Johnson, E. B.
Kind
Kirk
Lewis (CA)
Lewis (GA)
Lucas
Marchant
McCotter
McGovern
Meeks (NY)
Melancon
Miller, George
Moore (WI)
Napolitano
Oberstar
Poe (TX)
Quigley
Radanovich
Rahall
Rangel
Ros-Lehtinen
Ross
Rothman (NJ)
Shuler
Shuster
Snyder
Space
Speier
Tanner
Wamp
Waters
Waxman

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (during the vote). Members have 2 minutes remaining to cast their votes.

□ 1615

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:

Mr. BOCCIERI. Mr. Speaker, on rollcall No. 5, had I been present, I would have voted "yea."

PERSONAL EXPLANATION

Mr. BARROW. Mr. Speaker, I was unable to be present for votes today, Wednesday, January 13, 2010. Had I been present I would have voted "nay" on rollcall vote No. 2 and "yea" on rollcall votes Nos. 3, 4, and 5.

ADJOURNMENT TO FRIDAY, JANUARY 15, 2010

Ms. DEGETTE. Mr. Speaker, I ask unanimous consent that when the House adjourns today, it adjourn to meet at 9 a.m. on Friday, January 15, 2010; and further, that when the House adjourns on that day, it adjourn to meet at 12:30 p.m. on Tuesday, January 19, 2010, for morning-hour debate.

The SPEAKER pro tempore (Mr. POLIS). Is there objection to the request of the gentlewoman from Colorado?

There was no objection.

CONCERN FOR THOSE MISSING IN THE HAITIAN EARTHQUAKE

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

Ms. JACKSON LEE of Texas. Mr. Speaker, I want to join my colleagues, so many of whom I have heard discussing on the floor of the House the overwhelming tragedy, the catastrophic incident that has occurred in our neighboring country of Haiti. But I particularly want to offer my deepest sympathy to my constituents, my Haitian American constituents in Houston, Texas, many of whom are suffering because their relatives are in Haiti, and they cannot find them.

I wanted to acknowledge a delegation of Rotary Club members from Houston, Texas, who came to Haiti just yesterday, and their family members are expressing concern for their location and status. It makes it relevant to know that this hurricane-like earthquake is the largest earthquake that we've seen in the Western Hemisphere over the last number of years. We know that all resources have to be pointed toward Haiti. To the United Nations, for the losses they are experiencing, my sympathy. To the Haitian Government, my sympathy. And my commitment is that you will never walk alone. We will stand with you in this battle to recover Haiti.

DEFICITS MADE IN CALIFORNIA SHOULD STAY IN CALIFORNIA

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

Mr. MCCLINTOCK. Mr. Speaker, yesterday I addressed the demand of Governor Schwarzenegger for Federal aid by noting the devastating impact that his tax increases have had on California's economy. Tax increases that were supposed to bring in $13 billion of additional revenue have, instead, crushed California's brittle economy and cost $10 billion in lost revenues in just 9 months.

California's revenue problem isn't the only thing that was made in Sacramento. Their spending problem is also self-inflicted. When Schwarzenegger took office, California was spending $78 billion a year. Instead of hitting the brakes, he hit the accelerator and in just 4.5 years increased spending by a stunning 40 percent. When State revenues peaked at their all-time high in July of 2008 at $97 billion, California was already running a $9 billion deficit.

Mr. Speaker, budget deficits that are made in California need to stay in California, and that goes for the 49 other States as well.

DEMOCRATIC CONGRESS DEVOTED TO JOB CREATION AS WE WORK OUT OF THE REPUBLICAN RECESSION

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

Ms. WATSON. Mr. Speaker, Democrats in Congress have been devoted to job creation as a top priority to help put people back to work and to refuel our economy ravaged by the economic policies of the former administration. The Republican recession is the worst economic crisis the country has experienced since the Great Depression.

The Recovery Act by itself is not enough to restore the economy, but it is helping put America back to work. The Recovery Act has created more than 640,000 jobs since it was enacted in February and could produce as many as 1.6 million jobs. The Recovery Act has reduced job losses, reduced the unemployment rate, and increased the gross domestic product. We should continue to support jobs and jobs now.

GENERAL LEAVE

Mr. BURTON of Indiana. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks and include extraneous material on the subject of Leader BOEHNER's 1-minute today.

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

There was no objection.

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 ADMINISTRATION'S AFGHANISTAN PLAN LACKS CLARITY

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

Ms. WOOLSEY. Mr. Speaker, when a President decides to go to war, his or her plans must have clarity. The American people need to know exactly where the President stands and what his goals are. The President's original proposal was to begin withdrawing American troops from Afghanistan 18 months from now, in July 2011. When the President first announced the plan, it sounded like a pretty clear timetable, but then the picture started to get really fuzzy when American and Afghan officials began to backtrack.

National Security Adviser James Jones said the withdrawal date is ''not a cliff, it's a ramp.'' Secretary of State Clinton said the withdrawal would continue ''for the foreseeable future.'' Defense Secretary Gates called the withdrawal plan the ''beginning of a process, an inflection point,'' and dependent upon ''conditions on the ground.'' He also said that the actual withdrawal would ''probably'' take 2 or 3 years. And then President Karzai really threw cold water on things when he said that Afghanistan would not be able to provide for its own security for 15 to 20 years, let alone 18 months.

So the question is this: When July, 2011, rolls around, will we be at the beginning of the troop withdrawal or just in the middle of it? Will we be standing on the cliff or going down the ramp? And will we be at the inflection point or at the point of no return in another open-ended war?

Mr. Speaker, the American people and our troops deserve a solid plan. We have the right to know exactly what we're getting into before we start spending billions of dollars more and spilling more and more of our troops' blood. That's why Congress must ask the administration some tough questions and demand better answers, especially before we authorize another dime for this foreign occupation.

You know, that's our responsibility. That's our job. We must make sure that the next appropriation has a much better balance between the military and civilian need, a balance that will be considerably better than the last appropriation. We must make sure it includes sufficient funds for economic development, humanitarian aid, infrastructure, education, and other elements of smart security. And the House must have a full and open debate about the administration's escalation plan and an up-or-down vote on whether we support it.

We have a solemn obligation, Mr. Speaker, to let the American people know where each one of us stands. As for me, I've made it clear that I am opposed to the escalation. I have proposed a clear alternative, House Resolution 363, the SMART Security Platform for the 21st Century. Mr. Speaker, after the catastrophe of Iraq, we can't march blindly into another war that will drag on for years and years. The time to change and to choose a better path is right now.

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.)

PENNSYLVANIA FARM SHOW

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

Mr. THOMPSON of Pennsylvania. Mr. Speaker, if you were in Harrisburg, Pennsylvania, right now, you could be taking part in the annual event that reminds us all of what is wholesome and fine in this country. A few hours wandering through the Pennsylvania Farm Show, and nostalgia builds. One person remembers the hours it takes to sew the minute stitches on a winning quilt. Another recalls the time and dedication required to raise a tiny calf into a prize-winning dairy cow. A third pictures her mother throwing out recipes until finally one comes together that produces the best angel food cake ever. Some 400,000 people attend, and that is 400,000 memories, from horseshoe pitching contests to a ride on the 60-year-old merry-go-round. There is a culmination of smells from the hay and the livestock, the sticky bun contest, the myriad foods in the food court—including potato doughnuts, which happens to be my favorite—and even the odor of diesel from the tractor-dancing contests. Yes, that is tractor square dancing—two callers and 14 drivers.

Somehow the fragrances are all tied up with the memories. Now, I'm talking about the largest indoor agricultural event in America, with 10,000 competitive exhibits and 270 commercial vendors.

□ 1630

The 24-acre site of the Pennsylvania Farm Show Complex and Expo Center in Harrisburg, Pennsylvania, houses 11 buildings, including three arenas. The show started on January 9 and continues until Saturday, January 16.

To give you just one example of the breadth of this show, there are more than 6,000 head of sheep, swine, horses, cattle, goats, poultry, and rabbits in competition for the best of the best.

Young rodeo champions from around the State compete in the high school rodeo that includes team roping, saddle and bareback bronco riding, bull riding, and the list goes on. Both members of 4–H and Future Farmers of America participate in the farm show and all of its aspects. There are young people who have learned values and a possible vocation from their participation in this huge event.

Here is an exhibit and competition that was new to me, the Sheep to Shawl contest. It features both adult and youth teams that shear sheep on site, spin the wool into yarn, and create a beautiful shawl in about 2 hours. Each team consists of a shearer, three spinners, and a weaver. The shawls then sell at an auction with proceeds going directly to the team. One sold for more than $3,000.

This 94-year-old show was begun in 1917, and it was called the Pennsylvania Corn, Fruit, Vegetable, Dairy Products, and Wool Show. It has grown and expanded and grown again from 5,000 visitors in 1917 to 400,000 this year. It has come through war conditions that nearly cancelled the show in 1918 because the Federal Government seized control of the railroads, to Tropical Storm Agnes in 1972, which put 91 inches of water in the main exhibition building that left an inch of mud and half a million dollars in damage.

This show is an opportunity to share knowledge and experience. For example, the beekeeping exhibits have drawn a lot of attention since 2007 and the widely publicized plight of the honeybee from colony collapse disorder. This disorder is characterized by sudden colony death, according to the Mid-Atlantic Apiculture Research and Extension Consortium based at Penn State.

It is the honeybee that is responsible for pollinating 100 fruits, vegetables, and nuts that are vital to us. Scientists and researchers are getting closer to finding the cause of the colony collapse disorder but are not there yet. Sharing awareness is key to finding the cure.

Agriculture remains Pennsylvania's number one industry with more than 63,000 farms statewide. Farm products range from dairy production, cattle, mushrooms, corn, and various greenhouse crops. Also, timber harvesting continues to be a major job source throughout the Commonwealth of Pennsylvania, particularly in my district because of our unparalleled hardwoods.

Having come from a family of dairy farmers, I am always happy to meet and talk with those who continue to work on the farm and provide our Nation's food supply. This annual event is one of the best opportunities to do just that because of the diverse mix of farmers, State and local government officials, and agriculture associations, all of which have great agricultural expertise.

There are many reasons for celebrating the Pennsylvania Farm Show, and I hope I have piqued your interest enough to have you attend this year or next and experience it for yourself.

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

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

INFRASTRUCTURE INVESTMENT CREATES JOBS

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

Mr. DEFAZIO. Mr. Speaker, this week two so-called reporters from Associated Press, a Matt Apuzzo and a Brett Blackledge, did a supposed analysis of the investment in transportation and infrastructure projects from the so-called stimulus legislation. They came to the conclusion that there was no effect on local unemployment and it barely helped the beleaguered construction industry. That is a pretty interesting conclusion when we can document the jobs created, the hours worked: 250,000 direct jobs were created, and when you look at the secondary employment impact, you are up to about three-quarters of a million jobs. There are 8,587 highway and transit projects under construction, and it had no effect on local unemployment? What they are saying is, because of the hemorrhaging in other parts of industry and business in America, the unemployment rate is going up.

Now, what if we had just not made the investment in transit and infrastructure and had walked away from those 750,000 jobs? Would they have written a story saying that unemployment increased by nearly a million jobs because the Federal Government failed to invest in transportation and infrastructure? This is a totally perverse and bizarre conclusion reached by these two individuals.

If they wanted to write about the tax cuts in the stimulus, I would say they are right. Remember, the total investment, total, in hard jobs, in transportation infrastructure in this bill was about 5 percent of the gargantuan stimulus bill, 5 percent, yet it created 25 percent of the measurable jobs. Now, the tax cuts which totaled 8 times more, 8 times as much money was spent on tax cuts, something which mimicked the failed Bush policy that President Obama wanted to do to have a bipartisan bill and cut a deal with three Republican Senators, we got $300 billion of tax cuts for three Republican votes for that bill which have not created a single job or prevented the loss of a single job.

Ask any American who is still working what they did with their tax cut last week, and they will say, What tax cut? Oh, President Obama's promised tax cut, the one the Republicans in the Senate insisted on.

They would say, I didn't get a tax cut.

Yeah, actually you did. There was a slight reduction in your withholding. And you are not getting sent a check this time. You are paying a tiny bit more.

Now, I have a lot of people in my district who could use that $12 a week. But they will also say to me, Congressman, that is not going to put a single person back to work. It is not going to help my neighbor down the street who doesn't have a job and used to work in the construction industry, and these two turkeys have the temerity to come up with a so-called study which is now being quoted by the likes of the Wall Street Journal and other right-wing institutions as proving that public investment in infrastructure doesn't create jobs. It arguably did create jobs, but I will say it was way too small.

We have 160,000 bridges in our national system that are weight limited or functionally obsolete. What if we had a plan to replace all of those bridges? What about the jobs in the steel industry to produce the steel for those bridges? What about the engineering jobs and the construction equipment jobs and all of those things? This stimulus was too small and too short-term in terms of transportation and infrastructure. It was a one-time thing. It did create a lot of jobs and it kept a lot of people off the unemployment rolls, but it didn't get the maximum effect it would get with a long-term investment in transportation and infrastructure where you get people ordering new rock-crushing machinery. There happens to be some made in my district. Or new streetcars. We are making some of those in Oregon, too. Or buses that are manufactured in the Midwest with components from all around America. Those sorts of things will put a heck of a lot of people back to work, will revive our manufacturing so we actually need not less, which would be the conclusion of these guys, but more investment in our crumbling transportation network in America.

The city of Chicago, I hope they are listening down at the White House, got a grand total of $350 million towards its $6 billion backlog on the Chicago Transit Authority. They are holding up some of the ''L'' with 2-by-4s and other sorts of braces. They spent that money in 30 days. They ordered buses. They ordered steel. They put people to work immediately. They could have spent a billion. They could have spent $2 billion in that time period, but the money wasn't there. It was too small, but it did create a heck of a lot of good jobs and make needed investments in this country.

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

AMERICA CANNOT SPEND ITS WAY OUT OF DEBT

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

Mr. BURTON of Indiana. Mr. Speaker, you know, I really get a big kick in listening to my Democrat colleagues when they talk about spending all this money on infrastructure and how we are not spending enough and how we need to come up with another stimulus bill. The fact of the matter is, since they took control of Congress, the national debt has gone up by almost $4 trillion. You can't spend your way out of debt. You can't create jobs by digging yourselves into a bigger and bigger hole, and that is exactly what they are talking about doing.

Now they say they have created jobs. They said that unemployment would not go above 8 percent, and they say they have created or saved 2 million jobs or thereabouts. The fact of the matter is 7 million jobs have been lost; lost. Seven million jobs have been lost.

Now, even if you said and accepted their premise that they saved or created 2 million jobs, you would still be

5 million jobs in the hole, and the unemployment rate isn't 8 percent. It is 10 percent, and it was up above that, and I believe it probably will get there again.

You know, I just can't understand why they don't get it. John F. Kennedy, a Democrat, he got it. He said time and again when he was President, if you give people more disposable income, they will spend it to buy more products. And if you give more income back to business and industry through tax cuts, as I was just talking about with individuals, that will give them more money for investment and to hire employees. And if people and industry go out and spend that tax cut, then they are going to have to produce more products; more refrigerators, more cars, more vacuum sweepers, whatever it is. And if people buy more because they have more money to spend collectively across the country, 300 million people, then you are going to see employment rise; employment rise, not unemployment.

John F. Kennedy understood that, and that is why early in his administration he put through tax cuts. And then when Ronald Reagan came in after the debacle called the Carter administration where we have unemployment at 12 percent and inflation at 14 percent, worse than we have today even, Reagan came in and said we are going to cut taxes. And I think he even mentioned John F. Kennedy. And so Reagan, Yeah, well, we are going to cut taxes instead of raising taxes. So they cut taxes and we worked our way out of a very severe recession. We created millions of jobs and had an economic expansion that lasted 20 years because we cut taxes and gave people their money back, some of it, and we gave business and industry some of their money back so they could make investment. That's the way you do it.

And yet the Democrats and the Obama administration are talking about the tax cuts that were put into place early in the Bush administration. They want to let them expire this year, which is going to be a drain on the economy, take more money out of people's pockets, more money out of business and industry, and exacerbate the economy, the economic problems we are facing.

And so when I hear my colleagues come down—I love to listen to their rhetoric. Their logic eludes me, though, because you are not going to solve the unemployment problems or the economic problems in this country by loading more debt and more taxes on the backs of the American people. You are going to cause the future generations to look back at us and say, Why did you do that to us, because you are going to have inflation and you are going to have higher taxes and you are going to have a deteriorating economy, and you are going to have the government taking over more and more responsibility, which is what a lot of socialists in this administration would like to see. They believe government can do the job better than the private sector. Obviously, most Americans don't agree with that if you look at the polls lately just on the health care bill alone.

So I would just like to say to my colleagues, Mr. Speaker, that if we are serious about solving the economic problems, let's take a look at history. Let's look at what they did in the Kennedy administration. Let's look at what they did in the Reagan administration, and let's say we are going to extend the tax cuts. We are going to cut taxes further right now because it will give people more disposable income, give more money for business and industry to invest, and people and industry will buy more; therefore, they will produce more products and more people will go back to work and you will lower the unemployment rate.

The unemployment rate today, it is not 10 percent, incidentally. There are a lot of people who have been getting unemployment checks that aren't included anymore. It is more like 15 to 17 percent, and this administration is responsible for it.

MISTAKES OF BANKS TRANSFERRED TO TAXPAYERS

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

Ms. KAPTUR. Mr. Speaker, the conventional wisdom flowing through the media to our Nation is that without the Wall Street bailout, America would have gone into economic depression and many banks would have failed. Well, the bailout passed. But think about it, then America fell into depression. Unemployment skyrocketed, and since January of last year, 141 banks have failed and been resolved through the Federal Deposit Insurance Corporation with more to come. Yet the biggest banks that did the damage were rescued rather than broken up and held accountable. These big banks gambled wildly, taking huge risks with our money and our mortgages, and now they are transferring their trillions of dollars of mistakes to our taxpayers for generations to come. What's wrong with this picture?

The public's anger is rising, rightly. That can make a difference because that will affect elections. Yet the powerhouses of Wall Street who took TARP money within a year are earning the strongest profits in America compared to every other business, and they are handing themselves exorbitant bonuses, over $150 billion and counting. Clearly what Congress did was incorrect.

□ 1645

America has fallen into a deepening depression, more unemployment, with projections for a jobless recovery, with rising trade deficits, which weren't supposed to happen because of the value of the dollar. Why? Because the financial crisis was resolved in the wrong way. The financiers who created this house of cards are still rewarding themselves and doing a reverse Robin Hood—taking from others to reward the privileged few. That doesn't sound like the America I know.

Credit remains frozen across our country. Credit being frozen means no more jobs. It means jobless recovery, because businesses cannot make payroll. They cannot buy supplies. They cannot maintain their inventories. When five megabanks in our country control nearly half the deposits of the American people, that is too concentrated. It is too unaccountable. And it is too much of a transfer of power from the many to the few. That isn't what America is about.

Alone, or joined together in groups, these big banks successfully lobbied Congress to weaken financial regulatory reform and defeat one of the most powerful and necessary reforms rebuilding the protective walls between regular, prudent commercial banking and speculation. Financial reform should have deconstructed the too big to fail firms that caused this economic crisis, but the bill that whizzed through this Congress a few weeks ago did exactly the opposite. It enshrined them, it grandfathered them.

I introduced H.R. 4377, called the Return to Prudent Banking Act, which would restore the Glass-Steagall protections, which were overturned a decade ago in a bill called Gramm-Leach-Bliley that sailed through this Congress. Our bill would restore the barriers between commercial banking and speculation, not allowing this transfer of power to the abusers.

I look forward to working with my other colleagues, like Congressman MAURICE HINCHEY of New York, such a leader on this issue, to combine our bills, to return our financial system to a prudent banking system, one in which credit is no longer seized up because we fixed what is wrong with the fundamentals.

Our citizens demand a more competitive banking system, one that is less concentrated, and without the systemic risks our current one encourages. The momentum is building for real change, and I am glad there is an election this year. Because despite the work of the megabanks to enshrine themselves, we still have hope because more Americans are paying attention.

There is an article in the Wall Street Journal today by Thomas Frank entitled Bring Back Glass-Steagall. He is right. The so-called financial regulatory reform bill that moved through this House too quickly last year before examining the root causes of this crisis has a bottom line. The House bill basically grandfathered the megabanks, which set the stage for a future meltdown in our economy because the Federal Government becomes the open arms for Wall Street's high risk future behavior. The big banks of course will

fight any effort to reform the current system, but speculators shouldn't be given free rein. They have to let the American people know that in fact if they are high risk, hey, you are on your own. But those firms should not be allowed to gamble with regular commercial banking.

The American people should think about how to restore normal credit flows, because until we do that this economy is not going to heal.

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

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

BIPARTISAN COUNTERTERRORISM EFFORTS

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

Mr. WOLF. Mr. Speaker, earlier this week, the co-chairs of the 9/11 Commission, Lee Hamilton and Thomas Kean, in an op-ed for the USA Today, wrote that ''national security is too important to become a partisan issue.'' And I could not agree more.

That is why I wrote President Obama yesterday with three specific actions that I recommended he could take immediately, with strong bipartisanship support, to help prevent future terrorist attacks against America. First, I recommended that he immediately bring back the two co-chairs of the 9/11 Commission for a six-month period to conduct a formal review and follow-up to the 9/11 report. Mr. Hamilton and Mr. Kean would be charged with evaluating which of the commission's original recommendations have been implemented and to what end, and which have failed to be implemented and at what cost.

Second, I urged the creation of a Team B concept, separate from the review that would be conducted by the 9/11 Commission co-chairs. Historically, the phrase Team B refers to a group of outside experts brought together to analyze the threats posed by the Soviet Union to the United States and counter the positions of intelligence officials within the CIA and government, known as Team A. The Team B concept has been successful in previous administrations when fresh eyes were needed to provide the commander in chief with objective information to make informed policy decisions. I believe it can work now.

Third, I urged the President to support the legislation that I introduced today to establish a 10-year term of office for the administrator of the Transportation Security Administration, TSA, similar to what the Congress has done in the past for the appointment process for the director of the FBI. Bob Mueller has done an outstanding job, and that process has worked well.

Since TSA's creation following 9/11, TSA has had six administrators, six, averaging terms of just 1.5 years. The attempted Christmas Day bombing of a U.S. airliner points to the need for long-term, strong, and capable leadership that is outside of the political process.

In a separate letter to Deputy National Security Adviser John Brennan, I posed a series of pointed questions concerning the security situation in Yemen and the circumstances surrounding the failed Christmas Day attack. Specifically, I asked the administration how it plans to deal with the possible radicalization of some 55,000 Americans, 55,000 Americans that are currently visiting, living, or studying in Yemen, pointing out that these individuals can fly back to the United States with American passports.

The dangers of radicalization in Yemen are very troubling. The alleged Fort Hood terrorist, Major Nidal Hasan was radicalized by Yemeni-American cleric Anwar al Aulaqi. The alleged terrorist who killed a U.S. Army recruiter in Little Rock, Arkansas, was also radicalized by al Aulaqi. And now we have learned that the alleged Christmas Day terrorist was reportedly also in contact with al Aulaqi in Yemen. Convicted terrorist John walker Lindh was radicalized in Yemen while studying Arabic in 1998 and 2000, leading to his collaboration with the Taliban in Afghanistan.

Last week, President Obama said, ''Now is not the time for partisanship, it is the time for citizenship—a time to come together, work together with the seriousness of purpose that our national security demands.'' However, working together demands that this administration work with Congress, both Republicans and Democrats, in good faith to provide information, answer questions, and consider solutions, and to develop a strategy to defeat al Qaeda, whenever and however we can.

The administration must live up to the President's challenge to involve Congress in the active participation on counterterrorism matters. This can only happen, however, if the legislative branch, Republicans and Democrats, are included in the process.

In closing, I urge my colleagues in the House to support bringing back the 9/11 team, Kean and Hamilton, for 6 months, create a Team B to consider innovative solutions to disrupt and defeat al Qaeda, and to make the TSA administrator position independent and nonpartisan, that will go for a long term, similar to what we currently do with regards to the FBI. These are good bipartisan steps to protect the homeland, and ultimately to defeat al Qaeda.

With that, Mr. Speaker, I thank you for your courtesy, and yield back the balance of my time.

HOUSE OF REPRESENTATIVES,
Washington, DC, January 12, 2010.

Hon. BARACK H. OBAMA,
The President, The White House,
Washington, DC.

DEAR MR. PRESIDENT: ''National Security is too important to become a partisan issue.'' This sentence was the opening line in a January 11 USA Today op-ed jointly authored by Lee Hamilton and Thomas Kean, co-chairs of the 9/11 Commission. Last week, you, too, said, ''Now is not a time for partisanship, it's a time for citizenship—a time to come together and work together with the seriousness of purpose that our national security demands.'' I could not agree more with this sentiment.

No nation, including America, can hope to win this long battle against al Qaeda and like foes if the war effort is marked by partisanship. Sadly, not only has partisanship infused the rhetoric surrounding national security discussions, it has actually obstructed the critical role of congressional oversight. Too often in recent months partisanship has resulted in withholding of information, unanswered letters and briefings denied by this administration.

The stakes are too high and the cost of failure is too great for petty politics to rule the day. The White House has a moral obligation to actively and consistently reach out to the minority party in Congress, to be forthcoming with information and to provide access to all levels of government.

Hamilton and Kean go on to write, ''We intend to monitor the implementation of the 9/11 Commission's recommendations and report on new national security threats.'' I urge you to encourage this effort by bringing back these two co-chairs for a six-month period to conduct a formal review and 9/11 Commission follow-up. They would be charged with evaluating which of the Commission's original recommendations have been implemented and to what end, and which have failed to be implemented and at what cost.

This past weekend, The Washington Post featured an op-ed by Bruce Hoffman, respected professor of security studies at Georgetown University and a senior fellow at the U.S. Military Academy's Combating Terrorism Center. Hoffman wrote, ''(W)hile al-Qaeda is finding new ways to exploit our weaknesses, we are stuck in a pattern of belated responses, rather than anticipating its moves and developing preemptive strategies. The 'systemic failure' of intelligence analysis and airport security that Obama recently described was not just the product of a compartmentalized bureaucracy or analytical inattention, but a failure to recognize al-Qaeda's new strategy. The national security architecture built in the aftermath of Sept. 11 addresses yesterday's threats—but not today's and certainly not tomorrow's. It is superb at reacting and responding, but not at outsmarting . . . a new approach to counterterrorism is essential.''

Distinct from temporarily bringing back the two 9/11 Commission co-chairs, I also urge the creation of a ''Team B.'' As you may know, historically the phrase ''Team B'' refers to a group of outside experts, commissioned by the Central Intelligence Agency in the 1970's and headed by Richard Pipes, to analyze the threats posed by the Soviet Union to the United States and counter the positions of intelligence officials within the CIA, known as ''Team A.'' In your remarks last week following the review of the attempted Christmas Day terrorist attack, you rightly referred to our enemy as ''nimble.'' Too often our response to the evolving threat posed by al Qaeda, and others sympathetic to their murderous aims, is anything but.

The Team B concept has been successful in previous administrations when fresh eyes were needed to provide the commander-in-chief with objective information to make informed policy decisions. I believe it can work now, too, and suggest that among the individuals, but not exclusively, whose expertise and forward-thinking would be well-suited to a Team B are: Bruce Hoffman; Andrew McCarthy and Patrick Fitzgerald, both of whom were involved in the prosecution of Sheik Omar Abdel Rahman in the first World Trade Center bombings; Fouad Ajami, professor at the School of Advanced International Studies (SAIS), Johns Hopkins University; Jean Bethke Elshtain, professor of social and political ethics at the University of Chicago; economist Judy Shelton, National Endowment for Democracy board member; foreign policy columnist and author Anne Applebaum; Andrew F. Krepinevich Jr., author of Seven Deadly Scenarios: A Military Futurist Explores War in the 21st Century; Elliot Cohen, professor of Strategic Studies at SAIS; Philip D. Zelikow, diplomat and author who worked as executive director of the 9/11 Commission; and Joshua Muravchik, formerly a scholar at the American Enterprise Institute and presently a Foreign Policy Institute fellow at SAIS.

The 9/11 Commission report was issued nearly six years ago. Even if every recommendation had been implemented, which it has not, our enemy has evolved since that time. Our current intelligence infrastructure is at times overwhelmed by data, information and the urgency of daily events, and as such is unable to dedicate the time and resources necessary to think outside the box and better comprehend this multidimensional threat. ''Team B'' would possess the necessary expertise but would be free from these daily pressures. The team would represent a ''new approach to counterterrorism'' which focuses not just on connecting the dots of intelligence, but which seeks to stay a step ahead in understanding how to break the radicalization and recruitment cycle that sustains our enemy, how to disrupt their network globally and how to strategically isolate them.

I also believe there is an urgent need to make the Transportation Security Agency (TSA) administrator a long-term position. Since TSA's inception following the 9/11 attacks, there have been six Transportation Security Agency administrators and acting administrators. For a position of this import to turn over with such frequency and to automatically change hands with each new administration simply does not make sense. I am introducing legislation that mirrors the language used to establish a 10-year term and Senate confirmation for FBI directors. I am hopeful that members of both parties will see the merits of this proposal and I urge your support for this change.

America is a great nation facing an enemy unlike any other we have ever known. We must steel ourselves for the struggle ahead, frankly assessing the nature and scope of the threat we face and guarding against partisanship at all costs. The people of this country deserve nothing less.

Sincerely,

FRANK R. WOLF,
Member of Congress.

HOUSE OF REPRESENTATIVES,
Washington, DC, January 12, 2010.

Mr. JOHN BRENNAN,
Deputy National Security Adviser, The White House, Washington, DC.

DEAR JOHN: I write today in light of the proliferation of attempted al Qaeda-sponsored attacks against the U.S. homeland last year to request that you work to engage both Congress and the administration in the process of making the prevention of future attacks our nation's paramount priority. I come to this issue as the author of the language in 1998 creating the National Commission on Terrorism and the ranking Republican on the House Commerce-Justice-Science Appropriations Subcommittee that funds key counterterrorism programs, including the Federal Bureau of Investigation (FBI) and the High-Value Detainee Interrogation Group (HIG)—which was established by your administration to address the concerns about detainee interrogations in Guantanamo Bay—and the U.S. Marshals Service. From that experience, I am concerned that there has been inadequate oversight by this Congress on federal counterterrorism programs and responses.

I have recently learned from the State Department legislative affairs office that there are an estimated 55,000 Americans currently visiting, living, or studying in Yemen, along with other Westerners. As you know, alleged Fort Hood terrorist Major Nidal Hasan was radicalized by Yemeni-American cleric Anwar al Aulaqi. The alleged terrorist who killed the U.S. Army recruiter in Little Rock, Arkansas, was also reportedly radicalized by al Aulaqi. Now we have learned that the alleged Christmas Day terrorist, Umar Farouk Abdulmutallab, was also in contact with al Aulaqi in Yemen. You may also be aware that convicted terrorist John Walker Lindh was radicalized in Yemen while studying Arabic in 1998 and 2000, leading to his collaboration with the Taliban in Afghanistan. How many of the 55,000 Americans now in Yemen are subject to radicalization by al Aulaqi and other al Qaeda recruiters? How is your administration planning to deal with the possible radicalization of those who can fly back to the U.S. with American passports? This is especially troubling in light of the fact that the Yemeni government does not control large portions of the country outside the capital city.

In his remarks last week, President Obama said, ''Now is not a time for partisanship, it's a time for citizenship—a time to come together and work together with the seriousness of purpose that our national security demands.'' I could not agree more. However, working together demands that both the Congress, including Republicans and Democrats, and the administration work in good faith to provide information, answer questions, consider solutions, and to develop a strategy to defeat al Qaeda wherever it may be active.

It is disappointing that this administration has been, thus far, unresponsive to my letters and requests for information as well as letters from other Republican members of the House and Senate. I have sent six letters to the president and administration officials since October 1, 2009, expressing concern over the security situation in Yemen and the efforts of al Qaeda in the Arabian Peninsula to attack the U.S. I have read the classified biographies of the Guantanamo Bay detainees that have been released to Yemen and other unstable countries and have urged that this information be provided in unclassified form to the American people. If the American people could see the backgrounds of some of these detainees being sent back to these countries, I believe they would be shocked. For example, Ayman Batarfi, one of the Yemeni detainees released by this administration on December 19, 2009, has worked closely with Osama bin Laden in Afghanistan and trained with a microbiologist who taught al Qaeda how to produce anthrax in August 2001, according to unclassified Pentagon documents from 2004. These detainees are, in many cases, highly trained terrorists with close ties to al Qaeda.

In December, I offered an amendment to the fiscal year 2010 omnibus appropriations legislation that would have required unclassified notifications about impending detainee releases. Unfortunately, my amendment was defeated along party lines. We can and must do better to end this reflexive partisan opposition. To this end, I would appreciate your responses to the following questions relating to Yemen and the recent terrorist acts committed against the United States:

1. The president has indicated that six Guantanamo detainees released to Yemen in December remain in government custody, although other accounts indicate that they may have been paroled to their families. What is the current custody status of these former detainees?

2. According an article in today's Washington Post, ''Yemen's fragile government fears that Somali fighters from al-Shabab will swell the ranks of Yemen's Islamist militants at a time when links between the Somali group and al-Qaeda in the Arabian Peninsula are growing.'' Do the same security concerns expressed by the administration with regard to Yemen apply to Somaliland?

3. Does the U.S. government now recognize Somaliland as an independent state? Does it have relations with the region's government? Are U.S. officials receiving cooperation from the Somaliland regional government?

4. It is my understanding that Umar Farouk Abdulmutallab indicated to authorities that he had trained in Yemen with other al Qaeda members prepared to launch similar attacks targeting U.S. airliners. Is this correct? If so, what countries are these suspected terrorists from?

5. Following the thwarted Christmas Day attack, who interrogated Mr. Abdulmutallab? Which agencies were consulted for questions prior to the interrogation? Which agencies submitted questions for the interrogation? Was he interrogated prior to being read Miranda rights? Given that this attack occurred on the Christmas holiday, did the appropriate high-level officials come to Detroit to conduct or support the interrogation?

6. Was Mr. Abdulmutallab considered a ''high-value'' detainee upon his arrest? What qualifies a detainee to be considered of ''high-value''? Was the new High-Value Detainee Interrogation Group (HIG) involved in his interrogation? Did every agency (that is represented on the HIG) participate in the interrogation?

7. I was told in September 2009 that the Interrogation Task Force had made recommendations to the president, which he had approved. What is the new interrogation policy and how was it applied, if at all, in the interrogation of Mr. Abdulmutallab? If it was not applied, why not?

8. Does the new interrogation policy draw distinctions based upon whether the detainee is apprehended inside or outside the U.S.? If so, please specify.

9. What are the restrictions—legal, policy or procedure—that limit which agencies can take part in such interrogations? Were other intelligence agencies involved?

10. Who made the decision to arrest Mr. Abdulmutallab rather than transfer him to military custody to be held as an enemy combatant? Which agencies were consulted in this decision?

11. Was Mr. Abdulmutallab advised to stop cooperating with interrogators after being provided with legal counsel? If so, did he?

12. Why were the terms ''al Qaeda,'' ''Yemen,'' ''terrorism,'' or ''jihad'' not mentioned to describe Mr. Abdulmutallab's activities in the seven-page charging instrument?

13. Was Christmas Day chosen for attack by al Qaeda for symbolic value?

14. What connections exist between the radical cleric al Aulaqi and the Christmas Day, Fort Hood, and Arkansas attacks—as well as other terrorist plots last year?

15. How many former Guantanamo detainees have returned to terrorism?

16. Has the Defense Intelligence Agency (DIA) report on detainee recidivism been revised upward? If so, when will this report be released publicly? Has the president seen the updated report?

17. In a recent op-ed in The Washington Post, Professor Bruce Hoffman, a respected professor of security studies at Georgetown University and a senior fellow at the U.S. Military Academy's Combating Terrorism Center, wrote, ''During the past 18 months, American and British intelligence officials have said, well over 100 individuals from such countries have graduated from terrorist training camps in Pakistan and have been sent West to undertake terrorist operations.'' Is this assessment low or high?

18. Does al Qaeda monitor congressional hearings or think tank publications relating to U.S. counterterrorism strategy?

19. What are the primary strategies al Qaeda uses to recruit Westerners? Which strategies have been most successful?

I would appreciate a response to these questions as soon as possible. The answers to these questions will be critical in helping Congress play an active and participatory role in working with the administration on counterterrorism matters. This can only happen, however, if the legislative branch—including the minority party—is included in this process.

I look forward to your response. Please do not hesitate to contact me or my staff member, Thomas Culligan, at 202–225–5136 if I can be of assistance.

Best wishes.

Sincerely,

FRANK R. WOLF,
Member of Congress.

STATUS REPORT ON CURRENT LEVELS OF ON-BUDGET SPENDING AND REVENUES FOR FISCAL YEARS 2009 AND 2010 AND THE FIVE-YEAR PERIOD FY 2010 THROUGH FY 2014

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

Mr. SPRATT. Madam Speaker, I am transmitting a status report on the current levels of on-budget spending and revenues for fiscal years 2009 and 2010 and for the five-year period of fiscal years 2010 through 2014. This report is necessary to facilitate the application of sections 302 and 311 of the Congressional Budget Act and sections 424 and 427 of S. Con. Res. 13, the Concurrent Resolution on the Budget for Fiscal Year 2010.

The term ''current level'' refers to the amounts of spending and revenues estimated for each fiscal year based on laws enacted or awaiting the President's signature.

The first table in the report compares the current levels of total budget authority, outlays, and revenues with the aggregate levels set by S. Con. Res. 13. This comparison is needed to enforce section 311(a) of the Budget Act, which establishes a point of order against any measure that would breach the budget resolution's aggregate levels.

The second table compares the current levels of budget authority and outlays for each authorizing committee with the section 302(a) allocations made under S. Con. Res. 13 for fiscal years 2009 and 2010 and fiscal years 2010 through 2014. This comparison is needed to enforce section 302(f) of the Budget Act, which establishes a point of order against any measure that would breach the section 302(a) discretionary action allocation of new budget authority for the committee that reported the measure.

The third table compares the current levels of discretionary appropriations for fiscal years 2009 and 2010 with the section 302(a) allocation of discretionary budget authority and outlays to the Appropriations Committee. This comparison is needed to enforce section 302(f) of the Budget Act, which establishes a point of order against any measure that would breach section 302(b) sub-allocations within the Appropriations Committee.

The fourth table gives the current level for fiscal years 2011 and 2012 for accounts identified for advance appropriations under section 424 of S. Con. Res. 13. This list is needed to enforce section 424 of the budget resolution, which establishes a point of order against appropriations bills that include advance appropriations that: (1) are not identified in the joint statement of managers; or (2) would cause the aggregate amount of such appropriations to exceed the level specified in the resolution.

REPORT TO THE SPEAKER FROM THE COMMITTEE ON THE BUDGET—STATUS OF THE FISCAL YEAR 2010 CONGRESSIONAL BUDGET ADOPTED IN S. CON. RES. 13

[Reflecting action completed as of January 5, 2010—On-budget amounts, in millions of dollars]

	Fiscal years		
	2009 [1]	2010 [2]	2010–2014
Appropriate Level:			
Budget Authority	3,668,601	2,882,149	n.a.
Outlays	3,357,164	3,001,027	n.a.
Revenues	1,532,579	1,653,728	10,500,149
Current Level:			
Budget Authority	3,670,974	2,869,949	n.a.
Outlays	3,364,358	3,012,314	n.a.
Revenues	1,532,579	1,633,383	11,271,543
Current Level over (+)/under (−) Appropriate Level:			
Budget Authority	2,373	−12,200	n.a.
Outlays	7,194	11,287	n.a.
Revenues	0	−20,345	771,394

n.a. = Not applicable because annual appropriations Acts for fiscal years 2010 through 2013 will not be considered until future sessions of Congress.

[1] Notes for 2009: Current resolution aggregates exclude $7,150 million in budget authority and $1,788 million in outlays that was included in the budget resolution as a placeholder to recognize the potential costs of major disasters.

[2] Notes for 2010: Current resolution aggregates exclude $10,350 million in budget authority and $5,488 million in outlays that was included in the budget resolution as a placeholder to recognize the potential costs of major disasters.

BUDGET AUTHORITY

Enactment of measures providing new budget authority for FY 2010 in excess of $12,200 million (if not already included in the current level estimate) would cause FY 2010 budget authority to exceed the appropriate level set by S. Con. Res. 13.

OUTLAYS

Outlays for FY 2010 are above the appropriate levels set by S. Con. Res. 13.

REVENUES

Enactment of measures resulting in revenue reduction for FY 2010 excess of $20,345 million (if not already included in the current level estimate) would cause revenues to fall below the appropriate levels set by S. Con. Res. 13.

Enactment of measures resulting in revenue reduction for the period of fiscal years 2010 through 2014 in excess of $771,394 million (if not already included in the current level estimate) would cause revenues to fall below the appropriate levels set by S. Con. Res. 13.

DIRECT SPENDING LEGISLATION—COMPARISON OF CURRENT LEVEL WITH AUTHORIZING COMMITTEE 302(a) ALLOCATIONS FOR RESOLUTION CHANGES, REFLECTING ACTION COMPLETED AS OF JANUARY 5, 2010

[Fiscal years, in millions of dollars]

House Committee	2009		2010		2010–2014 Total	
	BA	Outlays	BA	Outlays	BA	Outlays
Agriculture:						
Allocation	0	0	0	0	0	0
Current Level	0	0	0	0	0	0
Difference	0	0	0	0	0	0
Armed Services:						
Allocation	0	0	0	0	35	35
Current Level	0	0	8	8	278	251
Difference	0	0	8	8	243	216
Education and Labor:						
Allocation	−187	−202	32	36	−812	−801
Current Level	−187	−202	32	36	188	199
Difference	0	0	0	0	1,000	1,000
Energy and Commerce:						
Allocation	11	2	10	13	−10	−2
Current Level	11	2	10	−337	−10	−2
Difference	0	0	0	−350	0	0
Financial Services:						
Allocation	0	0	0	0	0	0
Current Level	−564	3,226	318	11,346	527	8,061
Difference	−564	3,226	318	11,346	527	8,061
Foreign Affairs:						
Allocation	0	0	0	0	0	0
Current Level	0	0	0	0	0	0
Difference	0	0	0	0	0	0
Homeland Security:						
Allocation	0	0	0	0	0	0
Current Level	0	0	0	0	0	0

DIRECT SPENDING LEGISLATION—COMPARISON OF CURRENT LEVEL WITH AUTHORIZING COMMITTEE 302(a) ALLOCATIONS FOR RESOLUTION CHANGES, REFLECTING ACTION COMPLETED AS OF JANUARY 5, 2010—Continued

[Fiscal years, in millions of dollars]

House Committee	2009		2010		2010–2014 Total	
	BA	Outlays	BA	Outlays	BA	Outlays
Difference	0	0	0	0	0	0
House Administration:						
Allocation	0	0	0	0	0	0
Current Level	0	0	0	0	0	0
Difference	0	0	0	0	0	
Judiciary:						
Allocation	0	0	0	0	0	
Current Level	0	5	−1	64	−71	−6
Difference	0	5	−1	64	−71	−6
Natural Resources:						
Allocation	0	0	0	0	0	0
Current Level	0	0	0	0	0	0
Difference	0	0	0	0	0	0
Oversight and Government Reform:						
Allocation	0	0	0	0	0	0
Current Level	0	0	0	0	0	0
Difference	0	0	0	0	0	0
Science and Technology:						
Allocation	0	0	0	0	0	0
Current Level	0	0	0	0	0	0
Difference	0	0	0	0	0	0
Small Business:						
Allocation	0	0	0	0	0	0
Current Level	0	0	0	0	0	0
Difference	0	0	0	0	0	0
Transportation and Infrastructure:						
Allocation	0	0	13,085	0	68,669	0
Current Level	0	0	180	0	900	0
Difference	0	0	−12,905	0	−67,769	0
Veterans' Affairs:						
Allocation	0	0	0	0	0	0
Current Level	0	0	0	0	0	0
Difference	0	0	0	0	0	0
Ways and Means:						
Allocation	0	0	5,600	5,600	35,970	35,970
Current Level	0	0	5,696	5,696	6,624	6,624
Difference	0	0	96	96	−29,346	−29,346

DISCRETIONARY APPROPRIATIONS FOR FISCAL YEAR 2009—COMPARISON OF CURRENT LEVEL WITH APPROPRIATIONS COMMITTEE 302(a) ALLOCATION AND APPROPRIATIONS SUBCOMMITTEE 302(b) SUBALLOCATIONS

[In millions of dollars]

Appropriations subcommittee	302(b) suballocations as of July 8, 2008 (H. Rpt. 110–746)		Current level reflecting action completed as of September 30, 2009		Current level minus suballocations	
	BA	OT	BA	OT	BA	OT
Agriculture, Rural Development, FDA	20,623	22,000	27,594	22,823	6,971	823
Commerce, Justice, Science	56,858	57,000	76,311	62,440	19,453	5,440
Defense	487,737	525,250	636,663	625,194	148,926	99,944
Energy and Water Development	33,265	32,825	91,085	35,130	57,820	2,305
Financial Services and General Government	21,900	22,900	29,747	24,004	7,847	1,104
Homeland Security	42,075	42,390	45,045	46,508	2,970	4,118
Interior, Environment	27,867	28,630	38,586	29,687	10,719	1,057
Labor, Health and Human Services, Education	152,643	152,000	281,483	168,653	128,840	16,653
Legislative Branch	4,404	4,340	4,428	4,393	24	53
Military Construction, Veterans Affairs	72,729	66,890	80,076	66,975	7,347	85
State, Foreign Operations	36,620	36,000	50,605	40,989	13,985	4,989
Transportation, HUD	54,997	114,900	119,530	121,039	64,533	6,139
Unassigned (full committee allowance)	0	987	0	0	0	−987
Subtotal (Section 302(b) Allocations)	1,011,718	1,106,112	1,481,153	1,247,835	469,435	141,723
Unallocated portion of Section 302(a) Allocation [1]	470,483	141,760	0	0	−470,483	−141,760
Total (Section 302(a) Allocation)	1,482,201	1,247,872	1,481,153	1,247,835	−1,048	−37

[1] Includes emergencies enacted before March, 2009 that are now included in resolution totals. Also includes adjustments for rebasing and technical reestimates since the Appropriations bills were scored at the time of enactment. Finally, it includes adjustments for overseas deployments made pursuant to S. Con. Res. 13.

DISCRETIONARY APPROPRIATIONS FOR FISCAL YEAR 2010—COMPARISON OF CURRENT LEVEL WITH APPROPRIATIONS COMMITTEE 302(a) ALLOCATION AND APPROPRIATIONS SUBCOMMITTEE 302(b) SUBALLOCATIONS

[In millions of dollars]

Appropriations subcommittee	302(b) suballocations as of July 30 2009 (H. Rpt. 111–238)		Current level reflecting action completed as of January 5, 2010		Current level minus suballocations	
	BA	OT	BA	OT	BA	OT
Agriculture, Rural Development, FDA	22,900	24,883	23,304	24,905	404	22
Commerce, Justice, Science	64,415	70,736	64,416	70,864	1	128
Defense	636,293	648,367	636,374	647,180	81	−1,187
Energy and Water Development	33,300	42,771	33,465	42,954	165	183
Financial Services and General Government	24,150	25,653	24,186	25,613	36	−40
Homeland Security	42,625	46,345	42,776	46,634	151	289
Interior, Environment	32,300	34,188	32,240	34,585	−60	397
Labor, Health and Human Services, Education	163,400	218,909	164,825	220,128	1,425	1,219
Legislative Branch	4,700	4,805	4,656	4,597	−44	−208
Military Construction, Veterans Affairs	77,905	77,665	78,005	77,698	100	33
State, Foreign Operations	48,843	47,487	48,764	47,691	−79	204
Transportation, HUD	68,821	135,243	67,900	134,342	−921	−901
Unassigned (full committee allowance)	0	566	0	0	0	−566
Subtotal (Section 302(b) Allocations)	1,219,652	1,377,618	1,220,911	1,377,191	1,259	−427
Unallocated portion of Section 302(a) Allocation [1]	1,240	−339	0	0	−1,240	339
Total (Section 302(a) Allocation)	1,220,892	1,377,279	1,220,911	1,377,191	19	−88

[1] Includes adjustments made for final appropriations action.

2011 and 2012 advance appropriations under section 424 of S. Con. Res. 13

[Budget Authority in Millions of Dollars]

Section 424(b)(1) Limits

	2011
Appropriate Level	28,852
Enacted advances:	
Accounts Identified for Advances:	
Employment and Training Administration	1,772
Office of Job Corps	691
Education for the Disadvantaged	10,841
School Improvement Programs	1,681
Special Education	8,592
Career, Technical and Adult Education	791
Payment to Postal Service	89
Tenant-based Rental Assistance	4,000
Project-based Rental Assistance	394
Subtotal, enacted advances	28,852
	2012
Appropriate Level[1]	n.a.
Enacted advances:	
Accounts Identified for Advances:	
Corporation for Public Broadcasting	445

Section 424(b)(2) Limits

Appropriate Level[2]	n.a.
Enacted advances:	
Veterans Health Administration Accounts Identified for Advances:	
Medical services	37,136
Medical support and compliance	5,307
Medical facilities	5,740
Subtotal, enacted advances	48,183

[1] S. Con. Res. 13 does not provide a dollar limit for 2012.

[2] S. Con. Res. 13 does not provide a dollar limit for allowable advances for the Veterans Health Administration.

U.S. CONGRESS,
CONGRESSIONAL BUDGET OFFICE,
Washington, DC, January 12, 2010.

Hon. JOHN M. SPRATT, Jr.,
Chairman, Committee on the Budget, House of Representatives, Washington, DC.

DEAR MR. CHAIRMAN: The enclosed report shows the effects of Congressional action on the fiscal year 2009 budget and is current through September 30, 2009. This report is submitted under section 308(b) and in aid of section 311 of the Congressional Budget Act, as amended.

The estimates of budget authority, outlays, and revenues are consistent with the technical and economic assumptions of S. Con. Res. 13, the Concurrent Resolution on the Budget for Fiscal Year 2010, as approved by the Senate and the House of Representatives.

Pursuant to section 423(b) of S. Con. Res. 13, provisions designated as emergency requirements are exempt from enforcement of the budget resolution. As a result, the enclosed current level report excludes those amounts (see footnote 2 of the report).

Since my last letter dated September 10, 2009, the Congress cleared and the President signed an act making appropriations for the Legislative Branch for the fiscal year ending September 30, 2010, and for other purposes (Public Law 111–68). That legislation includes a provision related to the Postal Service that affected budget authority and outlays for fiscal year 2009 (see footnote 4 of the report).

This is the final current level letter for fiscal year 2009.

Sincerely,

DOUGLAS W. ELMENDORF,
Director.

FISCAL YEAR 2009 HOUSE CURRENT LEVEL REPORT THROUGH SEPTEMBER 30, 2009

[In millions of dollars]

	Budget authority	Outlays	Revenues
Previously Enacted[1]			
Revenues	n.a.	n.a.	1,532,571
Permanents and other spending legislation	2,186,897	2,119,086	n.a.
Appropriation legislation	2,031,683	1,851,797	n.a.
Offsetting receipts	−640,548	−640,548	n.a.
Total, Previously enacted	3,578,032	3,330,335	1,532,571
Enacted this session:			
Helping Families Save Their Homes Act of 2009 (P.L. 111–22)	−524	3,266	0
An act to protect the public health by providing the Food and Drug Administration with certain authority to regulate tobacco products* * * and for other purposes (P.L. 111–31)	11	2	8
Supplemental Appropriations Act, 2009 (P.L. 111–32)[2]	89,682	26,992	0
An act to make technical corrections to the Higher Education Act of 1965, and for other purposes (P.L. 111–39)	−187	−202	0
An act to authorize the Director of the United States Patent and Trademark Office to use funds...and for other purposes (P.L. 111–45)	0	5	0
An act to restore sums to the Highway Trust Fund, and for other purposes (P.L. 111–46)[3]	−40	−40	0
An act making appropriations for the Legislative Branch for the fiscal year ending September 30, 2010, and for other purposes (P.L. 111–68)[4]	4,000	4,000	0
Total, enacted this session	92,942	34,023	8
Total Current Level[2,3,4,5]	3,670,974	3,364,358	1,532,579
Total Budget Resolution[6]	3,675,751	3,358,952	1,532,579
Adjustment to budget resolution for disaster allowance[7]	−7,150	−1,788	n.a.
Adjusted Budget Resolution	3,668,601	3,357,164	1,532,579
Current Level Over Budget Resolution	2,373	7,194	n.a.
Current Level Under Budget Resolution	n.a.	n.a.	n.a.

[1] Includes the Children's Health Insurance Program Reauthorization Act of 2009 (P.L. 111–3), the American Recovery and Reinvestment Act (ARRA) (P.L. 111–5), and the Omnibus Appropriations Act, 2009 (P.L. 111–8), which were enacted by the Congress during this session, before the adoption of S. Con. Res. 13, the Concurrent Resolution on the Budget for Fiscal Year 2010. Although ARRA was designated as an emergency requirement, it is now included as part of the current level amounts.

[2] Pursuant to section 423(b) of S. Con. Res, 13, provisions designated as emergency requirements are exempt from enforcement of the budget resolution. The amounts so designated for fiscal year 2009, which are not included in the current level totals, are as follows:

	Budget authority	Outlays	Revenues
Supplemental Appropriations Act, 2009 (P.L. 111–32)	16,169	3,530	n.a.

[3] Section 1 of P.L. 111–46 appropriated $7 billion to the Highway Trust Fund. The enactment of this legislation followed an announcement by the Secretary of Transportation on June 24, 2009, of an interim policy to slow down payments to states from the Highway Trust Fund. The Congressional Budget Office estimates that P.L. 111–46 reversed this policy and restored payments to states at levels already assumed in current level. Thus, enactment of section I results in no change to current level totals. Other provisions of the act reduced budget authority and outlays by $40 million in 2009.

[4] Section 164 of Division B of P.L. 111–68 reduced the required transfer from the Postal Service Fund to the Postal Service Retiree Health Benefits Fund for fiscal year 2009 by $4 billion. The transfer does not affect unified budget totals; however, since the Postal Service Fund is off-budget. and current level does not include off-budget amounts, only the on-budget piece of the transfer (an increase in spending of $4 billion) is shown in current level totals.

[5] For purposes of enforcing section 311 of the Congressional Budget Act in the House, the budget resolution does not include budget authority, outlays, or revenues for off-budget amounts. As a result, current level excludes these items.

[6] Periodically, the House Committee on the Budget revises the totals in S. Con Res. 13, pursuant to various provisions of the resolution:

	Budget authority	Outlays	Revenues
Original Budget Resolution	3,675,927	3,356,270	1,532,571
Revisions:			
For the Supplemental Appropriations Act, 2009 (section 423(a)(1))	0	2,882	0
For an act to protect the public health by providing the Food and Drug Administration with certain authority to regulate tobacco products and for other purposes (section 324)	11	2	8
For an act to make technical corrections to the Higher Education Act of 1965, and for other purposes (section 322)	−187	−202	0
Revised Budget Resolution	3,675,751	3,358,952	1,532,579

[7] S. Con. Res. 13 includes $7,150 million in budget authority and $1,788 million in outlays as a disaster allowance to recognize the potential cost of disasters; these funds will never be allocated to a committee. At the direction of the House Committee on the Budget, the budget resolution totals have been revised to exclude these amounts for purposes of enforcing current level.

SOURCE: Congressional Budget Office.

Note: n.a. = not applicable; P.L. = Public Law.

U.S. CONGRESS,
CONGRESSIONAL BUDGET OFFICE,
Washington, DC, January 12, 2010.

Hon. JOHN M. SPRATT, Jr.,
Chairman, Committee on the Budget, House of Representatives, Washington, DC.

DEAR MR. CHAIRMAN: The enclosed report shows the effects of Congressional action on the fiscal year 2010 budget and is current through January 5, 2010. This report is submitted under section 308(b) and in aid of section 311 of the Congressional Budget Act, as amended.

The estimates of budget authority, outlays, and revenues are consistent with the technical and economic assumptions of S. Con. Res. 13, the Concurrent Resolution on the Budget for Fiscal Year 2010, as approved by the Senate and the House of Representatives.

Pursuant to section 423(b) of S. Con. Res. 13, provisions designated as emergency requirements are exempt from enforcement of the budget resolution. As a result, the enclosed current level report excludes those amounts (see footnote 2 of the report).

Since my last letter dated September 10, 2009, the Congress has cleared and the President has signed the following acts that affect budget authority, outlays, or revenues for fiscal year 2010:

An act making appropriations for the Legislative Branch for the fiscal year ending September 30, 2010, and for other purposes (Public Law 111–68);

Fiscal Year 2010 Federal Aviation Administration Extension Act (Public Law 111–69);

Agriculture, Rural Development, Food and Drug Administration, and Related Agencies Appropriations Act, 2010 (Public Law 111–80);

Department of Homeland Security Appropriations Act, 2010 (Public Law 111–83);

National Defense Authorization Act for Fiscal Year 2010 (Public Law 111–84);

Energy and Water Development and Related Agencies Appropriations Act, 2010 (Public Law 111–85);

Department of the Interior, Environment, and Related Agencies Appropriations Act, 2010 and Further Continuing Appropriations, 2010 (Public Law 111–88);

Worker, Homeownership, and Business Assistance Act of 2009 (Public Law 111–92);

An act to allow the funding for interoperable emergency communication grants program (Public Law 111–96);

No Social Security Benefits for Prisoners Act of 2009 (Public Law 111–115);

Consolidated Appropriations Act, 2010 (Public Law 111–117);

Department of Defense Appropriations Act, 2010 (Public Law 111–118); and

An act to extend the Generalized System of Preferences and the Andean Trade Preference Act, and for other purposes (Public Law 111–124).

Sincerely,

DOUGLAS W. ELMENDORF,
Director.

FISCAL YEAR 2010 HOUSE CURRENT LEVEL REPORT THROUGH JANUARY 5, 2010

[In millions of dollars]

	Budget authority	Outlays	Revenues
Previously Enacted: [1]			
Revenues	n.a.	n.a.	1,665,986
Permanents and other spending legislation	1,642,620	1,625,731	n.a.
Appropriation legislation	0	600,500	n.a.
Offsetting receipts	−690,251	−690,251	n.a.
Total, Previously enacted	952,369	1,535,980	1,665,986
Enacted Legislation:			
Authorizing Legislation:			
Helping Families Save Their Homes Act of 2009 (P.L. 111–22)	318	11,346	0
An act to protect the public health by providing the Food and Drug Administration with certain authority to regulate tobacco products . . . and for other purposes (P.L. 111–31)	10	13	46
An act to make technical corrections to the Higher Education Act of 1965, and for other purposes (P.L. 111–39)	32	36	0
A joint resolution approving the renewal of import restrictions contained in the Burmese Freedom and Democracy Act of 2003 and for other purposes (P.L. 111–42)	0	0	6,862
An act to authorize the Director of the United States Patent and Trademark Office to use funds . . . and for other purposes (P.L. 111–45)	0	65	0
Making supplemental appropriations for fiscal year 2009 for the Consumer Assistance to Recycle and Save Program (P.L. 111–47) [2]	0	0	3
Judicial Survivors Protection Act of 2009 (P.L. 111–49)	−1	−1	0
Fiscal Year 2010 Federal Aviation Administration Extension Act (P.L. 111–69)	180	0	0
National Defense Authorization Act for Fiscal Year 2010 (P.L. 111–84)	8	8	20
Worker, Homeownership, and Business Assistance Act of 2009 (P.L. 111–92)	5,708	5,708	−38,940
An act to allow the funding for the interoperable emergency communications grant program (P.L. 111–96)	0	−350	0
No Social Secuity Benefits for Prisoners Act of 2009 (P.L. 111–115)	−12	−12	0
An act to extend the generalized system of Preferences and the Andean Trade Preference Act, and for other purposes (P.L. 111–124)	0	0	−589
Total, authorizing legislation enacted this session	6,243	16,813	32,604
Appropriations Acts:			
Supplemental Appropriations Act, 2009 (P.L. 111–32) [2]	11	33,530	−2
An act making appropriations for the Legislative Branch for the fiscal year ending September 30, 2010, and for other purposes (P.L. 111–68)	4,656	3,914	0
Agriculture, Rural Development, Food and Drug Administration, and Related Agencies Appropriations Act, 2010 (P.L. 111–80)	119,826	96,198	0
Department of Homeland Security Appropriations Act, 2010 (P.L. 111–83)	44,137	26,619	0
Energy and Water Developmnt and Related Agencies Appropriations Act, 2010 (P.L. 111–85)	33,465	19,573	0
Department of the Interior, Environment, and Related Agencies Appropriations Act, 2010 and Further Continuing Appropriations, 2010 (P.L. 111–88)	32,760	20,543	0
Consolidated Appropriations Act, 2010 (P.L. 111–117)	1,058,293	856,752	0
Department of Defense Appropriations Act, 2010 (P.L. 111–118) [2]	637,886	404,382	3
Total, appropriations acts enacted this session	1,931,034	1,461,511	1
Entitlements and mandatories:			
Budget resolution estimates of appropriated entitlements and other mandatory programs	−19,697	−1,990	0
Total Current Level [2,3,4]	2,869,949	3,012,314	1,633,383
Total Budget Resolution [5]	2,892,499	3,006,475	1,653,728
Adjustment to budget resolution for disaster allowance [6]	−10,350	−5,448	n.a.
Adjusted Budget Resolution	2,882,149	3,001,027	1,653,728
Current Level Over Budget Resolution	n.a.	11,287	n.a.
Current Level Under Budget Resolution	12,200	n.a.	20,345
Memorandum:			
Revenues, 2010–2014:			
House Current Level	n.a.	n.a.	11,271,543
House Budget Resolution	n.a.	n.a.	10,500,149
Current Level Over Budget Resolution	n.a.	n.a.	771,394
Current Level Under Budget Resolution	n.a.	n.a.	n.a.

[1] Includes the Children's Health Insurance Program Reauthorization Act of 2009 (P.L. 111–3), the American Recovery and Reinvestment Act (ARRA) (P.L. 111–5), and the Omnibus Appropriations Act, 2009 (P.L. 111–8), which were enacted by the Congress during this session, before the adoption of S. Con. Res. 13, the Concurrent Resolution on the Budget for Fiscal Year 2010. Although ARRA was designated as an emergency requirement, it is now included as part of the current level amounts.

[2] Pursuant to section 423(b) of S. Con. Res. 13, provisions designated as emergency requirements are exempt from enforcement of the budget resolution. The amounts so designated for fiscal year 2010, which are not included in the current level totals, are as follows:

	Budget authority	Outlays	Revenues
Supplemental Appropriations Act, 2009 (P.L. 111–32)	17	7,064	n.a.
An act making supplemental appropriations for fiscal year 2009 for the Consumer Assistance to Recycle and Save Program (P.L. 111–47)	0	2,000	n.a.
Department of Defense Appropriations Act, 2010 (P.L. 111–118)	12,025	11,976	−4,473
Total, emergency requirements enacted this session	12,042	21,040	−4,473

[3] The estimate for P.L. 111–46, an act to restore the Highway Trust Fund, and for other purposes, does not change current level totals. P.L. 111–46 appropriated $7 billion to the Highway Trust Fund. The enactment of this legislation followed an announcement by the Secretary of Transportation on June 24, 2009, of an interim policy to slow down payments to states from the Highway Trust Fund. The Congressional Budget Office estimates that P.L. 111–46 reversed this policy and will restore payments to states at levels already assumed in current level. Thus, no change is required.

[4] For purposes of enforcing section 311 of the Congressional Budget Act in the House, the budget resolution does not include budget authority, outlays, or revenues for off-budget amounts. As a result, current level excludes these items.

[5] Periodically, the House Committee on the Budget revises the totals in S. Con Rcs. 13, pursuant to various provisions of the resolution:

	Budget authority	Outlays	Revenues
Original Budget Resolution	2,888,691	3,001,311	1,653,682
Revisions:			
For the Congressional Budget Office's reestimate of the President's request for discretionary appropriations (section 422(0(1))	3,766	2,355	0
For the Supplemental Appropriations Act, 2009 (section 423(a)(1))	0	818	0
For an act to protect the public health by providing the Food and Drug Administration with certain authority to regulate tobacco products . . . and for other purposes (section 324)	10	13	46
For revisions for House-passed appropriations bills (sections 422(a) and 423(a)(1))	0	3,521	0
For an act to make technical corrections to the Higher Education Act of 1965, and for other purposes (section 322)	32	36	0
For revisions for final appropriations bills (section 423(a)(1))		−1,579	
Revised Budget Resolution	2,892,499	3,006,475	1,653,728

[6] S. Con. Res. 13 includes $10,350 million in budget authority and $5,448 million in outlays as a disaster allowance to recognize the potential cost of disasters; those funds will never be allocated to a committee. At the direction of the House Committee on the Budget, the budget resolution totals have been revised to exclude those amounts for purposes of enforcing current level.

SOURCE: Congressional Budget Office.

Note: n.a. = not applicable; P.L. = Public Law.

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

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

CBC HOUR

The SPEAKER pro tempore. Under the Speaker's announced policy of January 6, 2009, the gentlewoman from California (Ms. LEE) is recognized for 60 minutes as the designee of the majority leader.

Ms. LEE of California. As Chair of the 42-member Congressional Black Caucus, let me first begin by saying that our thoughts and our prayers go out to the people of Haiti and the Haitian-American community, those Americans and others in Haiti affected by this devastating earthquake.

Members of the Congressional Black Caucus are continuing to monitor the situation in Haiti, and are committed to providing whatever emergency humanitarian assistance is needed. The Congressional Black Caucus has a long history of working with the Haitian people and the Haitian-American community on a variety of issues. We share a close and long-standing relationship. Many members of the Congressional Black Caucus, including myself, have visited Haiti many, many times.

Since learning of the devastating earthquake yesterday, my staff and I have been in contact with the State Department and other officials to assess the situation on a regular basis. Congressman DONALD PAYNE of New Jersey chairs the International Affairs Task Force of the Congressional Black Caucus, and has held several meetings today to coordinate our legislative and humanitarian assistance efforts. The CBC is working to help to ensure that the United States can and will continue to do everything it can to provide emergency humanitarian assistance. The President has quickly deployed all available assets and resources to respond to this emergency.

Over the last several years, Haiti has experienced an extraordinary set of challenges, from high food prices and food shortages, to natural disasters. Haiti will need increased attention and resources from the international community to help it recover during this very difficult time.

United Nations reports say thousands of people may have died in this earthquake. At least 100 people are believed to be buried in the rubble of the United Nations headquarters building in Port-au-Prince. The head of the United Nations Mission is among the missing. Search and rescue teams have been sent to Haiti from several countries. A United States military official says tentative plans are underway for the hospital ship USNS *Comfort* to dock off the coast of Haiti to assist with sick and wounded. We are asking the global community to help us with these efforts.

In response to the earthquake in Haiti, the U.S. Agency for International Development is dispatching a disaster assistance response team, and has activated its partners the Fairfax County Urban Search and Rescue Team and the Los Angeles County Search and Rescue Team. Now, more than ever, Haiti needs our help.

Haiti is the poorest, least developed country in the Western Hemisphere, with an average per capita income of $500 per year. But the Haitian people are resilient and proud people. The country ranks 146 out of 177, lower than Bangladesh and even the Sudan on the United Nations Human International Development Index. And also one in eight children will die before the age of five. That is one in eight.

Over the last 2 years, Haiti has been devastated by a triple blow of rising food and energy prices, the succession of hurricanes and tropical storms, and the global economic downturn. In May of 2008, the former chair of the Congressional Black Caucus, Congresswoman CAROLYN CHEEKS KILPATRICK of Michigan, and I, led a Congressional delegation to Haiti to examine the conditions on the ground. We were joined then by 10 members of the Congressional Black Caucus and one member of the Congressional Hispanic Caucus. Later that month, the House passed an emergency supplemental that included funding for international food aid, and also other food security initiatives. As a member of the Appropriations Committee, we worked to ensure that Haiti's needs were addressed in the context of the global food crisis.

Thanks in large part to the leadership of many members in the Congressional Black Caucus, in September 2008 President Bush signed H.R. 2638 into law, which amended the Department of Homeland Security Act to include 100 million in additional disaster relief to the Caribbean, of which 96 million was appropriated to Haiti. During Haiti's time of need then Congress stepped up to lend support. And of course we expect no less this time around.

□ 1700

As we deliver urgent and immediate support to the people of Haiti and all of those who have been affected by this earthquake, we must also identify long-term solutions to Haiti's problems. Haiti's food shortages, severe deforestation, poor sanitation, lack of family planning and health care services, high unemployment and underdevelopment, and also the lack of an agricultural sector, these issues, these problems cannot be solved by emergency assistance alone. And so that is why, working with Chairman ENGEL, many of us are working on my bill, H.R. 417, which is called the Next Steps for Haiti Act of 2009.

This bill would provide technical expertise and build human capacity to help Haiti address its own problems. Many Haitian Americans living in the United States have technical expertise in areas such as agriculture, education, health care, and infrastructure and would like to return to Haiti to assist their people. My bill creates a mechanism to transfer this knowledge in order to meet the needs and the goals of Haiti.

Beyond that, we need to ensure that we find innovative ways to build human capacities, such as educational exchanges, programs such as I have proposed and other Members in H.R. 416, the Shirley Chisholm U.S.-Caribbean Educational Exchange Act.

Now more than ever Haiti needs the support of its neighbor to the north. Even as we deal with our own problems during these tough economic times, we must not turn a blind eye to the untold human suffering just off our shores. Today, we express our continued support for Haiti. We stand in solidarity with the Haitians and the Haitian Americans who have lost loved ones, with the United States citizens still trapped on the island. We stand in solidarity with the rescue workers who have devoted their time and their treasure to help people they do not know. We stand hand in hand with them today and renew our continued support.

Our thoughts and our prayers go out to the Haitian people and to all of those who have been affected during this very trying time. We are asking everyone in our country to help in this assistance with the Haiti effort. Of

course individuals can go online, USAID.gov, for more information. The administration is urging cash donations. There are many, many efforts taking place by our administration in this immediate emergency response in terms of a search-and-rescue effort at this moment.

Thank you again for giving us the opportunity to speak tonight. I would like now to turn the floor over to Congresswoman DONNA CHRISTENSEN from the Virgin Islands, who has led on many efforts as it relates to the Caribbean, who knows Haiti very, very well, who knows what natural disasters mean in terms of the dislocation and the tragic deaths that occur and what we have to do as a country to help respond to such a tragedy of this magnitude.

Thank you, Congresswoman CHRISTENSEN.

Mrs. CHRISTENSEN. And thank you, Congresswoman and Chairwoman LEE, for your leadership of the caucus through every event that we've had to deal with, but especially for the way that you have answered the call to action for the people of Haiti and have called us to action as well within the caucus and within the Congress.

Mr. Speaker, I rise this evening with my colleagues to express our deep sense of concern for the plight of the Haitian people after yesterday's devastating earthquake, the most devastating some people have observed in 200 or more years. I want to again thank our chair lady and the past years of the Congressional Black Caucus for the leadership they have given over the years on behalf of the nation of Haiti.

Last year, we began this administration and this Congress with hope for this country because of the promised engagement of President Obama, the demonstrated commitment of Secretary of State Hillary Clinton, and the work on the ground of former President Clinton. But today, after beginning to rebuild after an onslaught of hurricanes in years past, this country, which is poor in resources but never has been poor in spirit, has been dealt a devastating blow once again.

So on behalf of the people of the Virgin Islands who are Caribbean neighbors of the people of Haiti, I express my condolences on the loss that has not yet been counted and for a sorrow not yet fully expressed because of the shock at the sheer magnitude of the loss that affects us all as fellow human beings.

I would like to express special concern for the Haitian Americans in my district and across the country who are worried and devastated as they try to get some word about the status of their loved ones back at home.

Mr. Speaker, Haiti has always had a special place in my heart and the hearts of all of us in the Congressional Black Caucus as me and my colleagues have tried over several administrations to impress upon those administrations the need for assistance for a people who crave economic opportunity, political stability, and social advancement. Many Haitians have migrated to our shores and have made significant and magnificent contributions to our country, but many still yearn for a better future for the country that they left behind.

As we ponder how to help Haiti in this time of disaster, which has followed many other disasters, and the difficulty of daily living for many of her residents, I hope that we will look at how we can help this neighbor to turn the corner and be more able to grow and develop in a way that can be helpful and more supportive to her citizens and help them to build for the future. Haiti needs debt forgiveness, investment in infrastructure, assistance in health care and education, and many of the things that we take for granted that would create that brighter future for its people.

I commend President Obama for his quick response in getting first responders there to help those trapped in the rubble, medical assistance to help those who have been hurt or injured, and military assistance to help maintain the stability that is necessary to make sure that those most in need get the help. And we know that his commitment and our commitment as Members of Congress is there for the long term.

Mr. Speaker, this disaster has touched the lives of rich and poor, educated and not, Haitians and others. And as we fellow human beings who care stand ready to assist in this time of need, I join my colleagues tonight in the Congressional Black Caucus and pledge our help in this disaster and in the long term for their recovery. Right now the need is for monetary donations to credible organizations like the International Red Cross and others operated by churches and not-for-profit organizations that work with the people of Haiti on a regular basis. News reports last night told us that the people of Haiti, devastated by the disaster, took to the streets last night and hugged and prayed while trying their best to dig their friends and neighbors out of the rubble. We want them to know that we join in their prayers for relief and mercy and will do what we can as neighbors, as friends, as family, and as Members of Congress to assist them in their time of need.

Ms. LEE of California. Thank you very much, Congresswoman CHRISTENSEN.

Now I would like to yield to the Chair of the Congressional Black Caucus' International Affairs Task Force, Congressman DON PAYNE, who also chairs the Africa and Global Health Subcommittee of the Foreign Affairs Committee. Congressman PAYNE today has been working hour by hour coordinating an emergency response strategy for the House of Representatives. Thank you very much, Congressman PAYNE, for being with us here tonight and for your leadership.

Mr. PAYNE. Thank you very much. And let me commend the chairperson of the Congressional Black Caucus, BARBARA LEE, for her continued leadership, stellar leadership, bringing issues that are current to us before the Congressional Black Caucus and the Congress and the Nation.

Once again, we are here to talk about an issue that is very close to us. As has been indicated, I chair the International Task Force of the CBC and others on the Western Hemisphere Committee and so forth. Haiti has been a longtime concern to many of us, and we certainly wish to express our concern for this disaster, this catastrophe that has stricken Haiti.

As you know, Haiti was hit by four devastating hurricanes and tropical storms recently, a year and a half ago. And Haiti was recovering, recovering from the mudslides, recovering from the floods, working its way back for the past 15 months. Then of course last night we were just shocked when we heard that a 7.0 earthquake on the Richter scale, an earthquake that was only 5 miles from the surface of the Earth, therefore giving it a magnitude of strength that is rarely felt in an earthquake because many earthquakes go down 100 miles, 150 miles deep into the Earth. However, this being 5 miles from the surface meant that the shock and the aftershocks were as individual earthquakes would be because of the proximity to the surface. This was a tremendous setback again for Haiti.

From reports, we have heard that few buildings are left standing in Port Au Prince. The Parliament building, schools, hospitals, houses are destroyed. We have known that there has been a problem in Haiti with deforestation, with the need for firewood and heating fuel, cooking fuel, and therefore the denuding of the topography, therefore making it very difficult for the environment to move forward. And so this unbelievable earthquake is certainly another tremendous setback.

We know that the U.S. had a quick response. Our Secretary of State from Hawaii early this morning indicated that the U.S. would be there in full force with all of our support. Then we recall this morning the President of the United States addressed our country, indicating that the U.S. will do all within our authority to ensure that everything is done that we can.

There has been a tremendous amount of coordination. We heard from Cheryl Mills from the Secretary of State's office recently on a conference call where she updated us about all of the military and humanitarian, USAID programs that are going on. We have ships that are going to Haiti. We have Mercy Hospital ship that's on its way. We have helicopters that will be deployed from our aircraft carriers. We have the Coast Guard that is coming down.

And so we have a tremendous amount of immediate—there was never any

hesitation on the part of our government, and I commend the Obama administration. In my State of New Jersey, we have many, many Haitian Americans, and my office has been inundated with calls of people who want to know what they can do and concerns about their family and loved ones and what will the next steps be.

In concluding, Haiti has been a strong ally to the United States of America throughout its history. Haiti sent troops to fight with the American patriots who were fighting for their independence against Great Britain. In Savannah, the Battle of Savannah, many Haitians lost their lives, which was one of the turning points of the colonists turning the tide against the British Army. Many valiant Haitians died for our independence. And actually, during history, when the Haitian military had a 12-year war with Napoleon's army, Haiti defeated the great Napoleon's military and therefore, France was in need of finances. And France at that time controlled the Louisiana territory. It was because of Haiti's defeat of France and their need for cash that the United States was able to buy the Louisiana territory in the famous Louisiana Purchase, which therefore opened the West to the United States, and Lewis and Clark then went throughout the continent.

□ 1715

So, if you look at it, Haiti has had a tremendous amount to do with our development as a Nation, and so we now owe a responsibility, I believe, to our longstanding friend in Haiti. So I know that we are on the right track. The Congressional Black Caucus will continue to monitor and ensure that we have a thorough and efficient response, as we have seen. We have been pleased up to this point, and we will be at the forefront.

So, once again, let me commend the chairperson of the Congressional Black Caucus and all of the members who have joined shoulder to shoulder to say that we will march until we ensure that Haiti will, once again, be able to come back again. They have the resilience. They have the spirit. They have the determination. So we know that it will come back, but it will have to be with the assistance of the United States and of many other nations around the world who are willing to help.

Ms. LEE of California. Thank you very much, Congressman PAYNE. Let me thank you for that presentation and also for putting Haiti in a historical context. It is important that we recognize and remember the history of how our foreign policy and our relations with Haiti have been so important in the past, which now has brought us to this day.

So, today, we are talking about how we can respond in an emergency way and in a manner that will help the Haitian people take care of the sick and that will help with these search and rescue efforts. I also thank you for reminding us that we have to help Haiti to move forward and to rebuild and recover.

Now I would like to ask Congresswoman SHEILA JACKSON LEE to speak. Congresswoman JACKSON LEE is a member of the Homeland Security Committee, but also she was very instrumental in the Katrina response. She provided many, many ways and vehicles for Katrina survivors to live and to have a decent place to stay until they could return home, and she ensured that FEMA was responsive to their needs. She really took on many, many issues as it relates to hurricane survivors. Now she is working very hard as it relates to the earthquake in Haiti.

So thank you again, Congresswoman JACKSON LEE. Let me just remind you, and I was listening to Congressman PAYNE, that I come from an area that is earthquake-prone. It is hard to imagine what a 7.0 or a 7.1 earthquake is on the Richter scale given our experience with, maybe, a 4 or a 5 or a 6. So this is really an earthquake of enormous magnitude that those of us who come from earthquake-prone regions recognize and understand.

Thank you, Congresswoman JACKSON LEE.

Ms. JACKSON LEE of Texas. Let me thank Congresswoman BARBARA LEE, our chairperson, who raised the red flag and who let out the siren and gathered us together, and I want to respond to what she just said about the earthquake.

It rocks you in your soul; 7.0 on the Richter scale is hair-raising. I would also argue that it puts your hair on fire. I still have a sense that I am trembling because it's unimaginable. As you have just indicated, we look to California, and we get very nervous about our friends and family who are there when we hear of a 2, of a 3 or of a 4. I recall in the northern California area when there was an earthquake that impacted the baseball game and the baseball stadium, and it was all over the news. It was not a 7.0.

So I would just simply say that we rise here with all solemnness. We are not speechless, but we are trembling for those who are now in the eye of devastation.

I, too, rise to thank the Congressional Black Caucus, of which I am a member, to thank all of those who have been in meetings, as we have been throughout this morning and yesterday, and on a conference call that occurred. Work is going on as we speak and the concern that we have for those who we have been able to see only through, to a certain extent, still pictures, though I know many of our cable networks in particular have been making their way there, and other networks, to be able to deliver the devastation to us.

I express my appreciation to the President of the United States, who moved swiftly. There was no hesitation on the commitment that President Barack Obama had. In fact, he quickly offered his prayers, but he acknowledged the devastation, making note of the fact that he had seen collapsed hospitals, crumbled homes, men and women carrying their injured neighbors to the streets. He acknowledged that it was truly heart-wrenching, sufficient to make you tremble. So, moving swiftly, he directed his administration to coordinate in an aggressive manner to save lives.

The people of Haiti will have the full support of the United States in the urgent efforts to rescue those trapped beneath the rubble and to deliver the humanitarian relief—the food, the water, and the medicine—the Haitians will need. He has authorized that USAID and the Departments of State and Defense work closely together, and he has mobilized large numbers of individuals, including our military efforts.

I also want to take note that the Secretary of Homeland Security has indicated that our resources, including the United States Coast Guard and FEMA, will be there, which we have jurisdiction over—my committee has jurisdiction over—and Chairman THOMPSON will be intimately involved in pushing the efforts of making sure that FEMA and the U.S. Coast Guard are there.

Google ''7.0'' and get a sense of how deeply devastating that is and that it hit one of the most populated areas, Port-au-Prince. It damaged buildings extensively. We saw the palace collapse, not riddled by bullet holes, but literally collapse. How fortunate we can say we were, the fact that this came at 6 o'clock when we understand that many of the workers in the palace and the government were already gone, but we know that government officials may have lost their lives. It is said that many of the United Nations personnel and peacekeeping troops have lost their lives, and so we can't put this at a level of seriousness by just our voices and our words.

Let me thank the U.S. Southern Command that is deploying a team of 30 people to Haiti to support U.S. relief efforts in the aftermath of yesterday's devastating earthquake. Let me also mention that the team will include U.S. military engineers, operational planners, a command-and-control group, and communications specialists. They will arrive in Haiti on two C–130 Hercules aircraft. For those who don't know or who can't imagine, those are huge, boat-like aircraft which can carry an enormous amount of equipment.

Chairman LEE, I think one of the important issues that I am very concerned about and would like to get a report on is how many aircraft—let me just use the right terminology—large ships can carry heavy equipment. We know in the war zones that there are large aircraft that can carry heavy equipment, and the equipment I am thinking of in particular would be the Earth-moving machines, the machines that can assist in finding the loss.

As we understand, many are still living or are still trying to live who are in the crushed buildings. Time is of the essence. It is imperative because of the crush injuries that can kill. Even if they are alive, the fact that some parts of their bodies are crushed, whether it is a leg or an arm, can cut off circulation, and they can die. Some of the large equipment is so very important, and I would like to get a report on how fast that equipment can move.

We do understand that a U.S. Coast Guard helicopter already evacuated four critically injured U.S. Embassy staff to the naval station at Guantanamo Bay, Cuba, hospital for further treatment. Elements of the U.S. Air Force First Special Operations Wing are deploying today to the international airport of Port-au-Prince, Haiti, to provide air traffic control capability and airfield operations.

That is very important, which will allow Members of Congress—and might I thank Congresswoman LEE in working with the Congressional Black Caucus. I would like to push for a codel on Friday, but I realize the difficulty of moving Members during a time of great uncertainty. So I encourage, as you have already dictated, that the CBC have a codel, and I know there are many members who are looking to do that and who would do that at the appropriate time. I want everyone to realize that the Congressional Black Caucus is leading on this, and we are attempting to get to Haiti as quickly as we can, making sure that the operations of rescue go forward first.

A U.S. Navy P–3 Orion aircraft from the forwarding operational location at El Salvador took off early this morning to conduct an aerial reconnaissance of the area affected by the earthquake, and the U.S. Navy aircraft carrier, the USS *Carl Benson*, is under way and is expected to arrive off the coast of Haiti. I might imagine that they will be bringing in what is necessary in the heavy equipment. Many countries around the world are also coming, and I do believe it is crucial that we acknowledge that.

The Red Cross is receiving dollars. The White House has a Web site, Madam Chair, which I would like to recite if I could find it.

Ms. LEE of California. Will the gentlelady yield?

Ms. JACKSON LEE of Texas. I will be happy to yield.

Ms. LEE of California. I believe the Web site is USAID.gov.

Ms. JACKSON LEE of Texas. Yes, that's one of them.

There was a WhiteHouse.gov, and that is an excellent one to use if I find it. Then of course I would like to state the number for American family members who are trying to find their family in Haiti, and that number is (888) 407–4747.

What I would like to conclude on is to give comfort to Haitians who are here and to ensure that they can reach out to the offices of their Members of Congress. I'll give my number, which is (202) 225–3816, for constituents in my area, but it is important to note that all Members of Congress and the Congressional Black Caucus members will all be going home to their districts, meeting with the Haitian Americans in their constituencies. In particular, I will be meeting with Haitian American constituents, and I am calling for a weekend of prayer that will culminate on your days of worship, that you will offer up a weekend of prayer for the people of Haiti, for their families and, of course, for the Haitian Americans who are now here struggling to help their loved ones.

It is also important for Haitian Americans and for others to note that the President and the Secretary of Homeland Security have put a hold on any deportations. Let me say this because that always raises hairs, but we in the Congressional Black Caucus have been in the forefront for acknowledging that, really, the deportations of Haitians have really fallen upon the backs of hardworking Haitians who came here, by and large, simply to work and to achieve opportunities. They came alongside of the Cubans, but did not have the same status. We have not found danger in the Haitian community. In fact, a story that appeared in the Houston Chronicle is of a Haitian American whom I helped. She was a schoolteacher with two children and a husband, and she is being switched off.

I am glad that she is now in the midst, Chairwoman LEE, of the Haitian relief effort in Houston.

So we have been advocating, and the Trans Africa Forum has advocated for TPS status, but I think it's important to note that we have gotten the quickest response and that that response is that the deportations of Haitians—and I want to repeat it again—are now on hold as ordered by the President of the United States and the Secretary of Homeland Security. I can't imagine any Member of Congress is going to rise to his feet to challenge that humanitarian act by this government, and I am very proud of them.

I do want to take note of the fact as well that I am very pleased that Major Washington has been detailed to my office, and his firsthand knowledge has already been helpful. One of the things that, I think, we should emphasize in the immediate hours, tragically, is to secure units from the military which are able to set up temporary morgues. We hate to say that, but we understand that that is what we are going to face, and let me tell you why.

□ 1730

In listening to the leadership in Haiti, Haiti's Prime Minister Jean-Max Bellerive told CNN that he believes there are well over 100,000 dead. We don't know that, but these are government officials who have said that number, and a leading Senator estimated the number as possibly as high as 500,000. Again, we don't have an affirmation of these numbers, but these are leaders who are on the ground, and I believe it is very important.

Eight American employees working at the Embassy were injured; three were medevaced. We believe there are three U.S. citizens who have died, currently reported by the individual.

I think I started out by saying the Houston Rotary Club, downtown Rotary Club has a delegation in Haiti as of yesterday, and we are working to ensure their return.

Let me say thank you for the U.S. Embassy. The building, we understand, is intact. We thank those workers there. We encourage them as they are helping to be part of the solution. We are encouraging them as we work with them for those constituents of ours that are still there that we will be looking for.

I hope that the long journey of recovery will be a bipartisan effort. I am thankful that the Congressional Black Caucus, meeting with their constituents as we go home, will be able to be the harvesters of information and bring back information that can be very helpful.

The Congresswoman, Congresswoman LEE, mentioned a number. I want to cite the American Red Cross, who is also accepting public donations to support the Haitian response, to the American Red Cross International Response Fund, which is used to respond to disasters such as the Haitian earthquake. The American Red Cross made an initial contribution of $1 million from these funds for relief activities within hours of the earthquake, and they are prepared to send relief supplies for 5,000 families from their warehouse in Panama. The United Nations is releasing $10 million from its emergency fund.

And as I close, let me just cite very quickly the Irish telecommunication company is helping. European Commission has approved 3 million euros. Spain has committed dollars in euros. Netherlands has committed 2 million euros. Germany committed 2 million euros. China will donate 1 million. Sweden, 6 million kronor, $850,000.

Venezuela has sent doctors, firefighters, and rescue workers. Mexico will send doctors, search and rescue dogs. France is sending two planes. Britain has sent 64 firefighters.

And, by the way, that is a component that we believe does not exist, firefighters. My plea to our brave firefighters across America, I believe we should facilitate your going, if you desire. And I certainly will look forward to reaching out to my firefighters in Houston for opportunities.

Taiwan, Israel, and of course the United States State Department is in full force, which we hope they will be coordinating all this.

Lastly, I know that Cuba will be sending doctors. They have been especially supportive in crises, and I am in advance thanking them for their medical team.

Congresswoman LEE, Chairwoman LEE, I am touched by this devastation in ways that cannot be expressed, as all of us are, and the reason is because we work with Haitian Americans in our constituency. We have been to Haiti. We have watched it get on its feet. We have visited political prisoners in its jails. We have now been grateful for a new day in Haiti.

And I also want to thank former President Bill Clinton, who has been appointed by the President some many months ago to help chart the recovery for Haiti. We have got a whole new task now, but we are up to the task. And what we will say is, my brothers and sisters, have faith. Never give up the faith, for in this time of need you will find that the human community will rally toward you and they will be your wind beneath your wings. They will be your Good Samaritan. They will be your brother. They will be your sister. And as a good songwriter often said and many of us like to sing, just lean on me. Just lean on me, and we will make a difference.

Thank you, Madam Chair, for your leadership and that of the Congressional Black Caucus.

Mr. Speaker, there are certain facts, I would like to discuss:

EARTHQUAKE

A massive, 7.0 magnitude earthquake struck Haiti near the capital of Port-au-Prince on Tuesday, January 12th. The damage to buildings is extensive and the number of injured or dead is estimated to be in the hundreds, even thousands.

Several eyewitnesses reported heavy damage and bodies in the streets of the capital, Port-au-Prince, where concrete-block homes line steep hillsides. There was no immediate estimate of the dead and wounded on Tuesday evening.

Haiti sits on a large fault that has caused catastrophic quakes in the past, but this one was described as among the most powerful to hit the region. With many poor residents living in tin-roof shacks that sit precariously on steep ravines and with much of the construction in Port-au-Prince and elsewhere in the country of questionable quality, the expectation was that the quake caused major damage to buildings and significant loss of life.

The dimensions of the disaster are still unfolding, Haiti's Prime Minister Jean-Max Bellerive told CNN that he believes there are well over 100,000 dead, and leading senator Youri Latortue estimated the number at possibly as high as 500,000, according the Associated Press.

U.S. DEATH TOLL

Eight American employees working at the Embassy were injured; 3 were medivaced. There are 3 U.S. citizens deaths currently reported but toll expected to rise.

U.S. AIDE RESPONSE

President Obama vows immediate response and aid.

The State Department, Department of Defense, Department of Homeland Security, Coast Guard, USAID—has worked overnight to ensure that critical resources are positioned to support the response and recovery effort, including efforts to find and assist American citizens in Haiti.

U.S. Southern Command will deploy a team of 30 people to Haiti to support U.S. relief efforts in the aftermath of yesterday's devastating earthquake.

The team includes U.S. military engineers, operational planners, and a command and control group and communication specialists, will arrive in Haiti today on two C–130 Hercules aircraft.

The team will work with U.S. Embassy personnel as well as Haitian, United Nations and international officials to assess the situation and facilitate follow on U.S. military support.

The American Red Cross is accepting public donations to support the Haitian response through the American Red Cross International Response Fund—which is used to respond to disasters such as the Haiti earthquake. The American Red Cross made an initial contribution of 1 million dollars from these funds for relief activities within hours of the earthquake and we are prepared to send relief supplies for 5,000 families from our warehouse in Panama.

INTERNATIONAL AIDE RESPONSE

The United Nations is releasing $10 million from its emergency funds.

Irish telecommunications company Digicel said it would donate $5 million to aid agencies and help repair the damaged phone network.

European Commission has approved C3 million ($4.37 million) with more funds likely.

Spain has pledged C3 million ($4.37 million), and sent three planes with rescue teams and 100 tons of emergency relief equipment.

Netherlands has donated C2 million ($2.91 million) and will send a 60-person search-and-rescue team.

Germany gave C1.5 million ($2.17 million) and sent an immediate response team. Another team with 20 rescue dogs is on standby.

China will donate $1 million.

Sweden has offered 6 million kronor ($850,000) along with tents, water purification equipment and medical aid.

Venezuela has sent doctors, firefighters and rescue workers.

Mexico will send doctors, search-and-rescue dogs and infrastructure damage experts.

France is sending two planes with doctors, food and medical equipment.

Britain has sent 64 firefighters with search-and-rescue dogs and 10 tons of equipment.

Iceland is sending 37 search-and-rescue specialists.

Taiwan is flying in 23 rescue personnel and 2 tons of aid and equipment.

Israel is sending an elite army rescue unit including engineers, rescue workers, doctors and medics.

The U.S. State Department Operations Center set up the following number for Americans seeking information about relatives in Haiti: (888) 407–4747. The department cautioned that because of heavy volume, some callers may hear a recording. The State Department said those interested in helping immediately may text 'HAITI' to '90999' and a donation of $10 will be made automatically to the Red Cross for relief efforts. The donation will be charged to your cell phone bill. The department also suggested contacting agencies such as the Red Cross or Mercy Corps to help with relief efforts.

Ms. LEE of California. Thank you very much. And thank you for that very powerful statement, Congresswoman JACKSON LEE, and also for reminding us that this is a global response and the United States is leading.

GENERAL LEAVE

Ms. LEE of California. We, tonight, would like to ask the Speaker if we could keep the record open for 5 days for those who would like to add their statements to the record.

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

There was no objection.

Ms. LEE of California. Once again, our thoughts and our prayers go out to the people of Haiti, to the Haitian American community, to all of those, our American citizens, all of those who have been impacted by this horrible, horrific earthquake.

Ms. WATERS. Mr. Speaker, I was absolutely devastated to learn of the earthquake that struck Haiti late yesterday afternoon. I fear that an earthquake of this magnitude, with its subsequent aftershocks, has dealt a serious blow to the livelihoods and lives of many Haitians and to the important economic, political and social developments that were underway in the country.

Haiti is already the poorest country in the Western Hemisphere. I have traveled to Haiti many times, and I have seen the poverty and desperation of the Haitian people with my own eyes. There is widespread unemployment and underemployment, and more than two-thirds of Haitian workers do not have formal jobs. There is a high risk of infectious diseases, including diarrhea, hepatitis, typhoid fever, dengue fever and malaria. The infant mortality rate is nearly 6 percent, and almost half of the adult population cannot read and write.

Many people have worked hard over the years to assist the people of Haiti. I have worked with officials in the U.S. Government and international organizations to bring economic development to Haiti. Meanwhile, dedicated people working with charities and nongovernmental organizations are on the ground in Haiti trying to end poverty and help the Haitian people build a brighter future for themselves and their children.

I have also worked very hard over several years to bring debt cancellation to Haiti, which owed over one billion dollars in debts to the World Bank, the International Monetary Fund (IMF), and other multilateral financial institutions. Last June, the World Bank announced that all of these debts would be completely canceled.

Yet for the people of Haiti, every step forward seems to be followed by three steps backward. In August and September of 2008, Haiti was struck by four hurricanes and tropical storms in rapid succession: Fay, Gustav, Hanna, and Ike. The loss of life and the destruction of infrastructure as a result of these storms were devastating. The storms destroyed more than 22,000 houses and damaged an additional 84,000 houses. Almost all of the agricultural land in the country was flooded, causing more than $200 million in damage to the agricultural sector alone and exacerbating hunger throughout the country. The storms also damaged or destroyed roads, bridges and other essential infrastructure.

I had hoped that this year would be a year of recovery for Haiti. Yet this earthquake appears to be far more damaging than the

storms of 2008. We do not yet know the full extent of the damage, but certainly thousands of Haitians have lost their lives, thousands of others have been injured, and many survivors have most likely lost their homes or livelihoods.

Despite the devastation that has occurred in Haiti, I am encouraged by the prompt actions of President Obama, Secretary of State Clinton, and other government officials to mobilize available resources and coordinate relief efforts. I urge the U.S. Government, the international community, nonprofit organizations and individual people to take all appropriate actions to respond to this earthquake and help the Haitian people recover from this terrible tragedy.

My heart is with the people of Haiti at this dark hour, and I commit myself to doing everything I can to help them through this terrible disaster.

Ms. WASSERMAN SCHULTZ. Mr. Speaker, it is beyond devastating that our friend and neighbor, the Republic of Haiti, has been hit with yet another terrible natural disaster. My thoughts and prayers are with both the Haitian people during this time of incredible hardship, and my constituents in South Florida whose family and friends have fallen victim to this tragedy.

As you know, the people of Haiti are now experiencing the death, destruction, and aftermath of a 7.0 magnitude earthquake.

Just 600 miles off the coast of Florida, Haiti stands as the poorest nation in the Western Hemisphere. Its nine million people are no strangers to hardship. In its tumultuous recent past, Haiti has experienced violent uprisings and floods that killed thousands of people and wiped out much of their food and infrastructure systems. As a result, they stand at a severe disadvantage and are ill equipped to deal with a tragedy of this scale.

Sadly, many Haitians have been unable to recover from the turmoil of their past, and therefore, remain exceedingly vulnerable to the repercussions of yesterday's powerful earthquake.

Recovery must be our first priority.

I am proud that the United States Government has offered immediate assistance to the people of Haiti.

Both President Obama and Secretary Clinton have pledged America's unwavering support for Haiti during this crisis.

Military officials have said that plans are underway for the hospital ship USNS *Comfort* to dock off the coast of Haiti to assist the sick and wounded.

The U.S. Agency for International Development (USAID) is dispatching a Disaster Assistance Response Team (DART) and has activated its partners; the Fairfax County Urban Search and Rescue (USAR) Team and the Los Angeles County Search and Rescue Team.

We must continue to work with the Obama Administration and federal agencies to help marshal necessary humanitarian relief efforts.

In addition, now more than ever, it is clear that Congress must work to enact Temporary Protected Status (TPS) for Haitian nationals living in the United States.

TPS would allow Haitians to remain in peace and security in the U.S. while the island recovers.

In 1998 the U.S. government set a precedent when it granted TPS to nationals from Central American countries affected by Hurricane Mitch, and I would like to see the same fairness applied to Haiti.

The United States must continue to provide assistance to bring Haiti out of poverty. I strongly support Congress appropriating robust emergency funds to assist Haiti in the wake of this catastrophe. Such funding is vital to providing stability in that fragile country, and is in our own national security interest.

Mr. Speaker, it is our moral responsibility to help our neighbors in Haiti however we can, and the residents of South Florida can be sure that I will continue to use my position as a Member of Congress to advocate policies that will promote stability and security in Haiti during this time of need.

Mr. RUSH. Mr. Speaker, I rise to bear witness to the reports of the remarkable response I know is taking place in Chicago and other parts of the United States in the aftermath of the 7.0 earthquake that struck Haiti yesterday.

Thankfully, that response is being led by a fully engaged Obama Administration who, right now, is rapidly transporting critically needed food, supplies and relief workers—both civilian and military—in an aggressive effort to save lives within the next, critical 24 hours.

My prayers are with the departed souls who lost their lives, yesterday, and for the families and loved ones they left behind. I pray that their loved ones find the strength to carry on in spite of the horrific circumstances they face.

I come from a city that was founded by a bold Haitian explorer, Jean Baptiste Pointe du Sable. My hope is that the people of Haiti will tap into a boldness of spirit, and determination, that will help them find the collective will to rebuild. My hope and prayer for Haiti is that this nation will emerge even stronger than they were before yesterday's devastation.

I commend CBC Chairwoman BARBARA LEE and the rest of the leadership of this caucus, and others, who are marshalling our combined resources to help the people of Haiti rebuild.

May God bless the people of Haiti and those who are risking their lives to help them.

Mr. CONYERS. Mr. Speaker, I would like to express my deepest condolences to the people of Haiti who have lost family, friends and loved ones in yesterday's earthquake. I understand that the island as a whole has been devastated, and that the capital city of Port-au-Prince was particularly severely hit. I greatly appreciate the efforts of the Administration and many non-governmental organizations who are working tirelessly to provide emergency aid and assistance.

However, as I have long worked in partnership with Haiti to assist in the development of the country, I strongly believe that the Administration's efforts to ameliorate the damage suffered by Haiti should not be limited to simply initial emergency response and aid. The recovery of Haiti will be a lengthy process, particularly since yesterday's earthquake served to further exacerbate the existing humanitarian crisis that was the result of crippling damage inflicted by four hurricanes and tropical storms in late 2008. In this environment, Haiti is simply not in a position to adequately provide for the safety of Haitian nationals upon their return to the country from the United States.

Therefore, I will, along with a bi-partisan group of Members of Congress, be asking the Administration to designate Haiti for Temporary Protected Status, or TPS. TPS will allow Haitian nationals currently in the U.S. to remain until this time of crisis has passed and Haiti is adequately able to handle the safe return of its nationals. I hope that the Administration recognizes that TPS designation for Haiti will be a significant step towards rebuilding after yesterday's tragedy. Again, I would like to extend my most sincere condolences to the Haitian people, and reassure them that I will do everything in my power to ensure that the U.S. government will provide any and all necessary assistance towards the rebuilding of Haiti.

Mrs. LOWEY. Mr. Speaker, I rise today with a heavy heart and sincere condolences for the victims of yesterday's tragic earthquake. Yet another natural disaster has devastated this country and its people.

My heartfelt sympathy and prayers go out to the people of Haiti, those injured and unaccounted for, including Americans and U.N. personnel, and those who have lost loved ones.

I commend the swift response by the Obama Administration, especially USAID, the State Department, and DOD, as well as the international community to quickly mobilize humanitarian and disaster relief in a complex humanitarian disaster.

The devastation this earthquake has wrought is particularly tragic for the people of Haiti, who have endured not only destructive storms and hurricanes, but crushing poverty and political turmoil. Americans and people around the world have answered the call to support Haiti with time, talents, and charitable assistance in Haiti's great time of need.

I stand committed to help the Haitian people recover from this disaster through emergency and humanitarian assistance as well as through long-term development assistance. I'm hopeful that a unified coordinated effort, in collaboration with the Haitian people, will result in a successful effort to rebuild their beautiful country.

Ms. LEE of California. I yield back the balance of my time.

HEALTH CARE

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

Mr. NEUGEBAUER. Mr. Speaker, we are clearly in a technical revolution in our country. People now have more information available to them than literally at any other time in probably the history of our country. They know more about what is going on in their government than they ever have before. I think that is one of the reasons we are seeing people all across America rise up and start to make such bold statements and attending these TEA parties and attending these Members that are having meetings in their districts, and they are coming in record numbers.

Back this August, I had an opportunity to have a number of town hall meetings in my district, and thousands of people came to voice their opposition to what they think is happening to

their country, and particularly in opposition to this health care bill.

Every morning, Americans wake up and follow with deep interest public policy issues that we are sent here to solve, and many people watch C–SPAN. I know that when I am back in the district, many people will say, Congressman, I saw you on C–SPAN.

In fact, recently I had a conversation with one of my constituents who lives over in Muleshoe, Texas. She was calling to express her great concern about what is going on to her country, these huge deficits, trillions of dollars of spending money that we don't have, the government taking over the health care, and she was concerned about what is going on. What I learned, as she spoke more and more, she knew a lot about the issues that are facing our country, and she said she picked up a lot of that by watching C–SPAN.

A lot of the viewers that call in to C–SPAN on a daily basis, they'll voice their disappointment or concerns about what is going on in their country, and they'll say, And thank God for C–SPAN.

C–SPAN is kind of the watchdog, the eyes and ears, the vehicle that enables millions of Americans to see what we are up to here in Washington, D.C. Every day, people can view Congress raising their taxes, decreasing their freedoms, forcing business owners to pay more fines. All of this, thanks to C–SPAN, it is here for millions of Americans to see. Except, that is not going to be the case for health care reform in our country.

Mr. Speaker, it is no secret that the majority plans to negotiate the final thousand-page health care bill without C–SPAN cameras present.

President Obama promised when he was running for President that he was going to change Washington. He vowed, at least eight times, that the American people would get to see the negotiations of the health care bill on C–SPAN.

Speaker PELOSI promised that the Democratic-led Congress would be the most transparent Congress in history. She went on to say that the work on the health care bill will be displayed transparently, while simultaneously, unapologetically, denying C–SPAN cameras access to capture the ongoing negotiations.

In fact, those negotiations have been going on somewhere in this building. None of us, very few of us know where, and very few people are in the room making decisions that are going to impact the American people, not for this generation, but generations to come. All of this talk about transparency and openness, yet nobody knows who is actually in the room and actually what is happening.

But we do know what happened when they went into the room, for example, in the Senate and other places: Deals were cut. And I think one of the problems that this majority has and this White House has is they have got a health care bill that is so unpopular that they have to meet in secret to talk about it so that they can cut deals so they can get enough votes to pass it.

Wouldn't it be nice if the American people could experience some of that transparency that the Speaker and the President of the United States promised the American people, that they could be able to see the negotiations.

I had the opportunity to experience what is positive about having these negotiations in a public setting when we did the farm bill a couple of years ago. We sat down at a table. We had Republicans and we had Democrats. The cameras were on. The discussions were frank, they were honest, they were open, and in the end, democracy took its place and a bill was crafted and it was passed by the House and the Senate.

I don't understand why we can't have that same transparency and openness when we are talking about people's health care. Probably one of the most important things to many Americans is the ability for them to have some control over their health care. We have now a bill that is talking about taking over the government and government taking over the health care of our country, yet we are negotiating and debating this bill in the darkness of some room somewhere in the Capitol, and who knows where.

Let's turn the lights on to this debate. Let's turn the lights on in that room. Let's turn the lights on so that the American people can see what is going on as these decisions are being made about their health care. It is too important.

Now, the Democrats are going to say, Yeah, but when the Republicans were in charge, that is the way they did things. Well, that sounds like kind of a schoolyard taunting contest. But the fact is, that is not the truth.

I want you to remember these dates: July 15, 2003, September 9, 2003, November 20, 2003. And you say, Well, what happened then? One of the good things about C–SPAN is they have a great library of American policy and democracy in action. In fact, it is probably one of the most extensive ones in the world, and people can come and research and see actually what did happen on the floor of the House on a particular day.

And what happened on that day was that Members of Congress met to resolve their differences between the House and the Senate version of the Medicare reform legislation that provided medical prescription drug benefits for Medicare recipients. A very important piece of legislation, one that was not without some controversy. The House passed a version, the Senate passed a version, and then, in the light of day, these two versions were negotiated on these days. The American people got to see the discussions that went on and got to see this bill being crafted that eventually became law.

If the Democrats weren't engaging in these backroom deal-making deals, I think they wouldn't mind the lights being turned on. But the problem is that they are cutting deals. And the reason they are having to cut deals is because they are trying to pass a piece of legislation that the American people don't embrace.

Many of us agree that health care needs to be reformed. And my colleagues on my side of the aisle, Republicans, conservatives, have been offering some commonsense ideas that could reform the current system without turning over health care to the government, without limiting patients' rights, and bringing more transparency and making health care more affordable and available and accessible to the American people.

If the President and the Speaker and the congressional leaders are serious about this new era of openness and transparency, then why, Mr. Speaker, why, Mr. President, why aren't the lights on and why aren't the cameras in the rooms so that the American people can see what is going on in their country? I believe they deserve to know.

This is a very important issue to the American people, and I hope that the Speaker and the President of the United States will keep their word and allow the lights to be turned on for this important issue.

It is now my pleasure to recognize the gentleman from Pennsylvania (Mr. THOMPSON).

Mr. THOMPSON of Pennsylvania. I thank my good friend from Texas for leading this very important Special Order tonight and for yielding.

Transparency and accountability is such an important part of what we need in government. And what I have seen since my election a little over a year ago and when I came to Congress in January of 2009, and especially on every issue, we should have that type of transparency that we are talking about today. In particular, today we are talking about health care.

There are probably few issues that we can deal with as a country and that we can debate and discuss as intimate to our lives as health care. It touches our lives in so many different ways. Plus, it is such a significant part of our economy. The issue of health care is just central to the American people. And for the type of debate—and I use that actually cautiously, that word ''debate,'' because there really hasn't been allowed an avenue of debate.

I thought when I came to Congress I had a responsibility to represent the people that I now work for. When I worked in health care, and I did that for 28 years, I only had one boss. It changed from time to time. Today, I feel a responsibility that I work for 660,000 really smart people, and that is the citizens that live and work in the Fifth Congressional District of Pennsylvania. I came here with a responsibility to represent their needs in the Federal Government, in Congress, in this Chamber, and yet from day one

have been locked out of some of the most important debates that we could be having, that surrounding health care.

□ 1745

Now I came with some expertise—almost 30 years of serving individuals facing life-changing disease and disability. I happen to believe we have a pretty good health care system, but that we could improve upon it. That the four dimensions of health care that I've dedicated my life as a health care professional working on were increasing access, decreasing costs, improving quality, and strengthening that decisionmaking relationship between the patient and the physician—not having a bureaucrat or the government coming between the two.

I looked forward to that debate. I was pleased when President Obama said that we're going to work on health care. When he said that, I took him at his word. I thought that meant I would be invited to the table. And that is not the case. That has not happened. I actually happen to serve on one of the committees of jurisdiction, the House Education and Labor Committee. The only time I had a chance to even look at that bill was when I was asked to mark it up. When you do bill markup, the bill has been written. That's where you come in and you make the final substantiative changes and you offer amendments. And we did that as members of the Republican Caucus and the House Education and Labor, as did Ways and Means, as did Energy and Commerce. We made amendments in the twelfth hour of that bill's proposal. It had already been written. It had been written behind closed doors. It really was a backroom deal. And all of our amendments were rejected. What minute input we had was rejected.

As I reflect back and I remember 2008, that Presidential campaign year, and well over a half a dozen, eight or nine times, who was then candidate, now President Obama, saying—and it was his idea. He was going to have C–SPAN broadcast the health care negotiations. We were going to provide that type of transparency. Eight or nine times. The documentation is out there. I have watched the video replayed in the national media over the past number of weeks. Yet, despite that, that's not what has happened.

Today, what passed out of the House and passed out of the Senate were written in the Democratic leadership Chambers, both the House and Senate, respectively. Today, we're not even having—not following due process and having a conference committee. This is done over the telephone today, I guess. That means that Members of Congress, I guess, will be telecommuting. Next, we won't need to come to Washington because it looks like it's not a democracy or a constitutional Republic. Maybe it's a dictatorship. Just a handful of chosen leaders at the top dictate what is probably the most important piece of legislation that we could deal with in terms of health care.

Now I'm real proud to have signed on, as my colleagues have, a sunshine resolution by Congressman BUCHANAN from Florida that calls for transparency. I believe there's 151 signatures, cosponsors. It's bipartisan on that bill. It's calling for full transparency when it comes to health care. As of today, we've started working on a discharge petition—a measure that we find is not used very often on this floor. Unfortunately, it does not appear that Madam Speaker is going to bring Mr. BUCHANAN's bill to the floor to allow the Members of Congress to have an up-or-down vote on whether we want transparency or the American people deserve transparency. I certainly believe they do.

So this discharge petition is a new tool. If we're able to garner 218 signatures, it forces that issue to the floor, of transparency. So I certainly encourage all of my colleagues. I'm very confident that we've got unanimous support on this side of the aisle, and we certainly encourage all my colleagues on the other side of the aisle to sign that discharge petition. The American people deserve to have at least an up-or-down vote on transparency when it comes to an issue that is as significant as health care.

Now I do believe that we're probably going to see some type of health care bill that will be back in this Chamber. I suspect, unfortunately, that may happen by the State of the Union address. I happen to believe the President's looking for something like that to speak about as a topic. Unfortunately, imposing that type of an artificial timeframe to continue to compress and to force this through—the American people deserve better. They deserve full debate and full time scheduled for developing this legislation.

I happen to have significant concerns as a health care professional with almost 30 years of experience, tremendous concern, as I look at this bill. I look at cost. The idea behind health care reform was to bring down the cost of health care. What is being proposed in either the House or Senate version doesn't do that. It drives cost up for the average American. One estimate I saw was at least a $300 increase in health insurance premiums per individual, $2,100 per family. That's for the average American, driving those costs up. If you happen to be an individual who sacrificed on salary because you wanted more health care benefits from your employer, well, those more than likely will qualify as a Cadillac health care plan. You're going to get taxed 40 percent. Forty percent is what that health care bill is going to be increased. I don't know many employers that can afford to absorb all that.

That's also going to fall back on the true economic engines of this country, which is our small businesses, but also it's going to fall back on employees, individual workers, to make up—to pay that bill.

Mr. NEUGEBAUER. Would the gentleman yield?

Mr. THOMPSON of Pennsylvania. I certainly will.

Mr. NEUGEBAUER. The interesting thing, again, about this not being done in the daylight is now we're hearing that the unions have gone over and sat down and cut a deal that if the Cadillac insurance plan was negotiated by labor contract, they're going to be exempted. So the question is that that burden then is going to be transferred more and more and more to families that didn't have a health care plan negotiated by a union. Again, that's the reason, I think, as the gentleman stated, we need to be doing this in the light of day, because the American people need to see what is going on here. And, quite honestly, what is going on isn't necessarily in everybody's best interest.

I yield back to the gentleman.

Mr. THOMPSON of Pennsylvania. I thank the gentleman for that. It strikes me that perhaps we need to bring in a facilitator, given the spirit of the Democratic leaders, and perhaps we could see if Monty Hall—I don't know if he's still alive or not; if he is, perhaps the old game show host from ''Let's Make a Deal''—because that seems to be, as I follow this, and obviously it's what's reported in the media and what the Democratic Caucus reports, there's a lot of dealmaking, whether it's a hospital I believe in Connecticut, one hospital being purchased, helped to secure votes; whether it's Nebraska getting an exemption on any future medical assistance increase. Even the Democratic Governor of Tennessee, I love what he called that. I've never met the man, but I have a lot of respect for how candid he is. He called that ''the mother of all unfunded mandates,'' what it does with medical assistance.

I know in Pennsylvania our medical assistance bill, over 10 years, medical assistance is expected to go up, under these Democratic leadership health care bills, $2.4 billion. We were in a financial meltdown as a State this past year. We went 6 months without a budget because those folks who were serving in the State legislature, the Governor, they couldn't balance the books. They couldn't get the revenue to match expenses. And now we've got this unfunded mandate coming out of $2.4 billion for the Keystone State. Now that was before, I think, the Nebraska sweetheart deal was made. So I'd be curious to know what portion of paying for Nebraska do the Pennsylvania taxpayers have to make up, because every other taxpayer in America is going to have to make up for the sweetheart deals that are made.

I thank the gentleman, and I'll yield back at this point.

Mr. NEUGEBAUER. Well, I thank the gentleman. One of the things the gentleman brought up, I think the American taxpayers didn't get the benefit, as someone who, I think you said,

someone with over 30 years as a health care professional and, as you know, in the Congress we have, particularly on our side, we have a number of physicians that have worked in health care, have dealt with Medicaid and dealt with Medicare, have seen the private payment system, all of the existing systems, and bring a huge amount of knowledge to this process, but unfortunately the American people didn't get the benefit from their knowledge, your knowledge. And, quite honestly, it's a shame.

As you said, you have 660,000 customers. Every Member of Congress has about 660,000 people that are looking to them to come up here and have serious discussion, serious debate, and work on things that are good for the American people. It's not good for the American people when very few people sit down and make a decision about something that's going to impact not only my 660,000 people, but yours and the other gentleman from Ohio. This is serious policy.

It's now my pleasure to recognize the gentleman from Ohio, Mr. LATTA.

Mr. LATTA. Well, I thank the gentleman for yielding. I really appreciate him hosting this Special Order late this afternoon. I think it's very, very important that the American people absolutely know what's going on here. As we all were home over the Christmas holidays, I know that I had a lot of events that I had to attend. I don't care if I spoke at a Chamber of Commerce or a Rotary, you name it, people were very, very concerned with what's going on in this Chamber. They're worried about a lot of things. They're worried about the health care that's been passed by this House, they're worried about jobs, they're worried about the cap-and-tax legislation, they're worried about the EPA and other mandates that are being forced down their throats. But I think it's important probably to start off talking about the health care a little bit here.

I don't think there's anybody in this Chamber, there's not one person in this country that would say that we shouldn't do something about having some meaningful debate on health care in this country. But when we're looking at it, what we've seen happening is we've seen, as has been mentioned by my colleagues from Texas and also from Pennsylvania, it's been a one-way street. And the American people don't care for that. They want an open debate, and they want to make sure that they know what's going on.

But as we're talking about this health care, I think it's important that we also hear what the people back home are saying. When I'm home—I represent the largest manufacturing district in the State of Ohio. I also represent the largest agricultural district in the State of Ohio. In 2008, I represented the ninth-largest manufacturing district in Congress. Because of what's happening in this economy, I've dropped to 15. And I don't even want to know when the next numbers come out to find out where the Fifth Congressional District is located in that long list.

But when I go out and go to the different factories and go to the small businesses, and I really want know what is going on, that's the best way I can gauge what is going on in the economy. When I'm out there—one visit to one factory in particular sticks with me. A gentleman came up to me who was a press operator. He came up and said, I really don't understand what you guys are doing in Washington. And he said, You know, you all talk about health care. If I can't put a roof over my family's head, if I can't put food on that table, why do I care about health care right now? I worry about jobs, and I worry about my job.

And I think that that's something that has been lost in this. I know one of our colleagues from the Senate recently said that maybe in the past year that the Congress here should be really concentrating on not health care but on job creation. Because let's just talk about these jobs and what's happening out there, not just from that individual that works on that factory floor, but just an individual like everybody you know that might work in a factory across this country.

But also I remember walking and being in one of my small business owner stores in the district, and after I was in the store and I bought some things, I was walking out and he said, Can I talk to you for a little bit? We stood out, and it was pretty darn cold that afternoon, but we stood outside for a good long period of time. He said, Let me tell you something. If you all pass this health care legislation, I'm out of business. He said, There's no way. He said, Even though your bill was over 1,000 pages long, and I know that the Senate bill is going to be several thousand pages—a couple thousand pages long—he said, What I've been able to get out of it and figure out in the newspaper, I won't be able to stay in business. He said, Look around here. Look at the people running the cash register, stocking the store in here. They're all going to be without a job. And it's going to be one more store on Main Street USA that's going to be vacant. And we can't have that happen.

I think that what we need to do in this body is really go out and talk to these individuals. I have advocated what we need to do is instead of trying to do a few hearings down here—and I don't think we had enough hearings when we talked about health care and during this debate—I think what we should have done is taken these hearings across America. And we wouldn't have done anything but help the American people to, first of all, have their say in what is going on, and two, that the Members of this body would be able to hear it directly from the American people.

□ 1800

I know when I served in the Ohio Legislature for 11 years—you know, when you're representing the State of Ohio, it's not that large of a State, and many times we would have all of our hearings in Columbus. But many times, we would take our hearings out across what we called the four quadrants of the State and hold hearings in different areas. And that's so that people can actually come nearby to where they live. They didn't have to drive down to the State capitol.

I think that's what we should have done with this whole debate on health care. Let's bring these hearings to the American people, and let them have their say. That is where we are going to find out what they are going to have to say about this. That is where we are going to find these things out.

When you're talking about jobs killers—you know, with the model that was being advocated by Ms. Romer, we could lose up to 5 million jobs in this country. The National Federation of Independent Businesses, just from the employer mandate on small businesses across this country, they're estimating 1.6 million jobs could be lost. That's on top of the millions of jobs that we've lost since the beginning of this recession and also the almost 3 million jobs since the beginning of last year that have been lost just from the beginning of this administration.

We can't afford to lose more jobs in this country, because where are these people going to go? It's not that hard to remember back to 1982. In 1982, during that very tough recession that we can all remember, President Carter, during his administration from 1977 up to 1981, during the campaign when he was elected, had created what he called the misery index. And that misery index took the unemployment rate, the inflation rate, and the interest rate. It was toward the end of his administration. You know, we saw in this country 21.5 percent interest rates. We saw unemployment rates in double digits, and we saw the inflation at double digits.

Well, where we are today, when we look at having over 10 percent unemployment in this country, and we're talking about losing millions more jobs because of this bill, we can't afford it. When you're talking to the small businesses and small factory owners out there about what's in this piece of legislation besides all these mandates—but just talk about the taxes.

This was prepared by an analysis done by the Committee on House Ways and Means from Ranking Member DAVE CAMP. Since the increases in 2009, just in general, the net taxes that were passed by this House were $1.71 trillion. And just the estimate on this health care bill alone, they're looking at over $732.5 billion. That's billion dollars.

And who's going to pay for this? When they're looking at that 5.4 percent surtax placed on a lot of the small businesses that are the ones that create jobs out there and on certain individuals at a certain higher level, when

you're looking at $460.5 billion in taxes, when you're looking at these employer mandates at $135 billion, and you go right down the line, this is what's going to kill incentive in this country. This is what's going to kill the entrepreneur.

This is what is going to kill people who will say, Why even get up in the morning and try to go out and create jobs? Because one of the things that is lost here in Washington and in these Halls of Congress is that this body does not create jobs. This body spends the wealth of this country.

You know, the American people are really out there, and they understand it. When you look at this, it was mentioned a little bit earlier about what is happening with the increases, when you're talking on the Senate side about a 40 percent tax on those individuals out there with a quote-unquote Cadillac plan. Well, a lot of people say, Oh, Cadillac, they must be rich individuals. Well, I'll tell you what, in the State of Ohio, we have a lot of auto plants, and when you're looking at these auto plants, a lot of these folks are the auto workers who are going to end up paying 40 percent on an individual premium or will spend $8,500 on their health care plan, a family plan at $23,000. When you put these together, it's like, how are they going to pay for this as a small family?

When you take all these costs that are being associated under this piece of legislation, it's unfathomable. When we talk about unfathomable, I did read the health care bill. I sat down one weekend. I think it was 1,028 pages. I read it, tabbed it, underlined it so I could really get a good understanding. You are looking at a couple thousand pages on the Senate side.

But I think what is missing in this whole debate is, you know, here is what someone gave me not too long ago, the Constitution of the United States. But you know, as that little commercial on TV says: But wait, there's more. In this little book that's in about 10-point type, there's the Constitution, the Convention, the Congressional Resolutions, all of the amendments, the Virginia Bill of Rights, the Declaration of Independence, the Massachusetts Bill of Rights, the Articles of Confederation, the Virginia Statute of Religious Liberty, the Annapolis Convention, the Virginia Randolph Plan, the New Jersey or Patterson Plan, the Hamilton Plan and The Great Compromise, right there. That is America in a nutshell.

How is it that we end up today putting out thousands of pages that people can't comprehend, but America, our government, and how we were founded is right there. Put it in your pocket, and read it at any time. And I think that's what the American people are very concerned about, and I appreciate the gentleman for yielding.

Mr. NEUGEBAUER. Well, I thank the gentleman for pointing out the taxes that are in this bill. I think the bad news is that they're going to have to be higher tax because they are disguising, as you know, what this bill actually costs. Now the stated cost that the Speaker of the House says is this bill costs $891 billion. But if you add the mandated cost of the employer-mandating tax, it's another $135 billion. And if you add the cost of individual mandate tax for individuals that are going to be penalized under this plan, it's another $33 billion. So the total cost, the CBO score is $1.06 billion.

You don't hear the Speaker or the leadership or the President talking about this number. Now the other piece is that in the House bill, there is no provision for what is being called the ''doc fix.'' Today we have reimbursement levels that are being projected to be reduced by a substantial level, which is going to cause more and more doctors not to see Medicare and Medicaid patients. So this leadership team has promised and made a deal with the docs that they will bring a separate bill. They don't want to bring it in this one because, why? It cost $209 billion. So now instead of $1.06, you have got a nearly a $1.2 trillion bill.

Now the other piece is that Medicaid is being transferred to—part of this cost is going to be Medicaid which is going to be transferred to States, unless you're from Nebraska. What is the cost of that? That's $34 billion. Now here is the real sleeper. I hope that the American people are watching C–SPAN and the like because the lights are on here, and the lights are on this chart. And guess what, this little bill collects taxes that the gentleman was talking about for 10 years, but it only has expenses for 7 years.

Now think about all of the businesses and families all across America that if you could collect 10 years' worth of salary but you only had to pay 7 years' worth of expenses, that's like the first 3 years you don't have to make your house payment, you don't have to buy your gasoline, you don't have to make your car payment. You just get your paycheck. Nothing taken out of it, no Social Security, no withholding. What a great deal that would be. Well, that's the way this bill has been put together in order to disguise the real cost of this.

So once the 3-year period passes, then on an annualized basis, this bill costs another $727 billion more than what is being represented to the American people. So what does that total? $2.1 trillion. So a bill that this leadership says is $891 billion—it's not $891 billion. It's $2.1 trillion. And at a time in which, as the gentleman was talking about, small businesses are struggling to keep their doors open—in my district—and I think the gentleman's district as well—small businesses play a huge part in creating jobs. Who is going to pay this $2.1 trillion? Because the taxes that they're talking about collecting only pay for a bill that costs $891 billion, but this bill costs $2.1 trillion.

Now here's the other thing that people have looked at: this bill mandates, as both of my friends know, mandates that every American have health insurance. And in fact, if you don't, there is a penalty for it. So one of the things, people say that if the government is requiring to you do something to pay for health care or to have health care, and there is a penalty for doing it, it becomes a tax or a cost. Some people who have kind of calculated what that means for the economy, GDP and overall, said maybe that's a $4 trillion number. So possibly what we are looking at, if we shed light on this bill, as we should, that really the impact of this is that it's a $6 trillion piece of legislation.

Now I don't know about you, but I think the American people think that whether it's $2 trillion or $6 trillion or even $891 billion that we should have had more debate than we did on this bill. As my colleagues will remember on the day that we passed this bill, very little debate was—I think one amendment—there was one amendment to a $2 trillion—to a $6 trillion bill was allowed.

These are the kinds of things that cause me to say, Mr. President, we have to hit the pause button here because we're talking about something that impacts families all across America. We have some numbers here that are big. We are now spending money that we don't have. Every dollar that the government spends, they have to go out and borrow nearly 40 cents of that from people, like in China and Japan; and it is not a sustainable thing. Yet now we're talking about more taxes and I think potentially bigger deficits because we've not had good discussions on this bill.

Now I will yield some additional time to the gentleman from Pennsylvania to reflect on these important issues again.

Mr. THOMPSON of Pennsylvania. Well, I thank my good friend for yielding. I just want to come back. You hit on such an incredible point about the individual mandate to purchase health insurance. Now I wouldn't consider myself in any way a constitutional scholar. I'm just an American and a citizen. But my good friend here has a copy of the Constitution. And as I've read in the version of the Constitution that I carry around, which is about 28 pages, I think that was put together by some really smart people a long time ago that has withstood the test of time. And really our Constitution has become a model for other countries and emerging countries to base their governing principles on. But to the best of my knowledge, I can't recall that there is anything in that Constitution that provides a basis for Congress mandating that every individual American in this country purchase health insurance.

I will yield to the gentleman with the pocket Constitution there to just see what his thoughts are on that.

Mr. LATTA. I thank the gentleman for yielding. I think you would be very

hard pressed to find it. I know that when I went out in my district—I know that Members going across their districts, across this country have found the same questions being asked, Where does it say that? Especially a question, as the gentleman from Texas has mentioned, that under this bill that was passed by the House that there was a $2.5 percent, quote-unquote, fine on individuals, plus that individual mandate that you have to have it or civil or criminal penalties could be imposed.

How can we do that? You know, it's unfathomable that this would be able to withstand a challenge in court that an individual would be forced to have to do this. Again, I think if you just read this little document, you are going to be very hard pressed to find it. If I could just mention—and also what the gentleman from Texas was talking about—what it's going to do to the States. In the Columbus Dispatch, there was an article that broke it down for the State of Ohio. We are running about an $850 million deficit. And unlike this body, we have to balance our books. It is constitutional that we have to make sure that we're in balance. So Ohio is out of balance by about $850 million, but there was also a story by the Columbus Dispatch, in their calculation, that this bill would impose a Medicaid debt upon the State which would increase that deficit by another $900 million.

I think that this is what people need to find out. This is not just going to affect small businesses or large businesses or individuals. This is going to affect your State government, your local government, if they can even function. Because all of a sudden, these mandates are going to come down from Washington, and good luck.

I thank the gentleman for yielding.

Mr. THOMPSON of Pennsylvania. I appreciate that. In terms of cost, much of my professional life was involved in serving older adults. A particular section that I find very appalling of what I see in both the Democratic House bill and the Democratic Senate bill is what is authorized in terms of increasing the cost of individual insurance premiums for older adults. Older adults rely on Medicare. I will talk a little bit on Medicare in just a second. But they purchase supplemental insurance to fill in the gap, to make sure that they don't exhaust their life savings that they've accumulated over time. They've earned those. They've put those aside so that they can enjoy those retirement years and be able to do the things that they've always hoped and dreamed about doing. So supplemental insurance serves an important purpose there.

Well, within the House bill, it authorizes, it allows, it codifies that insurance premiums for older adults are allowed to double. In the Senate bill, it does one step better than that; it allows supplemental insurance costs, individual insurance costs for older adults to triple, and that's a crime.

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I want to take the next step. I have talked about the four dimensions of health care. Now I want to talk about accessibility. If we are doing health care reform correctly, we are increasing accessibility. I don't think we are. We are making health care less accessible. Part of that is through Medicare cuts, half a trillion dollars in Medicare cuts. There are a lot of physicians today that do not accept medical assistance patients or Medicare patients today, and it is all economics. Medical assistance pays 40 to 60 cents for every dollar of cost, and Medicare pays right now 80 to 90 cents for every dollar of cost.

Just recently one of the facilities that President Obama lifted up as a bright, shining example of what we can do for health care reform, the Mayo Clinic, their operations in Arizona decided and announced that they were no longer taking Medicare payment, which meant if you are an older adult and you are going to a facility that doesn't accept Medicare, you will have to pay out of pocket. You have to have some other provisions.

So these cuts we have piled on top with Medicare just adds insult to injury. My diagnosis for either the House or the Senate, the Democratic bills are fewer doctors and fewer hospitals. Most doctors in Pennsylvania, the average doctor is over 50 years of age in Pennsylvania. Right now they are looking at significant cuts under these bills in terms of reimbursement. They are not paying their costs now.

I would predict, and as I meet with physicians around my State, many are preparing to retire because it is better to get out now rather than burning through their life savings. With that, we will result in less accessible health care services. Hospitals are only making 1 to 3 percent margin today. With Medicare cuts, they will be in the negative column. You can't run a business, whether it is a hospital or any other business, and have more expenses than you do revenue and stay in business for very long. Hospitals close, that is less accessible health care. So this bill not only drives up costs, it makes health care much less accessible.

Once again, I want to thank the gentleman for leading this Special Order tonight. I am going to yield at this time to the gentleman from Ohio (Mr. JORDAN).

Mr. JORDAN of Ohio. I thank the gentleman for yielding. I thank both him and the gentlemen from Texas and Ohio for this Special Order hour on behalf of the Republican Study Committee.

I notice the chart in the well of the Chamber is talking about the real cost of the health care legislation and what it means over time: $2.1 trillion. I think when you look at that number and couple it with some of the things that we have seen happen in the last year—in fact, I gave a speech last week back home in the Fourth Congressional District of Ohio where I talked about this, and I started the speech with the question, Who would have imagined? Who would have thought? Who would have thought that we would run a $1.4 trillion deficit last year, the largest in American history? Who would have thought that we would have a $12 trillion national debt, moving to $13 trillion in the very near future, slated to go on the Obama budget spending schedule to $20 trillion over the next 10 years? Who would have thought within 2 years the interest payments on that debt would be over a billion dollars a day? We are talking some serious, serious financial concern.

And what do we have being pushed by the leadership in this Congress? A health care bill that is going to add $2.1 trillion to those already unbelievable numbers. Every single American, every man, woman, and child today, to pay off the debt we currently have, it is $39,000 that they have to pay. It is unbelievable. You think about one of the things that makes America great, that makes us the greatest Nation in history, is the simple concept that parents make sacrifices for their kids so that when they grow up they can have life better than we did. They in turn do it for their children, and each generation in this country has done it for the next.

But now what we have in America, unfortunately, is this focus on living and spending for the now, living and spending for the moment and sending the bill to our kids. Unfortunately, this health care bill represents all that is bad about Washington, not only on the spending side, but as my colleagues have pointed out, in a whole host of other areas as well.

I would just say in just a general sense, and I will make this last point and then I will yield back to the gentleman from Texas. I would just say this bill represents what Americans hate about Washington. This health care bill is big taxes, big spending, big Washington, big bureaucracy, Federal Government telling families and small business owners and individual Americans how they are now going to get their health care, telling Americans that you will now have bureaucrats between you and your family and your doctor. It represents everything that Americans don't like about this place. Unfortunately, it seems like the leadership in this Congress is bound and determined to move forward with that.

One thing I know about Americans, Mr. NEUGEBAUER, is that we hate being told what to do. It is part of the American DNA. They see this health care bill as telling them how they are going to get their health care, and they don't like it. The old line that we have in Ohio, and probably have in Texas, too, is that for most Americans when they are traveling down the highway and they see the sign that says 55, for most Americans that is not the limit, that is the challenge. That is how we look at things. We hate this idea of being told

how we are going to do things. That is why we are Americans. And the idea that now the central government, the Federal Government, is going to tell us how we are going to get our health care, and it is going to cost us $2.1 trillion in addition to all of the debt we currently have, is what really offends Americans.

So I appreciate the gentleman from Texas taking the time tonight to lead this hour, and I yield back to the gentleman.

Mr. NEUGEBAUER. I thank the gentleman, and the gentleman brings up a very important point. On top of this being a very expensive bill and the fact that we are going to be spending money that we actually don't have, when I look at this chart, I think about my new grandson, Miles, and I think about my two grandsons, Nathan and Noah, and I think about what kind of legacy, what kind of future are we leaving these young people, the next generation, that by 2012 we are talking about a $16.7 trillion debt in this country. And as the gentleman said, by 2020 we are talking about $20 trillion.

When I was back in the district, and maybe you all have used this analogy, but for people to get their arms around what is a trillion, if you counted to a trillion, it would take you 19,000 years to count to a trillion. We are talking some serious money here. So I thank the gentleman for bringing up those important points.

This is all intertwined. We are talking about jobs and the impact of health care on patients' rights and also small businesses, but we are really talking about the impact on an entire Nation of, one, turning health care over to the government; and, secondly, continuing down this road of borrowing and spending money that we don't have and charging it to future generations.

I know each Member here on the floor tonight has this voting card, and right now it is a credit card and it has a huge credit limit on it. What I think many in the Chamber with me tonight want to do is turn this into a debit card where we are spending money that we actually have instead of borrowing from our children and grandchildren.

Mr. JORDAN of Ohio. The gentleman is right on target with his comments.

I just remind the Speaker, last spring the Republican Study Committee offered a balanced budget, something families and small business owners have to do every year and something local governments have to do. Unfortunately, the Federal Government never has to do that. RSC brought forth a balanced budget, and we plan to do the same thing this year because we understand that we cannot continue what that chart shows, not only for present-day America, but as the gentleman points out, because of what it means for our kids and grandkids. So we will bring that balanced budget back. It does the right things. It keeps in place those good tax cuts that were put in place in 2001 and 2003, protects Social Security, protects Medicare and national defense during this time we find ourselves in, and cuts spending, which we have to do. We have to make those tough decisions and do the right thing.

Mr. NEUGEBAUER. I thank the gentleman, and I yield to the other gentleman from Ohio (Mr. LATTA).

Mr. LATTA. I thank the gentleman for yielding.

Just talking about these numbers, how are we going to pay for this? We are looking at 21, 22, $23 trillion in the outyears here. The question is how are we going to pay for this. We owe $3 trillion to foreign governments, over $800 billion owed to the Chinese alone, our largest creditor. Down the road when the Chinese and the Italians, all these governments are now saying, Wait a minute, America, you have got to do something about your spending. You have got to get this under control. They are worried about something. They are worried about getting paid back, and they don't want to see this debt that we owe them become cheap money, and so they are getting concerned about this.

But if you just go back to 1981, 1982, if we go to those years when the Federal Government was out there borrowing heavily, we had 21½ percent interest rates in this country. I was just starting to practice law back then, and we had to write land contracts if a person wanted to sell a house. You couldn't go to the bank and get a loan because there was no money. The seller would meet with the buyer and they would say, In 3 years time, you are going to pay me so much interest and principal. And hopefully at the end of that time there would be a balloon payment to try this pay this thing off if they could get a loan.

But when we are looking at these numbers, it is going to be unfathomable how we are going to pay this off, because the Federal Government is going to have to go out there and borrow every penny that is out there and somehow do this. But then when you look and talk to these private enterprises out there, the small businesses, they are having a hard time getting credit today, and we are not in that situation. It is bad, but it is not going to be anything like this that you show in your chart.

Mr. NEUGEBAUER. The other gentleman from Ohio brought up a point about the current interest payment that is approaching a billion dollars at the most historically low rate time in the history of our country. The gentleman reminded all of us there was a time in our country, and I was in business when we were paying 15, 16, 17 percent for money. It was hard to get, and once you got it, you had to have a really good idea to make it. So you begin to think about what happens to our interest payments if we—let's just say we doubled the interest rates that the Treasury is doing right now. That begins to double the payment. So now instead of $1 billion, it is $2 billion. What that begins to do is, as we put together our budget, there is less and less money for discretionary spending because the first thing you have to do is make your mortgage payment, and we are mortgaging the future of our country. So these are important issues and I appreciate the gentleman bringing that point up.

I think the other thing that kind of concerns a lot of people is the point that the gentleman made about our creditors. What if China, for example, who is our largest creditor, and as the gentleman points out, they have said, We are not quite sure what our appetite in the future is for continuing to loan America money to just spend and borrow without some kind of discipline, and that is something that we have to look at.

I have another chart, and I would like to make one quick point and then go back to see if any folks have departing comments.

One thing that the American people are also pretty tired of is all of these bureaucracies. I know when I went around in August, and I think a lot of my colleagues did, too, we brought this chart around to show the American people. This is a diagram of the House version of this bill. You can see all of these new bureaucracies and all of these new agencies, and somehow this is going to simplify health care for Americans? This is going to make it better for Americans?

What we do know is hidden in this is a czar that is given very broad powers that is going to be able to determine what kind of policy you and I get to have. That concerns me that the Federal Government is going to be picking and choosing the kinds of coverages that are going to be offered to the American people instead of the American people being able to pick and choose the things that they think are coverages that they need.

So I think when you look at the cost, when you look at the complexity of this, it is no wonder the American people are asking the Speaker of the House and they are asking the President to keep their promise about transparency here because they are very concerned about this.

I yield to the gentleman from Pennsylvania. I think he probably showed this chart to his folks back home, too. What was their reaction?

Mr. THOMPSON of Pennsylvania. They were appalled. And it has grown as these bills have been further proposed and developed in the back rooms among the Democratic leadership. The current set of new bureaucracies is somewhere around 130 new bureaucracies that have been created to dictate to that part of our lives called health care.

I will just give you one example. In addition to just the imposing of the Federal Government among our personal lives and our personal decisions with health care, what it does to the cost of health care. Under the former

Clinton administration, we wrote out HIPAA, Health Insurance Portability and Accountability Act, and certainly no one can be opposed to maintaining privacy as it relates to health care. And portability, we would be much further along if that would have taken care of portability, if it was the right solution for taking your insurance with you when you change employers. I happen to think that type of portability is a positive thing.

□ 1830

But the fact is that is what HIPAA did. And that was just one new bureaucracy that was created under HIPAA. The cost of providing health care because of HIPAA, I am sure that we could find many health care hospitals that will say, health care systems that actually probably laid off direct caregivers because they had to hire people to push papers, they had to hire people to be compliance people to be able to comply with all this massive new bureaucracy and the new regulations that were as a result of HIPAA.

Now, you take HIPAA, multiply that times at least 130, I forget the last count, my colleagues may have a better count of the new health care bureaucracies under the Pelosi or the Reid health care plans, but you just take the experience of HIPAA, the overhead costs of providing health care, multiply that times at least 130, that is a devastating effect on the providers of health care throughout this country.

Mr. NEUGEBAUER. I thank the gentleman. And I think he makes a great point. And I think one of the things that is the center of all of this is, you know, the administration is talking about jobs. I thought it was interesting today that they are going to quit tracking jobs tied to the stimulus plan because you know what, the stimulus plan hadn't been creating any jobs. This health care plan is going to stimulate, it is going to stimulate a bunch of new hires in Washington, D.C., and not across the heartland of America, because they are going to have to put people in place here to fill all these positions. And they are going to be shuffling paper, and they are going to be asking hospitals and doctors and health care providers to jump through all of these hoops so that they can justify their jobs.

I think the American people want to create jobs out there in States like Ohio and Texas. So, you know, the job creation, unfortunately, is moving in the wrong direction if you are creating jobs in Washington, D.C. we need to be creating jobs in the heartland of America.

I want to yield some additional time to my friend from Ohio.

Mr. LATTA. I appreciate the gentleman for yielding. I would be remiss if I didn't bring this up. As I mentioned a little earlier, I represent the largest agricultural district in the State of Ohio, along with manufacturing. When we are talking about all these numbers about what could occur with all this massive debt that we are going to be accumulating, what is that going to do to the farmers out there? How are they going to get their crops out? How are they going to be able to buy land? How are they going to be able to buy machinery?

The last thing that we want to be in this country, not only do we not want to be a debtor Nation, but we don't want to become dependent on the rest of the world for our food. Because once we lose that ability to grow our own food, to supply it for ourselves, we are done. And if the American people think the times are tough now when we are worried about where we get our energy or who is going to be buying our debt, you throw food into that mix, and that will be pretty much the end. I think that is why you take all these things together and why this debate is so important. And that is why I think really that we should have had this debate going on across the United States. I appreciate the gentleman for yielding.

Mr. NEUGEBAUER. I would now like to yield some time to another one of our colleagues who has joined us here, the gentleman from Louisiana (Mr. SCALISE).

Mr. SCALISE. I want to thank the gentleman from Texas for yielding and for hosting this hour, because it is so important right now. As the American people are watching what is going on here in Washington, most people are saying they don't want a government takeover of health care. They want us to be focusing on creating jobs, which we should be doing, but instead you have got these meetings going on behind closed doors by Speaker PELOSI and her liberal lieutenants to try to have this government takeover of health care being forced down the people's throats.

The President said multiple times during the campaign that he would insist that these meetings be held in public, they be on C–SPAN so the American people could see it. And yet the President has totally gone back on his word. These meetings are behind closed doors. You know, ironically the President goes out publicly and he bashes big insurance companies, and then he goes behind closed doors and he cuts special sweetheart deals with insurance companies. He goes behind closed doors and first says Republicans don't have a plan, and yet when we submit our plan to him, he refuses to meet with us. He throws us out of the room.

The American people are tired of this. Because we should be doing the things that we have proposed to reduce the cost of health care. But instead, you have got these back room sweetheart deals, you have got these closed door meetings instead of the public transparency that we were promised.

And it is very unfortunate, because we are talking about one-sixth of our economy. We are talking about a government takeover bill that would literally throw millions of Americans off their health care. So I appreciate what you are doing.

Mr. NEUGEBAUER. I thank the gentleman. And I thank my colleagues for entering into this very important discussion so that the American people can have a little light shined on a very important issue.

TERRORIST ATTACKS ON AMERICA

The SPEAKER pro tempore (Mr. MURPHY of New York). Under the Speaker's announced policy of January 6, 2009, the gentleman from Texas (Mr. GOHMERT) is recognized for 60 minutes.

Mr. GOHMERT. Thank you, Mr. Speaker.

It is an interesting time we live in. We have heard in the past year that Gitmo is the main recruiting tool, the best recruiting tool for al Qaeda, for Islamic jihadists who want to destroy America. And so I thought it was important that we look at that a little more in depth, rather than just having a cursory action, because for those of us who have been to Gitmo, I have been twice, I know that no one has ever been waterboarded at the Guantanamo Bay facility. The Khalid Sheikh Mohammed waterboarding occurred in the Middle East. And there are those that are worried about waterboarding continuing.

The fact is, when that was leaked and such a big deal made out of it and the fact that when the U.S. has done it, been involved, there have been a doctor there, there was no way they were going to allow harm to come to the individual being waterboarded, the word was out. And so Islamic extremists, jihadists that want to kill America, that want to wipe us off the face of the map, want to destroy Israel, they knew and could tell their extremists you don't have to worry if you are ever waterboarded, because they will have a doctor there, they are not going to let anything happen to you. So obviously, it will never work as a procedure again. But as we have found out, there are a lot of Americans that are alive today because that procedure was used.

So if Gitmo had never been used as a location where waterboarding or torture of any kind occurred, then why is it so bad? Well, it is because a lot of people don't know what they are talking about. Having visited many prisons as a judge, chief justice, and even as a Congressman having visited prisons, I know from visiting Guantanamo Bay facility, the detention facility there, that the people are not mistreated. They get good food. And in fact, most of the detainees there have gained weight, not lost weight. They get excellent medical facilities. They get treatment when they need it. The interrogation often, if there is any at all, occurs in a big lounge chair there.

In fact, the biggest problem there at Guantanamo Bay for those who work there is having feces and urine thrown on them. The detainees figure out really brilliant ways to go about throwing

feces and urine on the guards. Now, at most prisons if you do that you are put in isolation, where there is no way you could do something like that again. Not at Guantanamo Bay.

As I was told by a commander there, because there are so many frequent visits by those who want to make sure no one is being done wrong there, they don't want anyone ever to be found in isolation no matter how much feces or urine they are throwing. So the thing that is normally done is taking away some of their movie watching time. Yes, they watch movies there. Nothing that violates their religion. They are given Korans that American hands have never touched. They are given food that is not inconsistent with their religious beliefs. It is really rather amazing.

And then all of the money that was spent to build a courtroom facility there, and areas where the detainees could consult with their attorneys in private so that it was clear to anyone in that facility, in that detention area that there is no way to have bugs in this place, and so you could truly have private consultation, but it is so isolated an area you didn't have to worry about anybody coming in there. And the security measures were such there that it was an amazing facility for the trial of alleged terrorists.

Now, we have Americans who are saying but it is just wrong to hold somebody without trying them. Those people are completely ignorant. They are not mean. They are just ignorant of the laws of war that have gone throughout time. Because never in the history of mankind has there been a time when a group declared war on another group or country and then were captured while they were in the process of bringing war against those individuals that they were given full civilian treatment in court. Certainly there has never been any American prisoners that were treated like that.

In fact, if you read of the torture to Americans during World War II, some in the Pacific, some in Europe, but just phenomenal the treatment that has been accorded Americans. If you look at what has happened before Guantanamo Bay was ever opened to Americans at the hands of jihadists, extremists, then you find out that Gitmo didn't cause those problems. They didn't cause a rallying cry for people to join some extremist jihadist group. It was a matter of their religious beliefs.

And if you look at the pleading that was filed by Khalid Sheikh Mohammed, who has now been ordered by our President, our Attorney General to be brought to New York for trial instead of being tried under the constitutional military commission down in Guantanamo, you see what he has to say. In fact, if you go back to his last—and this was declassified so that everyone in the country and the world could know what he had to say.

Khalid Sheikh Mohammed is a very smart man. He is intent on doing everything he can to help destroy America, destroy our freedoms, destroy our way of life. But if you look at page six of his pleading, toward the end, he says, ''We have news for you. The news is you will be greatly defeated in Afghanistan and Iraq, and that America will fall politically, militarily, and economically. Your end is very near, and your fall will be just as the fall of the towers on the blessed 9/11 day. We will raise from the ruins, God willing,'' Khalid Sheikh Mohammed says. ''We will leave this imprisonment with our noses raised high in dignity, as the lion emerges from his den.'' And he says, ''We ask God to accept our contributions to the great attack on America, and to place our 19 martyred brethren among the highest peaks in paradise.''

Other comments he had to say in his pleading, and as I understand it he did his own interpretation, and he would make statements and then support them with what he believed was support from the Koran itself, he says, ''God stated in his book, verse 190, Al-Baqara, and fight in the way of Allah those who fight you, but Allah likes not the transgressors.'' But then he goes on in the very next page and talks about then fight—and he quotes, he says, ''From God's book, verse nine, Al-Tawbah, then fight and slay the pagans wherever you find them, and seize them, and besiege them and lie in wait for them in each and every ambush.''

□ 1845

He says himself, ''In God's book, he ordered us to fight you wherever we find you, even if you were inside the holiest of all holy cities, the Mosque in Mecca, and the holy city of Mecca, and even during sacred months.'' So we've been told we could never fight a battle with extremist jihadists during Ramadan because that might violate their religious beliefs. Khalid Sheikh Mohammed states his belief that it's fine for them to blow us up in their sacred months, that's just fine.

He goes on in another place, he says, ''We do not possess your military might, nor your nuclear weapons. Nevertheless, we fight you with the Almighty God. So, if our acts of jihad and our fighting with you caused fear and terror, then many thanks to God, because it is him that has thrown fear into your hearts, which resulted in your infidelity, paganism, and your statement that God had a son and your trinity beliefs.''

So obviously anyone who is a Christian, who believes that there is a Father, Son and Holy Ghost as part of the Holy Trinity, as was cited in the Treaty of Paris 1783—an original copy of that is over in our State Department on display. And you can see that the bold big letters that start the Treaty of Paris in which England had to recognize the United States—there was a treaty after the surrender at Yorktown, but this was the official treaty that England officially signed onto. They knew this was so important that they had to have it done in the name that was so important that no one in England would dare try to violate that oath. So in big, bold letters it says, ''In the name of the undivided and most Holy Trinity.''

So Khalid Sheikh Mohammed makes clear that anybody that would sign onto something like that clearly is an infidel and needs to be killed.

Then he quotes, God stated in his book, verse 151, Al-Umran, ''Soon shall we cast terror into the hearts of the unbelievers, for that they joined companies with Allah, for which he has sent no authority''—in other words, saying that Allah or God had a son—''their place will be the fire; and evil is the home of the wrongdoers.''

Again, this is the pleading that was declassified by the court so we could know what Khalid Sheikh Mohammed wrote. And he wrote it apparently, but on behalf of himself and the other prisoners who are now going to be transferred to New York City in an unprecedented move to get him right in the middle where he can cause more trouble.

By the way, they were planning on pleading guilty. They were pleading guilty. There was not going to be much of a trial because they were going to plead guilty, take credit for what they've done, as he has done in this pleading. But now that our President and the Attorney General have said, hey, let's bring them to New York, let's give them a platform to spew their anger and hatred and disgust for the United States and let's give them a platform—they didn't say this verbally, but it's clearly what is happening and will happen—this will give them a platform to recruit for the terrorists.

I know the President didn't intend to do that, I know that our Attorney General didn't intend to do it, but they're just ignorant of history and therefore they don't realize—and we'll forgive them, they know not what they do. But we need to look at these things that have been said.

If you look at the bottom of page 5, Khalid Sheikh Mohammed says, ''America is the number one, and the largest country in the world, spreading military might and terrorism.'' He says, America is the principal and greatest supplier to the occupying terrorist State of Israel, and so God has ordered us to spend for jihad and this cause. And he says this is evident in many Koranic verses.

There is one thing he says, though. He says, ''God has stated in his book, verse 14, Al-Hashir: They fight not against you even together, except in fortified townships, or from behind walls, their enmity among themselves is very great, you would think that they were united, but their hearts are divided. That is because they are a people who understand not.''

And so as Khalid Sheikh Mohammed is saying, this is a great recruiting tool because of their ignorance. They don't

know who they're fighting. They're not united. Obviously they're people that don't realize we're at war with them, and so they want to be buddies. And others realize we're at war with them and they want to stop us. But because of that division, the ignorance of those who don't really understand the war—not of the vast majority of Islam, but for this small, perhaps 1 percent of Islam, these extremist groups, they're saying they're going to be able to defeat us because we're divided because so many are ignorant and don't understand that they are in such a war with us.

I see I have a colleague, Mr. THOMPSON; I would like to yield him such time as he may need.

Mr. THOMPSON of Pennsylvania. I appreciate that. I appreciate my good friend from Texas for hosting this hour on such an important issue. Really, this is about national security. And I also appreciate your leadership on this. I believe you serve on the Judiciary Committee, and with your background as a judge, a chief justice, you have so much experience in this area. My background is not in those same areas, and so I appreciate having a leader and somebody with that type of experience on these issues we're looking at.

My concern as a citizen and as a Member of Congress is what I think is the number one responsibility, the primary responsibility of the United States Government, and that is to provide for national security, safety and security for our citizens. This is an issue that touches my heart deeply in terms of the risks that are involved here.

We are at war, and we are at war with an enemy that is not uniformed, an enemy that is evil, and the measures that it uses as they seek to kill Americans. And so this whole issue surrounding Guantanamo Bay, which I think has worked well in terms of, in a very humane way, a respectful way, housing terrorists, those captured in the act of war, and has treated them very respectfully, I have tremendous concern. I don't have a legal background, obviously, and that's why I look forward to your opinions on that and your insight.

As the President, whom I disagree with—I think our country is safer by using Guantanamo Bay, where those individuals are right now, to keep them there as opposed to bringing them to New York for trial, or bring them to Illinois to be housed, or to bring them to our shores, to our soil. I would like to yield back to the gentleman in terms of legal concepts such as discovery. What do you see as the risks as the President continues, I believe, in opposition of the majority of the American people that want to bring these terrorists to our soil?

I will yield back.

Mr. GOHMERT. That is an excellent question that's been posed about the type of discovery that's afforded in a civil trial, in a civilian U.S. district court as opposed to those in a military commission. A military commission, as set up constitutionally, as the Supreme Court has said is constitutional, has more limited discovery, so we do not have to turn over all our national secrets to our enemies during a time of war when they're at war with us.

Can you imagine if during World War II there were Japanese or Germans who were at war with us captured on the battlefield and President Roosevelt or President Truman had said, you know what? We're going to bring them in and put them in a show trial in a U.S. district court in America. Well, they would say, well, we, as defendants, we want all your information; Germans saying we want to know what information you have about our Enigma machines. We want to know in the Japanese area of occupation what information you have. All the demands that can be made in discovery. And you say, well, a U.S. district court can review those things privately and decide what can be disclosed and what can't. You don't have to disclose state secrets. It is ridiculous to get to that point.

I hear some, again, who are ignorant of history—good people, just ignorant of history—that think we need to afford these people all of the rights that any American has. Well, an American who is at war with another country is afforded certain rights, but not the rights that they would be afforded in a U.S. district court. They're afforded all of the rights that our Constitution requires in the military commission. And there is more restrictive discovery.

Unfortunately, there was ignorance in America and among our leaders and among most of us in America that there was a war going on. The United States was at war, but only one side knew, and that was the side attacking us. President Carter didn't realize that; actually, President Reagan didn't realize that. President Clinton certainly didn't realize that. For all the good things he was doing to try to help oppressed Muslims in the world and sending troops to help out, you would have thought that there wouldn't be this type of thing being planned on his watch.

But we know from the trial back in the early 1990s after the bombing at the World Trade Center in 1993 that, on the one hand, information was disclosed in discovery that the U.S. had gotten intelligence by intercepting cell phone calls. That was immediately traced back to al Qaeda, and they immediately stopped using cell phones. And so had that not occurred and that trial not occurred in a U.S. district court, so they wouldn't have handed over the information that we were getting our intelligence from cell phones, there is an excellent chance we would have known that 9/11 was coming from the cell phone chatter. But that was foreclosed.

We also know from that trial back in the 1990s that information was demanded by the defendants of the unnamed co-conspirators. That was required to be disclosed. Within 2 weeks, all of that information was back in the hands of Osama bin Laden and they knew who not to use and who we were on to. Again, it hurt us dramatically in our intelligence efforts to defend ourselves and to prepare for the onslaught against us. So it is dangerous to provide people at war with you with the kind of discovery that will be available in the U.S. district courts.

What is infuriating to me—I was in the Army for 4 years. I know about the military justice system. To think about our soldiers in harm's way having the requirement put on them that for the future you may have an Attorney General or a President that decides the people you capture on the battlefield are entitled to a trial in a U.S. district court. Therefore, we know you're being shot at, but go ahead and go on out there and bring your forensic wagon and start getting fingerprints so we can prove that they touched the bullet casings that you saw them touch because your testimony in a U.S. district court will need to be supplemented with hard evidence.

We will need DNA evidence, we will need other evidence forensic in nature. We'll have to have people go out there and check out the bodies, take the bullets out of our servicemen who were killed by this guy you saw shoot so that we can establish that, yes, their fingerprints were on the weapon. That is insane to require our soldiers and sailors, our military in harm's way to go out and be conducting forensic evidence examinations on a battlefield during a time when people are at war with us.

I was glad to hear our President say in the last couple of weeks that he recognizes now that we are in a war. Well, if we're in a war, you don't bring—they were called ''enemy detainees''; now, as amended in the past year by our majority here in the House and Senate, that language has been changed. It was just really kind of impolite to call them enemy combatants. That language has now been changed in the law to ''alien unprivileged enemy belligerents.'' Hopefully that will make them feel better.

But it goes back to what Khalid Sheikh Mohammed said in his pleading, ''They fight not against you even together.

''Their enmity among themselves is very great, you would think that they were united, but their hearts are divided. That is because they are a people who understand not.''

□ 1900

They know that there are people in this country who are ignorant, that they are in a war and intend to destroy us, and they say that's what gives them the advantage over us. So you have people well-intentioned. Now, that's a good intention of the President of the United States to say, You know what? We're going to be above board, give them all this information, and

have all of these open trials. Of course, we also heard we were going to have open proceedings on the health care bill, and that hasn't happened. Although we're not going to open up the health care debate and although we're not going to do what we promised and put it on C–SPAN, we are going to do that for the enemies of the United States. That is extraordinary.

Mr. THOMPSON of Pennsylvania. Will the gentleman yield?

Mr. GOHMERT. Certainly.

Mr. THOMPSON of Pennsylvania. Yes, I have just tremendous concerns with these decisions the administration is trying to move.

I know the Republicans in this Congress have been working very hard over the past year to keep those terrorists—I don't care what other label they put on them. They're terrorists. I have a son who was wounded as a result of some of those folks south of Baghdad, and they're terrorists. They seek to do harm. They want to kill Americans. They've been captured in the act of war, in the war theater.

I have tremendous concern with the Commander in Chief and with my colleagues on the other side of the aisle who, I really think, have compromised principles. You look at every decision that gets made, and there are principles behind it. I think the principle that should be above all for the Commander in Chief and for the United States Congress is the safety and security of the United States citizens. It comes down to keeping every individual American as safe as absolutely possible, and that's the principle that should be guiding us.

If that is the principle that should be in place—and that's a principle that is easy to find within the opening paragraph of the Constitution of the United States—then this would not be a debate. We would come to the conclusion that our commanders who established Guantanamo Bay used the right wisdom, the right rule of law to do that, and we are doing that in a fair and humane way to keep those terrorists housed and to keep Americans safe.

Yet the principle, I believe, that is being followed by our Commander in Chief and by my colleagues on the other side of the aisle is one of almost bowing to other countries, of doing what appears to be politically correct, of winning favor in the international community, that closing Guantanamo Bay is not good for Americans. It seems like it's something that is offered up as a public relations move to the rest of the world.

I yield back for your thoughts.

Mr. GOHMERT. I would take you back to 1978 when a very nice man at that time was the President, named Jimmy Carter. I believe it was in 1978 that President Jimmy Carter hailed the Shah of Iran as leading a country that was the most stable entity in the whole Middle East. Then a year later, it had been home to a revolution. Ayatollah Khomeini came back, and for the first time in our lifetime—some say the first time ever—but certainly, for the first time in my lifetime, there were Islamic extremists, jihadist individuals, who were in charge of a nation and that nation's military. So going back to what Khalid Sheikh Mohammed said in his pleading: Their hearts are divided. That is because they are people who understand not.

Well, we had a President—again, a nice man, Jimmy Carter—but he understood not. He was wrong about the shah's having such a stable country. It was not stable. That was misread. Then he misread that these were guys who, if you just were nice to them, they'd be nice back. Apparently, they even sent a Cabinet member to talk to the representative of Ayatollah Khomeini to tell him, Look, we're ready to be friends, to help, to have a wonderful relationship with you. Just let us know when and how fast you want to proceed. He understood not that these people considered themselves as extremist jihadists—enemies of the United States. They considered it the Great Satan, and they needed to destroy it at all costs. Ayatollah Khomeini called for, basically, war against the United States.

On November 4, 1979, Iranian Muslim extremists stormed the American Embassy in Iran. They actually took more than 52 hostages. They released some for PR purposes later but kept 52 diplomats hostage. Now, President Carter and his administration thought we can just out-friend them, and they'll release them. We'll just be nice to them. We know how to do this. We'll be really, really nice, and we'll work with them. In fact, at one point, President Carter said, We don't want to do anything that will put these hostages at risk. That was a green light to Islamic extremists, jihadists, around the world that the United States is a paper tiger, that it's weak and that, as Khalid Sheikh Mohammed said, They're divided. They understand not. They don't realize we are at war with them and are going to destroy them, and so we can take them.

Those 444 days that the United States allowed itself to be held hostage in Iran were the greatest recruiting tools of jihadists the world over, and we did nothing.

During the campaign of 1980, President Carter painted Presidential candidate Reagan as being so crazy that he might just attack these guys and take them out and that you couldn't trust him. Remember that ''Saturday Night Live'' had a sketch of Reagan walking around, asking where the red nuclear button was. He was going to push it. So the reputation around the world was such that people perceived that this Reagan guy may actually come after us, that we'd better release the hostages. Well, the hostages were released; but again, unfortunately, it wasn't limited to President Carter and advisers of his administration that they didn't recognize that the jihadists were at war with us.

We had Marines in Beirut, Lebanon. In 1983, the Marine barracks were bombed in Lebanon. One terrorist driver drove through the concertina wire, drove through the guards, and the truck exploded and killed 241 American servicemen in Beirut, Lebanon. That was a phenomenal recruiting tool. People in America started saying, Let's just get out. Just get out. Unfortunately, on that occasion, President Reagan bowed to his advisers and to popular opinion at the time that we needed to just pull out.

That was an extraordinary recruiting tool. At the time, jihadists used it in an incredible way to recruit for their crazed jihadist cause because they were able to say, Look, one guy gave his life, detonated a bomb, and the most powerful military country in the world, the United States, turned tail and ran. One man completely committed as a suicide bomber could make the United States cower and run, because that is the way it was perceived. That was a phenomenal recruiting tool for jihadists around the world. They were also not ignorant. The jihadists were not.

In Vietnam, instead of just finishing giving our soldiers, sailors and airmen what they needed to just win the war and to come home, it was strung out in Washington under President Johnson. He was even picking the bombing sites in Washington instead of letting the servicemen do their jobs.

One of the things I admire about former President George H.W. Bush is when he committed that we were going to liberate Kuwait from the atrocity of Saddam Hussein's moving in and taking over that country, he did a great thing. He called in the military guys, and said, You guys are in the military. You tell me what we need. Here is what we're going to do. We're going to liberate Kuwait. So they put together a plan, and that's what they did. It was not the civilians running the activity.

SAM JOHNSON, a Member of our body here, a colleague who was in the Hanoi Hilton for nearly 7 years, was told, after we carpet-bombed North Vietnam in Hanoi for 2 weeks, that they rushed back to the negotiating table, worked out a deal that was favorable to them and not to the United States. Sam said, when he was leaving the POW camp, the Hanoi Hilton, the commander was laughing, and said, You stupid Americans. If you had just bombed us for one more week, we would have had to surrender unconditionally.

But we didn't do that. We didn't give the servicemembers what they needed to just win the war and come home. That should have been the lesson of Vietnam: never commit troops unless you are willing to give them what it takes to win the war and come home.

In Beirut, Lebanon, our Marines were told—and the ones who were out on the perimeter who should have been able to stop the truck coming through the concertina wire—and there should have been more to stop them than that—

they were not allowed under their rules of engagement to even have rounds in their weapons. We've repeated some of those same mistakes, but that was a tremendous recruiting tool.

If you go through the history, there are so many acts of war. That was certainly an act of war. Under everyone's interpretation of international law, when you invade an embassy, you have committed an act of war against that country. There is an act of war against America. We were within our rights to say, You either get our hostages out within 48 hours, 72 hours, whatever it is, or we're coming in.

I was in the Army at Fort Benning at the time, so we were paying close attention. Nobody was dying to go to Iran, but people were prepared to go and die, if necessary, to defend our country after an act of war like that. Yet what happened after that was no response. So, again, they were able to recruit.

After we pulled out of Beirut, Lebanon, after the attack on our Marine barracks in 1984, Malcolm Kerr, a Lebanese-born American, was president of the American University of Beirut. He was killed by two gunmen outside his office. Hezbollah said the assassination was part of the organization's plan to drive all Americans out of Lebanon.

On March 16, Hezbollah kidnapped William Buckley, a political officer at the U.S. Embassy in Beirut. Buckley was supposed to be exchanged for prisoners, but that didn't happen. There was a trial in the U.S. District Court of a civil nature, not of prisoners of war, not of enemy combatants. There was a trial in the U.S. District Court where the evidence came forward to prove and it was established, and the court found that Hezbollah was responsible for the attack on the Beirut Marine barracks and that it was sponsored by Iran, that Iran was the one behind it all. They've been at war with us since 1979, and we didn't know it.

You would have thought as other things occurred, like the Kuwait Airways Flight 221 being hijacked and diverted to Tehran where two Americans were killed, that that might have been a clue.

It might have been a clue when two Hezbollah members hijacked a TWA flight and forced the pilot to fly to Beirut. Eight crew members and 145 passengers were held for 17 days, and one of the hostages, a U.S. Navy diver, was murdered.

You would have thought that perhaps, when 4 terrorists from Abu Nidal's organization attacked the El Al offices at Leonardo DaVinci Airport in Rome and 13 people, including 5 Americans, were killed and 74 were wounded, among them 2 Americans, that that would have been a clue that someone was at war with us.

□ 1915

It might have been a clue that in an explosion at the LaBelle nightclub in Berlin frequented by American soldiers that two U.S. soldiers were killed and 191 individuals were wounded, including 41 U.S. soldiers, and they saw the evidence indicating Libya was involved, that that would have been a clue.

In 1988, Colonel William Higgins, the American chief of the UN Truce Supervisory Organization, was abducted again by Hezbollah, backed by Iran, and Hezbollah later claimed they killed Colonel Higgins.

Some who were alive back in the 1980s may recall that, after Libya had sponsored terrorism, President Reagan realized you have got to deal with these people in a manner they understand. We sent planes to Libya, they bombed his home, and we didn't have any more trouble out of Libya for a number of years.

But if you come up to 1991, there were two car bombings that killed a U.S. Air Force sergeant and severely wounded an Egyptian diplomat in Istanbul, and the Turkish Islamic Jihad claimed responsibility.

You get to 1993, February 26, a massive van bomb exploded in an underground parking garage below the World Trade Center in New York City that killed six and wounded 1,042. Four Islamist activists were responsible for the attack. But those in authority in the country did not realize that we were even in a war. We were in a war.

So when you start thinking about what is the greatest terrorist recruiting tool? What is it that has enabled the jihadists to continue to recruit since 1979? Well, first they use the fact that even though we have so much military might, we turned tail and ran from Vietnam. And then they were able to use that in 1979. They attacked the United States by attacking our Embassy, took American hostages, and we did nothing about it. That was a great recruiting tool, and they were able to recruit well because of it, because they were able to show they scared the great Satan even though they had more power, more military might.

Then, in 1983, to bomb our barracks and have one man give his life and kill 241 Marines and we withdrew, that was a great recruiting tool for jihadists. It wasn't Gitmo.

These people have been at war with us for over 30 years, and it took too long for people in authority here to realize it. So if you go forward, of course—and there are many other killings, bombings.

In 1995, Islamic extremists set fire to a warehouse belonging to the U.S. Embassy, threatened the Algerian security guard because he was working for the United States, and the armed Islamic group was apparently suspected and felt clearly that they were involved with the attack.

November 13 of 1995, a car bomb exploded in the parking lot outside the Riyadh headquarters of the Office of the Program Manager, Saudi Arabian National Guard, killing seven persons, five of them U.S. citizens. Three groups—the Islamic Movement for Change, the Tigers of the Gulf, and the Combatant Partisans of God—claimed responsibility for that attack, that act of war against Americans.

February 25 of 1996, a suicide bomber blew up a commuter bus in Jerusalem killing 26, including three U.S. citizens, injuring 80 others. Among those injured were U.S. citizens. Hamas claimed responsibility for the bombing.

June 25 of 1996, a fuel truck carrying a bomb exploded outside the U.S. military's Khobar Towers housing facility there in Dhahran, killing 19 U.S. military personnel and wounding 515 persons, including 240 U.S. personnel. Saudi Hezbollah was identified as the group responsible.

They were at war, but the United States still did not recognize it. Still, we are turning over secrets and intelligence gathering information through trials, through the courts in the United States District Court. What a mistake.

1997, September 4, the bombing on Ben Yehuda Street in Jerusalem, one U.S. citizen killed, 10 injured. Hamas claimed responsibility for the attack.

There are so many others.

November 12, two gunmen shot to death four U.S. auditors from Union Texas Petroleum and their Pakistani driver as they drove from the Sheraton Hotel in Karachi. Two groups claimed responsibility: the Islamic Council and Islamic Revolutionary Council, also known as the Aimal Khufia Action Committee.

1998, August 7, a car bomb exploded at the rear entrance of the U.S. Embassy in Nairobi. The attack killed a total of 292, including 12 U.S. citizens, injured over 5,000, including Americans. The perpetrators belonged to some group named al Qaeda that is part of Osama bin Laden's network.

2000, October 12. While the campaign for President in 2000 was going on, a suicide squad rammed the warship the USS Cole with an explosives-ladened boat, killing 13 American sailors and injuring 33. It was believed to have been caused by Osama bin Laden's al Qaeda organization.

We still didn't recognize there was a war going on, not until September 11, 2001, when people know what happened. Finally, we got the picture. Finally, we realized this war has been going on since 1979, and it is time we fought in this war and not let it be a one-sided war.

There is no answering these people who want to destroy our way of life with reaching out in peace. I saw a sign not long ago, some protestor had a sign that said, ''War never brought about peace.'' I was amazed. Obviously, this person knows nothing about history.

The greatest periods of peace come when bad guys are defeated. Those who are mean and evil and they want to take the liberty others may have, you defeat them, and then you have a period of peace.

And there are periods of peace when the bad guys defeat countries who

don't know they are at war even though they are stronger. That is what al Qaeda, that is what Hezbollah, that is what the jihadists are counting on is the ignorance in this country by people who do not realize there is a war going on and that we are determined to show how loving and peaceful we can be.

Neville Chamberlain tried that. He tried that. And what happened was, as Winston Churchill said: An appeaser is someone who keeps feeding the alligator, hoping they'll be eaten last. And that is what Chamberlain did, and it didn't work. It didn't work in the Pacific.

When people declare war against you, you have got to fight them in the war until they finally acknowledge, Okay, we give up. We are no longer at war. We will quit fighting.

At that point, all of the detainees, the prisoners of war that you have held, you release them because their buddies are no longer at war with you. That is the history of civilized society at war. And when they are released, you hold those you have probable cause to believe committed war crimes and then try them in a Nuremberg or military commission-style trial.

I would like to recognize my dear friend, my colleague from Minnesota, MICHELE BACHMANN.

Mrs. BACHMANN. I want to thank the gentleman from Tyler, Texas, LOUIE GOHMERT, for the wonderful job that he has been doing. I caught some of the gentleman's remarks briefly, and I was so pleased that you talked about this whole concept of the greatest terrorist recruiting tool, Gitmo or U.S. weakness.

You are exactly right in your description of what we are looking at now with Gitmo. What we are looking at the President's idea of closing Gitmo is actually a fiction.

And the gentleman may have already addressed that issue, but it can't be underscored enough in my mind: Gitmo will not be closed. Yes, it may no longer be in its current physical location off of U.S. soil, but Gitmo will simply be packed up into boxes, a moving van is going to show up, and that moving van will be taken across water and across land. And, guess what? Gitmo is going to have a new address. It will fill out a change of address form for the worst of the worst terrorists that we know of that are enemy noncombatants against United States citizens, only now these enemy noncombatants, rather than being held safely and securely off U.S. soil, will be brought on to U.S. soil, where they will be on U.S. soil in Thompson, Illinois, in the heartland of this great country, whereby they will have opportunities potentially to do what we know terrorists have been doing for the past several years, and that is recruiting through the U.S. prison system for more people to become radicalized in their Sharia-compliant view of jihadist extremism.

Is this going to make anyone safer in the United States? Ultimately, that is the final question that we as Members of Congress have to satisfy ourselves: Will we be safer bringing these terrorists from Gitmo onto U.S. soil or will we be safer keeping them secure where they have been all along, on Gitmo? I think it is keeping them on Gitmo.

Something else I would like to bring up if I could, just for a minute, just to divert, and it is the issue of this underwear bomber on Christmas Day. This is such a horrible travesty that was averted simply because the incompetence of this terrorist. But for his incompetence, we would have this Chamber filled with Members of Congress screaming about, What happened? Why weren't we secure? We would be having lively discussions every night. Thank God this terrorist was not successful. But he came so close to taking out nearly 300 innocent lives.

We have seen this path before, and there is a common thread that occurs. The common thread are people who are sold out to radicalize Sharia-compliant jihad. That is the thread. Why aren't we as a government looking for people with that profile?

Oh, I guess I said a bad word. Profile? Is that a politically noncorrect word now? We are not supposed to say it? Well, let's talk about what we need to do to keep safety foremost. Not political correctness. Safety of the American people. That is what this is about.

The American people are right to be outraged when they think that their government is lifting up the tenets of multiculturalism over the tenets of the safety and security of the American people.

Oh, that the day would never come when, in the name of political correctness, Americans would die needlessly in tragedies like the one thankfully that was averted on Christmas Day. May that never be.

And for my money, one of the worst things that happened is that when this underwear bomber was taken off of the plane, he had a small interrogation, then was given his Miranda warnings, was given a defense lawyer, and that is the end of it. Now duct tape is over his mouth. The United States will never again benefit from what this terrorist—I suppose we are supposed to say ''alleged terrorist''—what this fellow intended against American citizens and other citizens from other nations of the world. This is a travesty.

He should not have been given his Miranda warnings, in my opinion. He should have been fully vetted and interrogated for what he was, because, let's remember, we have to make a decision. Are we going to take this war seriously or are we going to treat this as a criminal act akin to breaking and entering?

This is war. You can't have anything more clear. Someone who comes intending to bomb a plane, a Northwest Airlines plane over Detroit, this is an act of war. This is not a breaking and entering. This should not have been a Mirandized situation, given full rights to a lawyer and told forever and ever, You don't have to say a word. Now we are giving you all the rights, privileges, and immunities of an American citizen even though you aren't one. You are a Nigerian, and you planned evil intent for a lot of innocent people.

This is beyond belief to me. I just can't believe it. That is why I am so grateful to the gentleman from Tyler, Texas, because you are asking exactly the right question: Is Gitmo a recruiting tool or U.S. weakness? When you lawyer up and Mirandize actual terrorists in the midst of a terrifying event, an act of war against America, you don't Mirandize. You treat them for what they are.

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You treat them for what they are. You interrogate them. Why? Because at the end of the day will the American people be safer or will we be more at risk? Closing Gitmo, that location, moving it to Thompson, Illinois, opening it up, it's still Gitmo; now it's just Gitmo North rather than Gitmo South, and that equals U.S. weakness.

With that, I yield back to the gentleman from Tyler, Texas.

Mr. GOHMERT. I appreciate so much those wonderful points that were made. It is weakness that gives a recruiting tool, the joy among jihadists to realize we told them, close Gitmo. It's a nice place if you're going to be held somewhere as a prisoner. We told them it was a recruiting tool. And now, as Khalid Sheikh Mohammed said, that is because they are people who understand not the reason they'll defeat us. They didn't get it. They thought they really did need to close Gitmo, and they did, and they're going to bring it onto the continental U.S. That shows weakness. The fact that we are showing that kind of weakness in closing Gitmo is a fantastic recruiting tool.

Mrs. BACHMANN. Absolutely.

Mr. GOHMERT. If you go back after the surge that was ordered by President Bush, and before that, things weren't going well. General Petraeus told us we need a surge. We got a surge and all of a sudden things are going much better in Iraq. They're going great. And some of the declassified information that was obtained by our intelligence sources, we saw their own writings. We saw what they said. They said that things are going so good for the United States, we thought after the Republicans lost the majority, they would pull out. But now that they've come with more troops and they're defeating us, we can't recruit. Their own information said we can't recruit, because this showed strength.

And now they're having a big time because, gee, they've been successful in making us think that showing weakness is going to help us, when it's actually helping them recruit. It is exactly what's happened. Every time they acted and did something violent, and we responded by backing up.

I want to address very quickly one of the things that's been brought up by

some of our friends. Some people in the country say, Well, these prisoners need all of the constitutional rights they're supposed to have. And they're getting them at Gitmo. Because just as if—when I was in the military, I was subject to the UCMJ. I was subject to a military court. I wasn't entitled to a trial if I had done something on a military installation. I was entitled to a military trial. And that was constitutional. And it was constitutional and is constitutional for this Congress to set up military commissions to try people who have engaged in war against us. That is constitutional. And they've gotten all of their constitutional rights as someone at war with us. And now, because they're going to be tried in the United States, they're deciding to plead not guilty so they can put on a show.

What causes more weakness, what causes more recruiting? Is it U.S. weakness or is it Gitmo? Clearly, our country leaders have been suckered into thinking that closing Gitmo will be a good thing for us, and in fact what is telegraphed is, these people are weak, just as Khalid Sheikh Mohammed said. You would think they are united, but their hearts are divided. That's because they're people who understand not. They're saying, We don't understand.

Mrs. BACHMANN. If the gentleman would yield on Khalid Sheikh Mohammed. This is an extremely important point. Again, the mastermind of 9/11, who achieved his goal of killing 3,000 innocent Americans in the World Trade Center bombing, he got his way. Why would we give him his way by bringing him to New York City at over $200 million a year taxpayer expense to give him a show trial when he's already pled guilty and already asked to be executed? What happened? Did the President, did the Attorney General say to Khalid Sheikh Mohammed, Now wait a minute; you don't want to plead guilty. Wait a minute; you don't want to be executed. You want to come to New York City. You want to have the trial just like you asked for in the first place.

Why would we do that? Because the only message we will be sending to future terrorists will be you, too, can have a show trial in the city of your choice if you come to America. Or, if you try a terrorist activity, you, too, can be Mirandized and be part of the American legal system.

I yield back to gentleman from Texas.

Mr. GOHMERT. Thank you. I realize my time is expiring and appreciate the indulgence, Mr. Speaker. It should be clear, though, the way to deal with Iran is not through weakness. If they won't shut down the nuclear proliferation, we have got to shut them down.

With that, we yield back our time.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to:

Mr. CRENSHAW (at the request of Mr. BOEHNER) for today on account of personal reasons.

Mr. POE of Texas (at the request of Mr. BOEHNER) for today and January 12 on account of other district business.

SPECIAL ORDERS GRANTED

By unanimous consent, permission to address the House, following the legislative program and any special orders heretofore entered, was granted to:

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

Ms. WOOLSEY, for 5 minutes, today.

Mr. CONNOLLY of Virginia, for 5 minutes, today.

Mr. DEFAZIO, for 5 minutes, today.

Ms. KAPTUR, for 5 minutes, today.

Mr. SPRATT, for 5 minutes, today.

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

Mr. POE of Texas, for 5 minutes, January 20.

Mr. JONES, for 5 minutes, January 20.

Mr. BURTON of Indiana, for 5 minutes, January 19 and 20.

Mr. MORAN of Kansas, for 5 minutes, January 20.

Mr. THOMPSON of Pennsylvania, for 5 minutes, today.

Mr. WOLF, for 5 minutes, today.

ADJOURNMENT

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

The motion was agreed to; accordingly (at 7 o'clock and 37 minutes p.m.), under its previous order, the House adjourned until Friday, January 15, 2010, at 9 a.m.

EXECUTIVE COMMUNICATIONS, ETC.

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

5460. A letter from the Chairman of the Council, Council of the District of Columbia, transmitting Transmittal of D.C. ACT 18-262, ''Private Adoption Fee Temporary Amendment Act of 2009''; to the Committee on Oversight and Government Reform.

5461. A letter from the Chairman of the Council, Council of the District of Columbia, transmitting Transmittal of D.C. BILL 18-261, ''Homeland Security and Emergency Management Agency Use of Video Surveillance Amendment Act of 2009''; to the Committee on Oversight and Government Reform.

5462. A letter from the Chairman of the Council, Council of the District of Columbia, transmitting Transmittal of D.C. ACT 18-242, ''Unused Pharmaceutical Safe Disposal Act of 2009''; to the Committee on Oversight and Government Reform.

5463. A letter from the Chief Administrative Officer, transmitting the quarterly report of receipts and expenditures of appropriations and other funds for the period October 1, 2009 through December 31, 2009 as compiled by the Chief Administrative Officer, pursuant to 2 U.S.C. 104a Public Law 88-454; (H. Doc. No. 111—86); to the Committee on House Administration and ordered to be printed.

5464. A letter from the Clerk, U.S. House of Representatives, transmitting List of reports pursuant to Clause 2(b), Rule II of the Rules of the House of Representatives; (H. Doc. No. 111—83); to the Committee on House Administration and ordered to be printed.

5465. A letter from the Attorney Advisor, Department of Homeland Security, transmitting the Department's final rule — Safety Zone; Rail Trail Bridge, Oswego River, Oswego, NY [CGD09-07-094] (RIN: 1625-AA00) received January 7, 2010, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

5466. A letter from the Attorney Advisor, Department of Homeland Security, transmitting the Department's final rule — Safety Zone; Lake Erie, Cleveland, Ohio. 18th Annual Ohio Master Swim [CGD09-07-095] (RIN: 1625-AA00) received January 7, 2010, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

5467. A letter from the Attorney Advisor, Department of Homeland Security, transmitting the Department's final rule — Safety Zone; Trenton Rotary Roar on the River Fireworks Display, Detroit River, Trenton, MI [CGD09-07-097] (RIN: 1625-AA00) received January 7, 2010, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

5468. A letter from the Attorney Advisor, Department of Homeland Security, transmitting the Department's final rule — Safety Zone; Trenton Rotary Roar on the River, Detroit River, Trenton, MI [CGD09-07-098] (RIN: 1625-AA00) received January 7, 2010, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

5469. A letter from the Attorney Advisor, Department of Homeland Security, transmitting the Department's final rule — Safety Zone; St. Clair River Classic Offshore Race, St. Clair River, St. Clair, MI [CGD09-07-100] (RIN: 1625-AA00) received January 7, 2010, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

5470. A letter from the Attorney Advisor, Department of Homeland Security, transmitting the Department's final rule — Security Zone; Protection of Military Cargo, Budd Inlet, Olympia, Washington [CGD13-06-024] (RIN: 1625-AA00) received January 7, 2010, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

5471. A letter from the Attorney Advisor, Department of Homeland Security, transmitting the Department's final rule — Safety Zone; St. Marys River, Sault Ste. Marie, Michigan [CGD09-07-101] (RIN: 1625-AA00) received January 7, 2010, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

5472. A letter from the Attorney Advisor, Department of Homeland Security, transmitting the Department's final rule — Safety Zone; Celebrate Baldwinsville, Seneca River, Baldwinsville, NY [CGD09-07-103] (RIN: 1625-AA00) received January 7, 2010, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

5473. A letter from the Attorney Advisor, Department of Homeland Security, transmitting the Department's final rule — Safety Zone; St. Vincent Foundation Fireworks, Presque Isle Bay, Erie, PA [CGD09-07-106] (RIN: 1625-AA00) received January 7, 2010, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

5474. A letter from the Attorney Advisor, Department of Homeland Security, transmitting the Department's final rule — Safety

Zone; Detroit International Jazz Festival Fireworks, Detroit River, Detroit, MI [CGD09-07-114] (RIN: 1625-AA00) received January 7, 2010, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

5475. A letter from the Attorney Advisor, Department of Homeland Security, transmitting the Department's final rule — Safety Zone; Detroit Belle Isle Grand Prix, Detroit River, Detroit, MI [CGD09-07-117] (RIN: 1625-AA00) received January 7, 2010, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

5476. A letter from the Attorney Advisor, Department of Homeland Security, transmitting the Department's final rule — Safety Zone; Fairport Harbor Perch Fest [CGD09-07-121] (RIN: 1625-AA00) received January 7, 2010, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

5477. A letter from the Attorney Advisor, Department of Homeland Security, transmitting the Department's final rule — Drawbrigde Operation Regulation; China Basin, San Francisco, CA [CGD11-06-009] (RIN: 1625-AA09) received January 7, 2010, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

5478. A letter from the Attorney Advisor, Department of Homeland Security, transmitting the Department's final rule — Drawbridge Operation Regulation; China Basin, San Francisco, CA [CGD11-08-001] (RIN: 1625-AA09) received January 7, 2010, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

5479. A letter from the Attorney Advisor, Department of Homeland Security, transmitting the Department's final rule — Safety Zone; Elliott Bay Along Seattle Waterfront, Seattle, Washington [CGD13-06-021] (RIN: 1625-AA00) received January 7, 2010, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

5480. A letter from the Attorney Advisor, Department of Homeland Security, transmitting the Department's final rule — Safety Zone; Willamette River Mystery Sheen; Portland, Oregon [CGD 13-06-022] (RIN: 1625-AA00) received January 7, 2010, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

5481. A letter from the Attorney Advisor, Department of Homeland Security, transmitting the Department's final rule — Safety Zone; Cleveland National Air Show [CGD09-07-118] (RIN: 1625-AA00) received January 7, 2010, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

5482. A letter from the Attorney Advisor, Department of Homeland Security, transmitting the Department's final rule — Special Local Regulations for Marine Event; Sacramento River Bridge-to-Bridge Waterfront Festival, San Francisco Bay and Sacramento River, CA [CGD 11-06-004] (RIN: 1625-AA08) received January 7, 2010, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

5483. A letter from the Attorney Advisor, Department of Homeland Security, transmitting the Department's final rule — Special Local Regulations for Marine Events; San Francisco Giants Fireworks Display, San Francisco Bay, CA [CGD 11-06-007] (RIN: 1625-AA08) received January 7, 2010, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

5484. A letter from the Attorney Advisor, Department of Homeland Security, transmitting the Department's final rule — Drawbridge Operation Regulations; Sacramento River, Knights Landing, CA [CGD11-06-044] (RIN: 1625-AA09) received January 7, 2010, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

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. GORDON of Tennessee: Committee on Science and Technology. H.R. 3650. A bill to establish a National Harmful Algal Bloom and Hypoxia Program, to develop and coordinate a comprehensive and integrated strategy to address harmful algal blooms and hypoxia, and to provide for the development and implementation of comprehensive regional action plans to reduce harmful algal blooms and hypoxia; with an amendment (Rept. 111–396 Pt. 1). Referred to the Committee of the Whole House on the State of the Union, and ordered to be printed.

DISCHARGE OF COMMITTEE

Pursuant to clause 2 of rule XIII the Committee on Natural Resources discharged from further consideration. H.R. 3650 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. SPEIER (for herself, Ms. DELAURO, Ms. SCHAKOWSKY, Mr. ISRAEL, Ms. SUTTON, and Mr. PERRIELLO):

H.R. 4428. A bill to prohibit the manufacture, sale, or distribution in commerce of children's jewelry containing cadmium, barium, or antimony, and for other purposes; to the Committee on Energy and Commerce.

By Mr. ADLER of New Jersey (for himself, Mr. MCMAHON, Mr. MICA, and Mr. YOUNG of Florida):

H.R. 4429. A bill to provide for an increase of $250 in benefits under certain Federal cash benefit programs for one month in 2010 to compensate for the lack of a cost-of-living adjustment for that year; to the Committee on Ways and Means, and in addition to the Committees on Appropriations, Veterans' Affairs, Oversight and Government Reform, and Transportation and Infrastructure, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. CHAFFETZ (for himself and Mr. JORDAN of Ohio):

H.R. 4430. A bill to protect the democratic process and the right of the people of the District of Columbia to define marriage; to the Committee on Oversight and Government Reform.

By Mr. GRAYSON:

H.R. 4431. A bill to amend the Internal Revenue Code of 1986 to impose a 500 percent excise tax on corporate contributions to political committees and on corporate expenditures on political advocacy campaigns; to the Committee on Ways and Means.

By Mr. GRAYSON:

H.R. 4432. A bill to direct the Securities and Exchange Commission to revise its reporting requirements to require public companies to report certain expenditures made to influence public opinion on any matter other than the promotion of the company's products or services; to the Committee on Financial Services.

By Mr. GRAYSON:

H.R. 4433. A bill to make the antitrust laws applicable to a political committee under the Federal Election Campaign Act of 1971 which is established and administered by a separate segregated fund of a corporation pursuant to section 316(b)(2)(C) of such Act; to the Committee on the Judiciary.

By Mr. GRAYSON:

H.R. 4434. A bill to amend the Federal Election Campaign Act of 1971 to extend the ban on the making of contributions by certain government contractors to other for-profit recipients of Federal funds, to limit the amount of contributions the employees of for-profit recipients of Federal funds may make during any calendar year in which such funds are provided, and for other purposes; to the Committee on House Administration.

By Mr. GRAYSON:

H.R. 4435. A bill to amend the Securities Exchange Act of 1934 to prohibit any national securities exchange from effecting any transaction in a security issued by a corporation unless the corporation's registration with the exchange includes a certification that the corporation currently is in compliance with the provisions of the Federal Election Campaign Act of 1971 governing contributions and expenditures by corporations which were in effect with respect to elections held during 2008; to the Committee on Financial Services.

By Ms. ROS-LEHTINEN (for herself, Mr. MCCOTTER, Mr. GALLEGLY, Mr. SMITH of New Jersey, Mr. BURTON of Indiana, Mr. MACK, Mr. INGLIS, Mr. WOLF, Mr. LINDER, and Mr. LAMBORN):

H.R. 4436. A bill to direct the Secretary of State to submit to Congress an annual report on exports of weapons and related services by the Government of Belarus and Belarusian enterprises and related matters; to the Committee on Foreign Affairs.

By Mr. ETHERIDGE (for himself, Mr. KAGEN, Mr. ISRAEL, Mr. JACKSON of Illinois, Mr. HINCHEY, Mr. COURTNEY, Mr. SKELTON, Mr. BUTTERFIELD, and Mr. PRICE of North Carolina):

H.R. 4437. A bill to amend the Internal Revenue Code of 1986 to allow employers a refundable credit for increasing employment; to the Committee on Ways and Means.

By Mr. RODRIGUEZ (for himself, Mr. CUELLAR, Mr. SMITH of Texas, and Mr. GONZALEZ):

H.R. 4438. A bill to authorize the Secretary of the Interior to enter into an agreement to lease space from a nonprofit group or other government entity for a park headquarters at San Antonio Missions National Historical Park, to expand the boundary of the Park, to conduct a study of potential land acquisitions, and for other purposes; to the Committee on Natural Resources.

By Mr. COHEN (for himself and Mr. DOGGETT):

H.R. 4439. A bill to amend the Internal Revenue Code of 1986 to impose the same rate of tax on pipe tobacco as is imposed on roll-your-own tobacco; to the Committee on Ways and Means.

By Mr. MCNERNEY (for himself and Mr. HALL of New York):

H.R. 4440. A bill to amend title 37, United States Code, to increase the maximum monthly rate for the military special pay known as hostile fire pay, imminent danger pay, or hazardous duty pay, to increase the maximum monthly rate for the family separation allowance paid to deployed members of the Armed Forces, and to increase other special and incentive pays to recognize the service of members of the Armed Forces and

encourage recruitment and retention; to the Committee on Armed Services.

By Mr. BARRETT of South Carolina:

H.R. 4441. A bill to amend the Immigration and Nationality Act to bar the admission of aliens from countries determined to be state sponsors of terrorism, to prohibit the use of funds to transfer enemy combatants detained at Naval Station, Guantanamo Bay, Cuba, to facilities in the United States, and for other purposes; to the Committee on the Judiciary, and in addition to the Committee on Armed Services, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. BRALEY of Iowa:

H.R. 4442. A bill to direct the Secretary of Homeland Security to conduct a study and submit a report to Congress on the use of explosives detection technologies in air transportation, and for other purposes; to the Committee on Homeland Security.

By Mrs. HALVORSON:

H.R. 4443. A bill to amend the Internal Revenue Code of 1986 to increase the work opportunity tax credit for hiring veterans; to the Committee on Ways and Means.

By Mr. GRAYSON:

H.R. 4444. A bill to prohibit the Federal Government from awarding contracts or grants to, entering into other agreements with, providing any other Federal funds to, or engaging in activities that promote, certain organizations; to the Committee on Oversight and Government Reform.

By Mr. HEINRICH (for himself, Mr. LUJÁN, and Mr. TEAGUE):

H.R. 4445. A bill to amend Public Law 95-232 to repeal a restriction on treating as Indian country certain lands held in trust for Indian pueblos in New Mexico; to the Committee on Natural Resources.

By Mr. HELLER (for himself, Ms. TITUS, and Ms. BERKLEY):

H.R. 4446. A bill to amend the Victims of Child Abuse Act of 1990 to strengthen juvenile and family courts; to the Committee on the Judiciary.

By Mr. JOHNSON of Illinois:

H.R. 4447. A bill to impose a moratorium on the use of appropriated funds for official travel outside of the United States by Members, officers, and employees of the House of Representatives until the Comptroller General issues a report on the costs of such travel and makes recommendations regarding appropriate restrictions and reporting requirements on such travel; to the Committee on House Administration.

By Mr. MASSA (for himself, Mr. MAFFEI, Mrs. MALONEY, Mr. HIGGINS, Mr. HINCHEY, Mr. TONKO, Mr. RANGEL, Mr. BISHOP of New York, Mr. NADLER of New York, Mr. ISRAEL, Mr. MCMAHON, and Mr. SESTAK):

H.R. 4448. A bill to direct the Secretary of the Interior to conduct a special resource study to evaluate the significance of the Newtown Battlefield located in Chemung County, New York, and the suitability and feasibility of its inclusion in the National Park System, and for other purposes; to the Committee on Natural Resources.

By Mr. MCCARTHY of California (for himself and Mr. HARPER):

H.R. 4449. A bill to direct the Election Assistance Commission to make payments to reimburse States for costs incurred in establishing online voter registration programs, and for other purposes; to the Committee on House Administration.

By Mr. MOORE of Kansas (for himself, Mrs. BIGGERT, Mr. TOWNS, and Mr. ISSA):

H.R. 4450. A bill to establish an interim Inspector General for the Federal Housing Finance Agency; to the Committee on Financial Services, and in addition to the Committee on Oversight and Government Reform, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. MURPHY of Connecticut:

H.R. 4451. A bill to reinstate and transfer certain hydroelectric licenses and extend the deadline for commencement of construction of certain hydroelectric projects; to the Committee on Energy and Commerce.

By Ms. NORTON:

H.R. 4452. A bill to amend the Public Health Service Act to provide for a national program to conduct and support activities toward the goal of significantly reducing the number of cases of overweight and obesity among individuals in the United States; to the Committee on Energy and Commerce.

By Mr. ROGERS of Michigan (for himself, Mr. BUCHANAN, Ms. ROS-LEHTINEN, and Mr. MARCHANT):

H.R. 4453. A bill to require the President to revoke Executive Order 13524 and restore the words removed by that Order; to the Committee on Foreign Affairs.

By Mr. STEARNS (for himself and Mr. ISRAEL):

H.R. 4454. A bill to amend the Fraud Enforcement and Recovery Act of 2009 to require the Financial Crisis Inquiry Commission to make a preliminary report no later than June 15, 2010; to the Committee on Financial Services.

By Mr. THOMPSON of California (for himself and Mr. LINDER):

H.R. 4455. A bill to amend the Internal Revenue Code of 1986 to improve and extend certain energy-related tax provisions, and for other purposes; to the Committee on Ways and Means.

By Mr. WEINER:

H.R. 4456. A bill to prohibit the manufacture, sale, or distribution in commerce of children's food and beverage containers composed of bisphenol A, and for other purposes; to the Committee on Energy and Commerce.

By Mr. WEINER (for himself and Mr. MCMAHON):

H.R. 4457. A bill to provide for the payment to the City of New York and Washington, D.C. of amounts attributable to the unpaid fully adjudicated parking fines and penalties issued to foreign governments, and for other purposes; to the Committee on Foreign Affairs.

By Mr. WEINER:

H.R. 4458. A bill to increase public safety and reduce recidivism rates by creating a 3-year pilot program under which the Attorney General provides grants to correctional facilities to establish a 40-hour work week curriculum of responsible activities for incarcerated individuals; to the Committee on the Judiciary.

By Mr. WOLF:

H.R. 4459. A bill to amend title 49, United States Code, to establish a 10-year term of office for any individual appointed as the Assistant Secretary of Homeland Security (Transportation Security Administration), and for other purposes; to the Committee on Homeland Security.

By Mr. FILNER:

H. Con. Res. 226. Concurrent resolution supporting the observance of ''Spirit of '45 Day''; to the Committee on Oversight and Government Reform.

By Mr. TOWNS (for himself, Mr. HASTINGS of Florida, Ms. MATSUI, Mr. SIRES, and Ms. NORTON):

H. Con. Res. 227. Concurrent resolution supporting the goals and ideals of National Urban Crimes Awareness Week; to the Committee on the Judiciary.

By Mr. BACHUS (for himself, Mr. DAVIS of Alabama, Mr. BONNER, Mr. GRIFFITH, Mr. ADERHOLT, Mr. BRIGHT, and Mr. ROGERS of Alabama):

H. Res. 1007. A resolution commending the University of Alabama for winning the Bowl Championship Series National Championship Game; to the Committee on Education and Labor.

By Mr. LIPINSKI (for himself, Mr. SMITH of New Jersey, Mr. AKIN, Mr. AUSTRIA, Mr. BACA, Ms. BORDALLO, Mr. CAO, Mrs. CHRISTENSEN, Mr. DAVIS of Kentucky, Mr. DONNELLY of Indiana, Mr. DRIEHAUS, Ms. ESHOO, Mr. GINGREY of Georgia, Mr. HARE, Ms. HIRONO, Mr. HOLT, Mr. JONES, Mr. LATTA, Mr. MANZULLO, Ms. MCCOLLUM, Mr. MCCOTTER, Mr. MCHENRY, Mr. MCMAHON, Mr. MICHAUD, Mr. PATRICK J. MURPHY of Pennsylvania, Mr. QUIGLEY, Mr. ROTHMAN of New Jersey, Mr. SESSIONS, Mr. SESTAK, Mr. SOUDER, Mr. STUPAK, Mr. TEAGUE, Mr. TIBERI, Mr. WILSON of South Carolina, Mr. INGLIS, Mr. RUPPERSBERGER, and Mr. COURTNEY):

H. Res. 1008. A resolution honoring the contributions of Catholic schools; to the Committee on Education and Labor.

By Mr. REYES (for himself, Mr. HASTINGS of Florida, Ms. ESHOO, Mr. HOLT, Mr. RUPPERSBERGER, Mr. TIERNEY, Mr. THOMPSON of California, Ms. SCHAKOWSKY, Mr. LANGEVIN, Mr. PATRICK J. MURPHY of Pennsylvania, Mr. SCHIFF, Mr. SMITH of Washington, Mr. BOREN, Mr. HOEKSTRA, Mr. GALLEGLY, Mr. THORNBERRY, Mr. ROGERS of Michigan, Mrs. MYRICK, Mr. BLUNT, Mr. MILLER of Florida, Mr. CONAWAY, and Mr. KING of New York):

H. Res. 1009. A resolution honoring the seven Americans killed in Khost, Afghanistan, on December 30, 2009, for their service to the United States, and for other purposes; to the Committee on Intelligence (Permanent Select).

By Mr. CONYERS (for himself, Mr. LEWIS of Georgia, Mr. SMITH of Texas, Mr. SENSENBRENNER, Mr. NADLER of New York, Ms. JACKSON LEE of Texas, Mr. JOHNSON of Georgia, Mr. GONZALEZ, Mr. SCOTT of Virginia, and Mr. COHEN):

H. Res. 1010. A resolution celebrating the life and work of Dr. Martin Luther King, Jr. during the 30th anniversary of the Stevie Wonder song tribute to Dr. King, ''Happy Birthday'', and for other purposes; to the Committee on the Judiciary.

By Mrs. HALVORSON (for herself, Mrs. CHRISTENSEN, Ms. GIFFORDS, Mr. MCMAHON, Ms. WASSERMAN SCHULTZ, Mr. SNYDER, Mr. POSEY, Mr. TEAGUE, Mr. QUIGLEY, Mr. BOOZMAN, Ms. DELAURO, Mr. GRIJALVA, Mr. JOHNSON of Georgia, Mr. RANGEL, Mr. LEVIN, Ms. CLARKE, Mrs. DAVIS of California, Ms. KOSMAS, Ms. KILROY, Ms. JACKSON LEE of Texas, Ms. NORTON, Mr. CARDOZA, Ms. MCCOLLUM, Mrs. CAPPS, Ms. RICHARDSON, Mr. CONYERS, Mr. BISHOP of Georgia, Mrs. NAPOLITANO, Mr. DAVIS of Illinois, Ms. SCHAKOWSKY, Ms. BALDWIN, Mrs. BLACKBURN, Mrs. MALONEY, Mr. HARE, Mr. WU, Ms. MATSUI, Mr. MAFFEI, Mr. BISHOP of New York, Mrs. DAHLKEMPER, Mr. HEINRICH, Ms. MARKEY of Colorado, Mr. NADLER of New York, Mr. HASTINGS of Florida, Ms. SUTTON, Ms. ZOE LOFGREN of California, Mr. LIPINSKI, Mr. SCHOCK, Mr. HINOJOSA, Ms. WATSON, Ms. EDDIE BERNICE JOHNSON of Texas, Ms. ESHOO, Ms. TITUS, Mr. HILL, Mr. COHEN, Ms. GINNY BROWN-WAITE of

Florida, and Ms. EDWARDS of Maryland):

H. Res. 1011. A resolution recognizing the importance of cervical health and of detecting cervical cancer during its earliest stages and supporting the goals and ideals of Cervical Health Awareness Month; to the Committee on Energy and Commerce.

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

H. Res. 1012. A resolution commending the 175th anniversary of The Blade, a newspaper in Toledo, Ohio; to the Committee on Oversight and Government Reform.

By Ms. ROS-LEHTINEN (for herself, Mr. BERMAN, Mr. PAYNE, and Mr. SMITH of New Jersey):

H. Res. 1013. A resolution condemning the violent suppression of legitimate political dissent and gross human rights abuses in the Republic of Guinea; to the Committee on Foreign Affairs.

By Mr. TOWNS:

H. Res. 1014. A resolution recognizing and supporting the goals and ideals of North American Inclusion Month; to the Committee on Oversight and Government Reform.

PRIVATE BILLS AND RESOLUTIONS

Under clause 3 of rule XII,

Mr. FILNER introduced a bill (H.R. 4460) for the relief of Pablo Eduardo Perrone and Maria Cristina Lemos; which was referred to the Committee on the Judiciary.

ADDITIONAL SPONSORS

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

H.R. 13: Mr. MARIO DIAZ-BALART of Florida.
H.R. 82: Mr. PAUL.
H.R. 144: Mr. CONYERS.
H.R. 272: Mr. NEUGEBAUER.
H.R. 389: Ms. WOOLSEY.
H.R. 442: Mr. CAMPBELL.
H.R. 450: Mr. AKIN and Mr. MARCHANT.
H.R. 622: Mr. SCALISE.
H.R. 678: Mr. KIRK, Mr. GORDON of Tennessee, Mr. CUMMINGS, Mr. CARSON of Indiana, Mr. TERRY, Mr. DELAHUNT, Mr. BOOZMAN, Mr. RUPPERSBERGER, Mr. PATRICK J. MURPHY of Pennsylvania, and Mr. PASTOR of Arizona.
H.R. 704: Mr. MELANCON.
H.R. 734: Mr. TONKO, Ms. DELAURO, and Mr. LUJÁN.
H.R. 868: Ms. LINDA T. SÁNCHEZ of California.
H.R. 881: Mr. FLEMING and Mr. BILIRAKIS.
H.R. 886: Mr. SESSIONS and Mr. THOMPSON of Pennsylvania.
H.R. 959: Mr. TIM MURPHY of Pennsylvania.
H.R. 1067: Mr. LOBIONDO.
H.R. 1079: Mr. FRANKS of Arizona and Mr. RYAN of Ohio.
H.R. 1126: Ms. MATSUI, Ms. SCHAKOWSKY, Mr. FILNER, and Mr. GUTIERREZ.
H.R. 1179: Ms. ZOE LOFGREN of California.
H.R. 1283: Mr. HODES.
H.R. 1326: Mr. CONYERS, Mr. SIRES, and Mr. INSLEE.
H.R. 1347: Ms. LINDA T. SÁNCHEZ of California.
H.R. 1361: Mr. TONKO.
H.R. 1476: Ms. HERSETH SANDLIN.
H.R. 1499: Mr. CONNOLLY of Virginia.
H.R. 1526: Mr. GENE GREEN of Texas and Mr. NYE.
H.R. 1557: Mr. SMITH of New Jersey.
H.R. 1597: Mr. JOHNSON of Illinois.
H.R. 1623: Mr. KING of New York.
H.R. 1625: Ms. LINDA T. SÁNCHEZ of California.
H.R. 1643: Ms. LINDA T. SÁNCHEZ of California.
H.R. 1670: Mr. LUJÁN.
H.R. 1677: Mr. OWENS.
H.R. 1685: Mr. DAVIS of Illinois.
H.R. 1796: Mr. SESTAK.
H.R. 1806: Mr. CARTER.
H.R. 1821: Mr. TEAGUE.
H.R. 1835: Mr. TONKO and Mr. POE of Texas.
H.R. 1844: Mr. LIPINSKI.
H.R. 1908: Mr. HEINRICH.
H.R. 1948: Mrs. BLACKBURN.
H.R. 1956: Ms. PINGREE of Maine.
H.R. 1990: Mr. ROSS.
H.R. 1995: Ms. WATERS.
H.R. 2006: Mr. WILSON of Ohio.
H.R. 2057: Mr. SENSENBRENNER.
H.R. 2112: Mr. SCOTT of Georgia and Mr. GUTIERREZ.
H.R. 2135: Mr. TONKO, Mr. GRAVES, Mr. PLATTS, Mr. REICHERT, and Mr. MARIO DIAZ-BALART of Florida.
H.R. 2254: Mr. MOLLOHAN, Mr. WATT, Mr. CHANDLER, and Mr. WEINER.
H.R. 2267: Mr. MELANCON and Mr. ENGEL.
H.R. 2268: Mr. MAFFEI.
H.R. 2287: Mr. ROGERS of Michigan.
H.R. 2303: Ms. NORTON.
H.R. 2324: Mr. GARAMENDi, Mr. MAFFEI, and Mr. FATTAH.
H.R. 2365: Mr. LIPINSKI.
H.R. 2377: Mr. REICHERT and Mr. BRIGHT.
H.R. 2425: Mr. PRICE of North Carolina.
H.R. 2443: Mr. HOLDEN.
H.R. 2480: Mr. HIMES, Mr. PRICE of North Carolina, Ms. BERKLEY, Mr. LATOURETTE, Mrs. DAHLKEMPER, Mr. ENGEL, Mr. TONKO, Mr. JOHNSON of Illinois, Mr. WHITFIELD, Mr. SNYDER, Mr. SCHAUER, Mr. UPTON, Mrs. HALVORSON, Mr. ADERHOLT, Mr. SIRES, and Ms. KOSMAS.
H.R. 2492: Mr. POLIS of Colorado, Mr. POMEROY, and Mr. COURTNEY.
H.R. 2493: Mr. SHULER, Mr. OWENS, Mr. ARCURI, and Mr. JOHNSON of Georgia.
H.R. 2542: Mr. THOMPSON of Mississippi, Mr. CARTER, Mr. BILIRAKIS, and Mr. SMITH of New Jersey.
H.R. 2546: Mr. BRADY of Pennsylvania.
H.R. 2555: Mr. MEEKS of New York.
H.R. 2578: Mr. CLEAVER.
H.R. 2584: Mr. COURTNEY, Ms. VELÁZQUEZ, and Mr. FRANKS of Arizona.
H.R. 2624: Mr. REICHERT and Mr. MARIO DIAZ-BALART of Florida.
H.R. 2625: Mr. POLIS of Colorado.
H.R. 2698: Ms. SUTTON.
H.R. 2699: Ms. SUTTON.
H.R. 2737: Mr. GORDON of Tennessee.
H.R. 2746: Mr. ALTMIRE and Ms. DEGETTE.
H.R. 2766: Mr. CAPUANO.
H.R. 2818: Mr. LUJÁN.
H.R. 2819: Mr. FARR and Mrs. MCCARTHY of New York.
H.R. 2881: Mr. LEE of New York.
H.R. 2882: Mr. LEWIS of Georgia, Mr. SIRES, Mr. RUPPERSBERGER, and Mr. DRIEHAUS.
H.R. 2906: Mr. CONNOLLY of Virginia.
H.R. 2969: Ms. NORTON and Mr. TONKO.
H.R. 2979: Mr. DRIEHAUS, Ms. CLARKE, Mr. CONYERS, Ms. KAPTUR, Mr. LEWIS of Georgia, and Mr. RUPPERSBERGER.
H.R. 3012: Mr. GEORGE MILLER of California.
H.R. 3025: Mr. GORDON of Tennessee.
H.R. 3039: Ms. BORDALLO.
H.R. 3047: Ms. MOORE of Wisconsin, Mr. RUSH, Mrs. MCCARTHY of New York, Ms. CORRINE BROWN of Florida, and Mr. JOHNSON of Georgia.
H.R. 3131: Mr. THORNBERRY.
H.R. 3149: Mr. CUMMINGS and Mr. HALL of New York.
H.R. 3164: Mr. JOHNSON of Illinois.
H.R. 3240: Ms. KOSMAS, Mr. LANCE, and Mr. OLSON.
H.R. 3249: Mr. SABLAN.
H.R. 3308: Mr. LATOURETTE.
H.R. 3321: Mr. BRALEY of Iowa, Mr. TONKO, Mr. AL GREEN of Texas, and Mr. SESTAK.
H.R. 3349: Mr. MCINTYRE.
H.R. 3363: Mr. YOUNG of Florida.
H.R. 3401: Mr. JOHNSON of Georgia and Ms. FUDGE.
H.R. 3402: Ms. FUDGE.
H.R. 3408: Ms. SCHWARTZ, Mr. GRIJALVA, and Mr. KENNEDY.
H.R. 3421: Mr. LYNCH, Mr. LUJÁN, and Mr. LIPINSKI.
H.R. 3464: Mr. PLATTS and Mr. COURTNEY.
3488: Mr. BISHOP of Georgia.
H.R. 3502: Mr. WOLF, Mr. WITTMAN, and Mr. JOHNSON of Illinois.
H.R. 3517: Mr. SESTAK.
H.R. 3519: Ms. HERSETH SANDLIN.
H.R. 3554: Mr. SCHAUER.
H.R. 3577: Mr. CONNOLLY of Virginia.
H.R. 3578: Mr. REICHERT.
H.R. 3589: Mr. FRELINGHUYSEN.
H.R. 3592: Mr. SESTAK.
H.R. 3641: Mr. CONNOLLY of Virginia.
H.R. 3668: Mr. ALEXANDER, Mr. TAYLOR, Mr. OLVER, Mr. ROTHMAN of New Jersey, Mr. SIRES, Mr. PLATTS, Mr. GERLACH, Ms. SHEA-PORTER, Mr. JOHNSON of Georgia, Mr. BACA, Mr. GUTIERREZ, Mr. BOREN, Mr. CARDOZA, Mr. CHANDLER, Mr. ENGEL, Mr. OBERSTAR, Ms. KOSMAS, and Mr. COBLE.
H.R. 3670: Mr. DOGGETT and Mr. CONNOLLY of Virginia.
H.R. 3682: Mr. SCHIFF.
H.R. 3706: Mr. SOUDER.
H.R. 3715: Mr. LUJÁN and Mr. HINCHEY.
H.R. 3727: Mr. CONNOLLY of Virginia.
H.R. 3731: Ms. ROS-LEHTINEN and Mr. FOSTER.
H.R. 3742: Mr. KLINE of Minnesota, Mr. SCHAUER, Mr. PAYNE, and Mr. CHANDLER.
H.R. 3749: Mr. INGLIS.
H.R. 3752: Mr. MURTHA.
H.R. 3764: Ms. CORRINE BROWN of Florida.
H.R. 3797: Mr. SCALISE.
H.R. 3803: Mr. TERRY.
H.R. 3827: Mr. SESTAK.
H.R. 3943: Mrs. MCMORRIS RODGERS, Mr. KAGEN, and Mr. BISHOP of Georgia.
H.R. 3995: Mr. HINCHEY.
H.R. 4037: Mr. CONYERS and Ms. FUDGE.
H.R. 4043: Mr. HINOJOSA, Mrs. CHRISTENSEN, Mr. BRADY of Pennsylvania, Mr. PAYNE, Mr. MCGOVERN, and Mr. FORBES.
H.R. 4054: Mr. WITTMAN.
H.R. 4060: Mr. BISHOP of Utah, Mrs. LUMMIS, Mr. CHAFFETZ, and Mr. REHBERG.
H.R. 4064: Mr. ROGERS of Michigan.
H.R. 4068: Mr. WOLF.
H.R. 4099: Mr. CONNOLLY of Virginia.
H.R. 4102: Mr. CONNOLLY of Virginia.
H.R. 4114: Mr. KILDEE.
H.R. 4125: Mrs. HALVORSON.
H.R. 4127: Mr. RADANOVICH and Mr. BOOZMAN.
H.R. 4128: Mr. VAN HOLLEN, Mr. MOORE of Kansas, Mr. JOHNSON of Georgia, Mr. HONDA, Mr. WEINER, and Ms. ESHOO.
H.R. 4140: Mr. QUIGLEY.
H.R. 4148: Mr. JACKSON of Illinois.
H.R. 4168: Mr. HEINRICH, Mr. FILNER, Ms. GIFFORDS, and Mr. SESTAK.
H.R. 4179: Mr. SESTAK.
H.R. 4191: Mr. VISCLOSKY.
H.R. 4199: Mr. PRICE of North Carolina, Mr. WELCH, and Mr. SCHAUER.
H.R. 4226: Mr. SCHOCK and Mr. THOMPSON of California.
H.R. 4233: Mr. BISHOP of Utah and Mr. CHAFFETZ.
H.R. 4241: Ms. BERKLEY.
H.R. 4247: Mr. SESTAK, Mr. PLATTS, Mr. SCOTT of Virginia, Mr. ANDREWS, Mr. FILNER, Mr. ROTHMAN of New Jersey, Mr. GRIJALVA, Mr. SABLAN, Ms. KILROY, and Ms. MCCOLLUM.
H.R. 4249: Mr. COLE.
H.R. 4255: Mr. SKELTON, Mr. TAYLOR, Mr. MCCOTTER, Mr. SPRATT, Mrs. LUMMIS, Mr.

TERRY, Mr. THOMPSON of Pennsylvania, Mr. COFFMAN of Colorado, Mr. DAVIS of Tennessee, Mr. ROGERS of Kentucky, and Mr. SPACE.

H.R. 4258: Mr. COURTNEY.

H.R. 4262: Mr. LINDER and Mrs. MCMORRIS RODGERS.

H.R. 4268: Mr. HINCHEY.

H.R. 4269: Mrs. LOWEY and Ms. SCHAKOWSKY.

H.R. 4274: Mr. MCGOVERN, Mr. AL GREEN of Texas, and Ms. MOORE of Wisconsin.

H.R. 4278: Mr. LANGEVIN.

H.R. 4287: Mr. BLUMENAUER and Mr. SESTAK.

H.R. 4295: Mr. PERRIELLO.

H.R. 4296: Mr. PALLONE, Mr. INSLEE, Mr. RYAN of Ohio, Mr. SESTAK, Mr. MOLLOHAN, Mr. ISRAEL, Mr. WU, Ms. BEAN, and Mr. DRIEHAUS.

H.R. 4300: Mr. KAGEN.

H.R. 4309: Mr. PERRIELLO.

H.R. 4312: Mr. SCHOCK.

H.R. 4329: Mr. SCOTT of Virginia, Mr. MORAN of Virginia, and Mr. WOLF.

H.R. 4336: Mrs. EMERSON, Mr. BARTLETT, Mr. MILLER of Florida, Mr. OLSON, and Mr. BISHOP of Utah.

H.R. 4371: Mr. ALEXANDER, Mr. LEE of New York, Mr. WOLF, Mr. PASTOR of Arizona, Mr. CONAWAY, Mr. BLUNT, Mr. TONKO, Mr. CASTLE, Mr. MARIO DIAZ-BALART of Florida, Mr. MCGOVERN, Ms. ROS-LEHTINEN, Mr. WELCH, Mrs. CAPITO, Mr. DONNELLY of Indiana, and Mr. ROGERS of Michigan.

H.R. 4376: Mr. SESTAK.

H.R. 4386: Mr. DOGGETT, Mr. GRIJALVA, Ms. JACKSON LEE of Texas, Mr. HALL of New York, Mr. HOLT, Mr. MOORE of Kansas, Ms. LINDA T. SÁNCHEZ of California, Mr. DEFAZIO, Ms. SHEA-PORTER, Mr. HINCHEY, Mr. COURTNEY, Mr. SMITH of Washington, Ms. ESHOO, Mr. ROTHMAN of New Jersey, Ms. ZOE LOFGREN of California, Ms. CHU, Mr. FARR, and Mr. MCGOVERN.

H.R. 4393: Mr. SCHOCK.

H.R. 4400: Mr. KAGEN, Mr. SALAZAR, and Mr. DUNCAN.

H.R. 4403: Mr. HEINRICH, Mr. HALL of New York, and Mr. ROE of Tennessee.

H.R. 4414: Mr. CUMMINGS, Mr. KAGEN, and Mr. JOHNSON of Georgia.

H.R. 4426: Mr. DOGGETT, Mr. MCDERMOTT, Mr. MCGOVERN, and Mr. HINCHEY.

H. Con. Res. 13: Ms. NORTON.

H. Con. Res. 30: Mr. AUSTRIA.

H. Con. Res. 137: Mr. ENGEL.

H. Con. Res. 170: Mr. GINGREY of Georgia and Mr. TEAGUE.

H. Con. Res. 200: Mr. MURPHY of New York, Mr. GARRETT of New Jersey, Mr. HALL of New York, Mr. ROTHMAN of New Jersey, Ms. GRANGER, and Mr. SENSENBRENNER.

H. Res. 111: Mr. SHUSTER.

H. Res. 278: Mr. DEFAZIO.

H. Res. 526: Mr. JOHNSON of Georgia, Ms. JACKSON LEE of Texas, Ms. CLARKE, Ms. WATSON, Mr. LEWIS of Georgia, Mr. SCOTT of Georgia, Mr. SCOTT of Virginia, Mrs. CHRISTENSEN, Mr. WATT, Ms. FUDGE, Mr. BUTTERFIELD, Mr. THOMPSON of Mississippi, Ms. RICHARDSON, Ms. LEE of California, Ms. KILPATRICK of Michigan, Mr. DAVIS of Illinois, Ms. EDDIE BERNICE JOHNSON of Texas, Ms. CORRINE BROWN of Florida, Mr. MORAN of Virginia, Mr. BACA, and Mr. CAPUANO.

H. Res. 554: Ms. BEAN.

H. Res. 615: Mr. PAULSEN.

H. Res. 699: Mr. CARNAHAN.

H. Res. 704: Mr. COSTA, Mr. ROYCE, Ms. RICHARDSON, Mr. LIPINSKI, Mr. SHULER, Ms. SLAUGHTER, Mr. RADANOVICH, Mr. MASSA, Mr. BURTON of Indiana, Mr. MURPHY of Connecticut, Mr. HOLDEN, Mr. LUCAS, Mr. PASCRELL, Mrs. BIGGERT, Mr. MURPHY of New York, and Mr. MCMAHON.

H. Res. 847: Mr. REHBERG, Mr. TIAHRT, Mr. SMITH of Nebraska, and Mr. HALL of Texas.

H. Res. 855: Mr. CONNOLLY of Virginia and Mr. ROTHMAN of New Jersey.

H. Res. 873: Mr. POE of Texas.

H. Res. 901: Mr. SESTAK.

H. Res. 902: Mr. RADANOVICH, Mr. BARTON of Texas, Ms. KILROY, Ms. BORDALLO, Mr. BOUCHER, Mr. MCNERNEY, and Mr. LATTA.

H. Res. 932: Ms. BORDALLO.

H. Res. 936: Mr. WITTMAN.

H. Res. 943: Mr. POLIS of Colorado and Mr. SMITH of Nebraska.

H. Res. 959: Mr. TIAHRT and Mr. BOOZMAN.

H. Res. 960: Mr. SIRES, Mr. MCCOTTER, Mr. SMITH of New Jersey, and Mr. MORAN of Virginia.

H. Res. 977: Mr. TIAHRT, Mr. ROE of Tennessee, Ms. JENKINS, Mr. LIPINSKI, Mr. YOUNG of Florida, and Mr. FORBES.

H. Res. 981: Ms. SCHWARTZ.

H. Res. 986: Mr. SESTAK.

H. Res. 988: Mr. REHBERG.

H. Res. 991: Mr. BOUCHER, Mr. GOODLATTE, Mr. SCOTT of Virginia, Mr. MORAN of Virginia, Mr. WOLF, Mr. INSLEE, Mr. CONNOLLY of Virginia, Mr. KLEIN of Florida, Mr. GRAYSON, Mr. HILL, Mr. WEINER, Mr. KRATOVIL, Mr. SHERMAN, Mr. LOEBSACK, Ms. DEGETTE, Mr. MURPHY of New York, Mr. BLUMENAUER, Mr. WILSON of Ohio, Ms. DELAURO, Ms. KILROY, Mr. KAGEN, Mr. WELCH, Mr. VAN HOLLEN, Mr. ELLISON, Mr. NYE, and Mr. WITTMAN.

H. Res. 997: Ms. SHEA-PORTER, Mr. BRALEY of Iowa, Ms. SLAUGHTER, Mr. CARNAHAN, Mr. YARMUTH, Mr. COURTNEY, Mr. MANZULLO, and Mr. MICHAUD.

H. Res. 1002: Mr. COHEN, Mr. BISHOP of Georgia, and Ms. RICHARDSON.

H. Res. 1003: Ms. CLARKE, Mr. HONDA, Mr. GONZALEZ, Mrs. DAVIS of California, Mr. GARAMENDI, Mr. AL GREEN of Texas, Ms. SCHAKOWSKY, Mr. STARK, Ms. BERKLEY, Mr. SCOTT of Virginia, Mrs. NAPOLITANO, and Ms. WATSON.

H. Res. 1004: Mr. JOHNSON of Illinois, Mrs. BIGGERT, Mrs. HALVORSON, Mr. KIRK, Mr. SCHOCK, Ms. NORTON, Ms. SCHAKOWSKY, Mr. HARE, Mr. RUSH, Mr. SHIMKUS, Mr. FOSTER, Mr. GUTIERREZ, Mr. MANZULLO, Mr. LEWIS of Georgia, Mr. JACKSON of Illinois, Mr. PRICE of North Carolina, Ms. JACKSON LEE of Texas, Mr. CLEAVER, Ms. BEAN, Mr. BUTTERFIELD, Mr. ROSKAM, Mr. COSTELLO, Ms. EDDIE BERNICE JOHNSON of Texas, Mr. LIPINSKI, and Mrs. CHRISTENSEN.

H. Res. 1006: Mr. CHAFFETZ, Mr. LUETKEMEYER, Mr. LAMBORN, Mr. MANZULLO, Mr. GINGREY of Georgia, Mrs. LUMMIS, Mr. BURTON of Indiana, Mr. PAULSEN, Mr. AKIN, Mr. PRICE of Georgia, Ms. FALLIN, Mr. BRADY of Texas, Mr. LATTA, Mrs. BLACKBURN, Mr. JORDAN of Ohio, Mr. DANIEL E. LUNGREN of California, Mr. BROWN of South Carolina, Mr. TIAHRT, Mr. MCHENRY, Mr. SCALISE, Mr. GUTHRIE, Mr. KING of Iowa, Mr. GOHMERT, Mr. PITTS, Mr. MARCHANT, Mr. HARPER, Mr. COLE, Mr. FRANKS of Arizona, Mr. KLINE of Minnesota, and Ms. JENKINS.

EXTENSIONS OF REMARKS

HONORING KENYON R. PARTON

HON. SAM GRAVES

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Wednesday, January 13, 2010

Mr. GRAVES. Madam Speaker, I proudly pause to recognize Kenyon R. Parton, a very special young man who has exemplified the finest qualities of citizenship and leadership by taking an active part in the Boy Scouts of America, Troop 215, and in earning the most prestigious award of Eagle Scout.

Kenyon has been very active with his troop participating in many scout activities. Over the many years Kenyon has been involved with scouting, he has not only earned numerous merit badges, but also the respect of his family, peers, and community.

Madam Speaker, I proudly ask you to join me in commending Kenyon R. Parton for his accomplishments with the Boy Scouts of America and for his efforts put forth in achieving the highest distinction of Eagle Scout.

CONGRATULATING DR. RADA MIHALCEA ON BEING AWARDED THE PRESIDENTIAL EARLY CAREER AWARDS FOR SCIENTISTS AND ENGINEERS

HON. MICHAEL C. BURGESS

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, January 13, 2010

Mr. BURGESS. Madam Speaker, today I rise to congratulate Rada Mihalcea. Dr. Mihalcea is an engineering researcher from the University of North Texas who will be honored by the White House on January 13, 2010, for her groundbreaking research on understanding the meaning of text and her exemplary commitment to education and community service.

Dr. Mihalcea serves as an Associate Professor for computer science and engineering at UNT, which is located in Denton, Texas. She is among 100 university researchers nationwide who will receive the Presidential Early Career Awards for Scientists and Engineers. This is one of the highest honors a scientist can receive in the United States.

Dr. Mihalcea's research focuses on finding a way to combine several different monolingual and multilingual lexical resources and integrating them into educational applications. Such applications could be useful in assisting Spanish-speaking individuals understand English texts by providing simpler synonyms or translations into English. This innovation is expected to make a huge impact on the local community and the Nation once successfully implemented.

Dr. Mihalcea will be the first professor from any university in the Dallas/Fort Worth Area to receive the Presidential Early Career Awards for Scientists and Engineers. She was nominated by the National Science Foundation, who also awarded her the CAREER Award in 2008 for her work.

Madam Speaker, it is with great honor that I rise today and congratulate Dr. Rada Mihalcea, a recipient of a 2010 Presidential Early Career Awards for Scientists and Engineers, and thank her for her outstanding academic achievements and continuing dedication to the University of North Texas. It is an honor to represent Dr. Mihalcea and the University of North Texas in the United States House of Representatives.

CELEBRATING THE RETIREMENT OF MAYOR HYLAND R. JOHNS

HON. ALLYSON Y. SCHWARTZ

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, January 13, 2010

Ms. SCHWARTZ. Madam Speaker, I rise today to honor and congratulate the Honorable Hyland R. Johns on the occasion of his retirement after 36 years of faithful service to the borough of Bryn Athyn, a close-knit community northeast of Philadelphia. I am honored to represent Mayor Johns and the entire Bryn Athyn community in Congress.

Before being elected to Bryn Athyn borough council in 1971, Mr. Johns served both as a volunteer with the Bryn Athyn Fire Company and as borough zoning officer. He was elected to the borough council in 1971 and one year later became vice president. Mr. Johns held the position of vice president until 1975 when he became borough council president. His service as president lasted for nine years until he was elected mayor. During his tenure as mayor, the borough of Bryn Athyn prospered.

Bryn Athyn is home to the Bryn Athyn Cathedral, Cairnwood, and Glencairn Museum. Under Mr. Johns' leadership, the historic district of Bryn Athyn—which contains these local landmarks—was officially designated a National Historic Landmark. As Mayor, Mr. Johns served as a charming, enthusiastic, informed ambassador to neighboring residents, communities, businesses, organizations, and leaders in the region, sharing the unique significance of Bryn Athyn's architecture and religious heritage.

Before his career as a local official, Mr. Johns faithfully served his country during the Second World War in the Navy's Construction Battalion. Mr. Johns went on to earn a graduate degree in Urban Forestry from Michigan State University. He is an active member of his church, has served on the board of the Academy of the New Church, and serves on the board of the Pennypack Ecological Restoration Trust. Under Mayor Johns' leadership, the Academy of the New Church has continued to expand, with the Mitchell Performing Arts Center opening in 2002.

Madam Speaker, once again I applaud Mayor Johns for his dedication, service and accomplishments as an elected official for nearly four decades. I offer my heartfelt congratulations to him on the momentous occasion of his retirement from public office.

IN HONOR OF CAPTAIN LUTHER H. SMITH, JR., U.S. ARMY AIR FORCES

HON. JOE SESTAK

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, January 13, 2010

Mr. SESTAK. Madam Speaker, I would like to honor today the memory of a great American hero, Captain Luther H. Smith, Jr., U.S. Army Air Forces, who will be buried with full military honors in Arlington National Cemetery on Friday, 15 January. Captain Smith was one of the original Tuskegee Airmen, a highly decorated World War II prisoner of war, a recipient of the Congressional Gold Medal, the first African-American aerospace engineer hired by General Electric in its Missile and Space Operations in Philadelphia, a loving husband and father, and a longtime resident of Villanova, PA.

Captain Smith was born in Des Moines, Iowa on September 27, 1920. His early dreams to serve as a military aviator were fulfilled when he joined the U.S. Army Air Forces and began training at Alabama's Tuskegee Army Air Field and Tuskegee Institute. One of the first African Americans to become a licensed pilot, Captain Smith began his military career in 1943. He flew 133 combat missions with the 332nd Fighter Group as a combat fighter pilot over Europe. He was severely wounded on his last mission on Friday, 13 October 1944, and spent the next seven months in enemy hospitals and prison camps before being liberated in May 1945 by the Allied forces. During his distinguished military career, Captain Smith destroyed 2 German aircraft in aerial conflicts and 10 aircraft in ground strafing attacks. Captain Smith was awarded the Distinguished Flying Cross, the Air Medal with 6 Oak Leaf Clusters, the Purple Heart, the Prisoner of War Medal, and 8 European Theater Campaign Ribbons.

After retiring from the U.S. Army Air Forces, Captain Smith completed his engineering education at the University of Iowa, earning a B.S. in mechanical engineering. He was hired by General Electric where he was involved in projects for the Air Force, the Navy Submarine Command, and NASA. His work included missile and jet engine design and he published numerous papers and was awarded two patents.

Following his retirement from GE in 1988, Captain Smith was active in support of local civic causes, serving as the vice-chairman of the Radnor Township (PA) School Board and on the Board of the Delaware County (PA) Community College.

He also was instrumental in capturing the history of the Tuskegee Airmen—so that present and future generations of Americans

could understand their significance. He believed passionately that ''racial equality in America started in the skies over Europe.'' He and two other Tuskegee Airmen were featured in the 2006 Documentary ''On Freedom's Wings: Bound for Glory, the Legacy of the Tuskegee Airmen'' which was sponsored by the Pennsylvania Veterans Museum in Media, PA. He also designed the plaque dedicated in memory of the Tuskegee Airmen in Arlington National Cemetery. In May 1995, he was selected by President Bill Clinton to represent the U.S. Air Force for the 50th Anniversary Celebration of VE Day, and he accompanied President Clinton and Vice-President Gore to Europe.

Captain Smith was a member of a unique group of men who possessed an unabashed devotion to this nation and a belief in the strength of American values, even at a time when their country's laws failed to reflect the values for which they fought.

On Friday, at 9:05 AM, the First Fighter Wing from Langley Air Force Base will offer the ultimate recognition of Captain Smith's service to this nation. Like Captain Smith, throughout its storied history, the U.S. Air Force First Fighter Wing has been a trailblazer—leading the way in bringing new fighters operational. Four F–15 fighter jets will flyover the internment services for Captain Smith. In the words of Captain Smith's son Gordon—''I would like to think that my Dad will be beaming with joy and appreciation.''

To Captain Smith's widow, Lois G. Smith, his son Gordon and daughter Deborah, I offer this tribute. As this nation prepares to honor the memory of Martin Luther King, Jr. on Monday, it is fitting that we also honor the memory of Captain Luther H. Smith, Jr.—like Dr. King, a great American hero who fought to realize America's commitment to freedom for all.

31ST ANNUAL DR. MARTIN LUTHER KING, JR. MEMORIAL BREAKFAST

HON. PETER J. VISCLOSKY

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, January 13, 2010

Mr. VISCLOSKY. Madam Speaker, as we celebrate the birth of Dr. Martin Luther King, Jr. and reflect on his life and work, we are reminded of the challenges that democracy poses to us and the delicate nature of liberty. Dr. King's life, and, unfortunately, his untimely death, reminds us that we must continually work to secure and protect our freedoms. Dr. King, in his courage to act, his willingness to meet challenges, and his ability to achieve, embodied all that is good and true in the battle for liberty.

The spirit of Dr. King lives on in the citizens of communities throughout our nation. It lives on in the people whose actions reflect the spirit of resolve and achievement that will help move our country into the future. In particular, several distinguished individuals from Indiana's First Congressional District will be recognized during the 31st Annual Dr. Martin Luther King, Jr. Memorial Breakfast on Saturday, January 16, 2010, at the Genesis Convention Center in Gary, Indiana. The Gary Frontiers Service Club, which was founded in 1952, sponsors this annual breakfast.

This year, the Gary Frontiers Service Club will pay tribute to several local individuals who have for decades unselfishly contributed to improving the quality of life for the people of Gary. Those individuals who will be recognized as Dr. Martin Luther King, Jr. Marchers at this year's breakfast include: Ms. Ella Bush, Ph.D., Mr. Charles Deggans, Mr. Arthur Hoyle, Reverend R.T. Mitchell, and Mr. Linus Scott. Additionally, our distinguished State Senator Earline Rogers and Ms. Era C. Twyman will be honored with the prestigious Dr. Martin Luther King, Jr. Drum Major Award, an award given out annually to outstanding individuals of the Gary community, while Mr. Claude Powers will be recognized as the 2009 Frontier of the Year.

Though very different in nature, the achievement of all these individuals reflect many of the same attributes that Dr. King possessed, as well as the values he advocated. Like Dr. King, these individuals saw challenges and faced them with unwavering strength and determination. Each one of the honored guests' greatness has been found in their willingness to serve with ''a heart full of grace and a soul generated by love.'' They set goals and work selflessly to make them a reality.

Madam Speaker, I urge you and my other distinguished colleagues to join me in commending the Gary Frontiers Service Club officers: President Oliver J. Gilliam, Vice President James Piggee, Secretary Melvin Ward, Financial Secretary Sam Frazier, and Treasurer/Seventh District Director Floyd Donaldson, as well as Breakfast Chairman Clorius L. Lay, Videographer Otho Lyles, Master of Ceremony Alfred Hammonds, the honorees, and all other members of the service club for their initiative, determination, and dedication to serving the people of Northwest Indiana.

HONORING MILTON VARDEMAN PADGETT

HON. TRAVIS W. CHILDERS

OF MISSISSIPPI

IN THE HOUSE OF REPRESENTATIVES

Wednesday, January 13, 2010

Mr. CHILDERS. Madam Speaker, I rise today to recognize the life of Milton Vardeman Padgett on the occasion of his 100th birthday. Vardeman was born January 13, 1910 in the Blackland community in Northeast Mississippi to John and Hulda Padgett.

At a young age, Vardeman fell in love with the game of basketball and played at Jumpertown. To this day, he enjoys watching basketball and has become a devoted fan of the Memphis Grizzlies. Vardeman worked as a carpenter for Fisher Aircraft in Memphis during WWII, but worked as a farmer throughout his life.

Vardeman married Margaret Geno Padgett and was a devoted husband for 65 years until her death in 1996. Mr. and Mrs. Padgett reared two children, Harrell Padgett and Janie Padgett McCall. He also has four grandchildren, nine great-grandchildren, and 11 great-great-grandchildren.

Vardeman still lives in his home in Jumpertown, Mississippi and is being cared for by his daughter Janie. He says his longevity in life is attributed to always honoring his father and mother. I ask my colleagues to join me in paying tribute to Mr. Vardeman Padgett on his 100th birthday.

RECOGNIZING STEPHEN LUCAS, DIRECTOR OF JAMES A. HALEY VETERANS' HOSPITAL AND CLINICS

HON. GUS M. BILIRAKIS

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, January 13, 2010

Mr. BILIRAKIS. Madam Speaker, I rise today to recognize Mr. Stephen Lucas, the director of the James A. Haley Veterans' Hospital and Clinics in Tampa, Florida, who is retiring after a distinguished 37 years of federal and military service. As the director of Haley Veterans' Hospital, Mr. Lucas oversaw one of the largest veterans' health care systems in the United States, comprised of the James A. Haley Veterans' Hospital and the associated outpatient clinics affiliated with the University of South Florida College of Medicine.

Mr. Lucas, a Navy veteran who served on the USS *Iwo Jima* and in Vietnam, began his VA career in 1974 and since has served at multiple VA medical centers across the United States. Mr. Lucas also worked in the private sector, including as the senior hospital consultant with Sun Health, Inc., as the director of management engineering at the Madisonville Regional Health Center in Kentucky, and at the Baton Rouge General Hospital in Louisiana.

During Mr. Lucas's tenure at the James A. Haley Veterans' Hospital, he received awards recognizing his significant achievements and leadership skills, including the 2009 Robert W. Carey Performance Excellence award. Additionally, during his tenure at the Miami VA Medical Center and Clinics, the Medical Center received the Secretary of Veterans' Affairs Robert W. Carey Performance Excellence Award for providing the highest quality of care, as well as the Governor's Sterling Award, which recognizes organizations that have achieved performance superiority within their establishment.

I also would like to recognize the contributions of Mr. Lucas's family, including his wife Sheri, his daughter Amanda and his two sons, Mathew and Thomas. The commitment by Mr. Lucas to the Haley Veterans' Hospital meant sacrifices from his family. Those sacrifices are highly appreciated by the veterans' community served by the hospital.

Madam Speaker, Mr. Lucas is a true American hero who should be recognized for his outstanding military service, as well as his exemplary career. Haley's Veterans' Hospital has truly been blessed to have such a worthy and honorable citizen as its director. I wish him well on his retirement.

TRIBUTE TO BUTLER COUNTY ON THEIR 200TH ANNIVERSARY

HON. ED WHITFIELD

OF KENTUCKY

IN THE HOUSE OF REPRESENTATIVES

Wednesday, January 13, 2010

Mr. WHITFIELD. Madam Speaker, I rise today to honor Butler County in the First Congressional District of Kentucky on their 200th Anniversary. This momentous occasion not only celebrates the rich history of Butler County, but the many thousands of residents who

over the years have made it a vibrant and thriving community.

Butler County was formed on January 18, 1810 and was named for General Richard Butler, a Revolutionary War soldier. With the introduction of a navigation system for the Green and Barren Rivers in the 1830's, a new mode of transportation in the area began and brought with it many new people to the area including merchants, miners, loggers, river workers, engineers and carpenters.

The Civil War slowed development of the county. Following the war, former soldiers from both sides joined together to raise funds for a Civil War Monument that was dedicated in May 1907. The monument is believed to be one of the only two existing memorials which honors both Confederate and Union soldiers.

Today, Butler County attracts many tourists who come to visit the historic sites of the area, steamboat era museum, Green River and many other attractions. The county also hosts the Green River Catfish Festival every year. Anglers from around the country travel to Butler County to try and catch one of the numerous tagged catfish released into the river for cash prizes. The top prize is $50,000.

To commemorate the county's 200th Anniversary, community leaders and residents of Butler County have planned a year's worth of events to educate Kentuckians about the history of Butler County and celebrate its residents and culture. A book entitled Butler County, Kentucky—History and Families is also being compiled which features stories about communities and families in Butler County as written by residents. It is my privilege to represent Butler County in the U.S. House of Representatives and I hope my colleagues in Congress will join me in celebrating this community and its residents.

HONORING CHUCK MACK

HON. FORTNEY PETE STARK

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, January 13, 2010

Mr. STARK. Madam Speaker, I rise today to pay tribute to Chuck Mack of the International Brotherhood of Teamsters. On January 15, 2010, the Teamsters Joint Council 7 will host a Testimonial Dinner in San Francisco, California, honoring Chuck's exemplary career in the labor movement.

Chuck joined the Teamsters in the summer of 1960 as a Del Monte seasonal worker, and continued as a loader and driver for Garrett Trucking for four years. In 1966, Chuck was elected business agent at Teamsters Local 70 and was re-elected in 1969. In 1971, at the request of the Teamster leadership, Chuck served as a lobbyist in Sacramento for the California Teamsters Public Affairs Council. He returned to Local 70 the following year and was elected secretary-treasurer and served in that capacity until June 2009.

He became president of Joint Council 7 in 1982 and served in that position until June 2009, making him the second longest-serving Joint Council president. In 1998 he was elected vice president of the International Brotherhood of Teamsters Western Region. He was re-elected to this office in 2001 and 2006.

Chuck was appointed IBT director of Port Division in 2003 and remained in this position until June 2009. As port director, he built a powerful coalition of labor, community, environmental and interfaith groups to fight for economic justice for drivers and environmental justice for communities. Since 1981, he has served as a Western Conference of Teamsters Pension Trustee and became co-chair in 2009.

Chuck Mack's commitment to labor and to the welfare of others has earned him the deep respect of his members and others. To quote Chuck, "the most rewarding part of this job has always been the members. Meeting with them one-on-one and listening to what they have to say, providing strong representation so that they have good jobs with good wages, good health care and a strong pension . . . jobs that provide for them and their families."

I join Chuck Mack's colleagues and friends in honoring his contributions and his continuing service.

PERSONAL EXPLANATION

HON. TAMMY BALDWIN

OF WISCONSIN

IN THE HOUSE OF REPRESENTATIVES

Wednesday, January 13, 2010

Ms. BALDWIN. Madam Speaker, I regret that due to illness, I missed 30 votes on December 9, 2009 through December 11, 2009. Had I been present, I would have voted in the following manner:

On H. Res. 955, Providing for consideration of H.R. 4213, the Tax Extenders Act, on ordering the previous question, I would have voted yes.

On H. Res. 955, Providing for the consideration of H.R. 4213, the Tax Extenders Act, on agreeing to the resolution, I would have voted yes.

On H.R. 3951, To designate the facility of the United States Postal Service located at 2000 Louisiana Avenue in New Orleans, Louisiana, as the Roy Rondeno, Sr. Post Office Building, on Motion to Suspend the Rules and Pass, I would have voted yes.

On H.R. 4213, Tax Extenders Act of 2009, Table Appealing of the Ruling of the Chair, I would have voted yes.

On H.R. 4213, Tax Extenders Act of 2009, on passage, I would have voted yes.

On H.R. 3603, To rename the Ocmulgee National Monument, on Motion to Suspend the Rules and Pass, as Amended, I would have voted yes.

On H. Res. 956, Providing for consideration of the bill (H.R. 4173) to provide for financial regulatory reform, to protect consumers and investors, to enhance Federal understanding of insurance issues, to regulate the over-the-counter derivatives, markets, and for other purposes, on agreeing to the resolution, I would have voted yes.

On H.R. 86, To eliminate an unused lighthouse reservation, provide management consistency by bringing the rocks and small islands along the coast of Orange County, California, and meet the original Congressional intent of preserving Orange County's rocks and small islands, and for other purposes, on motion to suspend the rules and pass, as amended, I would have voted yes.

On H. Res. 961, Providing for consideration of the conference report to accompany the bill (H.R. 3288) making appropriations for the Departments of Transportation and Housing and Urban Development, and related agencies for the fiscal year ending September 30, 2010, and for other purposes, on ordering the previous question, I would have voted yes.

On H. Res. 961, Providing for consideration of the conference report to accompany the bill (H.R. 3288) making appropriations for the Departments of Transportation and Housing and Urban Development, and related agencies for the fiscal year ending September 30, 2010, and for other purposes, on agreeing to the resolution, I would have voted yes.

On H.R. 3288, Making appropriations for the Departments of Transportation, HUD, and related agencies for FY 2010, on agreeing to the conference report, I would have voted yes.

On H.R. 4017, To designate the facility of the United States Postal Service located at 43 Maple Avenue in Shrewsbury, Massachusetts, as the Ann Marie Blute Post Office, on motion to suspend the rules and pass, I would have voted yes.

On H. Res. 962, Waiving a requirement of clause 6(a) of rule XIII with respect to consideration of certain resolutions reported from the Committee on Rules, on agreeing to the resolution, I would have voted yes.

On H. Res. 964, Providing for further consideration of the bill (H.R. 4173) to provide for financial regulatory reform, to protect consumers and investors, to enhance Federal understanding of insurance issues, to regulate the over-the-counter derivatives markets, and for other purposes, on agreeing to the resolution, I would have voted yes.

On H.R. 4173, Frank of Massachusetts amendment No. 1, as modified, on agreeing to the amendment, I would have voted yes.

On H.R. 4173, Sessions of Texas amendment, on agreeing to the amendment, I would have voted no.

On H.R. 4173, Lynch of Massachusetts amendment, on agreeing to the amendment, I would have voted yes.

On H.R. 4173, Murphy of New York amendment No. 6, on agreeing to the amendment, I would have noted no.

On H.R. 4173, Frank of Massachusetts amendment No. 7, on agreeing to the amendment, I would have voted yes.

On H.R. 4174, Stupak of Michigan amendment No. 8, on agreeing to the amendment, I would have voted yes.

On H.R. 4173, Stupak of Michigan amendment No. 9, on agreeing to the amendment, I would have voted yes.

On H.R. 4173, Kanjorski of Pennsylvania amendment No. 12, on agreeing to the amendment, I would have voted yes.

On H.R. 4173, McCarthy of California amendment, on agreeing to the amendment, I would have voted no.

On H.R. 4173, Peters of Michigan amendment, on agreeing to the amendment, I would have voted yes.

On H.R. 4173, Marshall of Georgia amendment, on agreeing to the amendment, I would have voted yes.

On H.R. 4173, Schakowsky of Illinois amendment, on agreeing to the amendment, I would have voted yes.

On H.R. 4173, Minnick of Idaho amendment, on agreeing to the amendment, I would have voted no.

On H.R. 4173, Bachus of Alabama Substitute Amendment, as Modified, on agreeing to the amendment, I would have voted no.

On H.R. 4173, The Wall Street Reform and Consumer Protection Act of 2009, on Motion to Recommit with Instructions, I would have voted no.

On H.R. 4173, The Wall Street Reform and Consumer Protection Act of 2009, on passage, I would have voted yes.

HONORING THE LIFE OF JUDY SUMNER

HON. TRAVIS W. CHILDERS

OF MISSISSIPPI

IN THE HOUSE OF REPRESENTATIVES

Wednesday, January 13, 2010

Mr. CHILDERS. Madam Speaker, I rise today with deep sadness by the passing away of a great leader and native Mississippian, Mayor Judy Sumner. Mayor Sumner, 58, died Saturday, January 9, 2010, at her home.

During her mayoral tenure, she guided the town toward resolution of a debt crisis with the Internal Revenue Service and a host of other creditors while helping to coordinate celebrations of Como's musical and ethnic heritage and its Main Street business revival.

Mayor Sumner was a devoted wife to Mike Sumner and mother to her four children, Courtney Collins, Wendy Bailey, Sassene Dyer and Nick Sumner. Madam Speaker, with distinct honor and pride, I along with the citizens of Como, Mississippi, sadly mourn the death of such an inspirational leader and Mississippian. I want to personally thank her for all her contributions. Her memory will live on.

TRIBUTE TO THE ST. FRANCIS PARISH SCHOOL

HON. KEVIN McCARTHY

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, January 13, 2010

Mr. McCARTHY of California. Madam Speaker, I rise today to honor a well-respected parochial school in my community. St. Francis Parish School, located in Bakersfield, California is celebrating 100 years of education this upcoming April.

The St. Francis Parish School has a unique history. Started by the Sisters of Mercy in 1910, the school consisted of two classrooms in the basement of a church. After sixteen years of various makeshift learning environments, an actual school structure was constructed, and in 1940 the St. Francis High School was created which gave the two schools a combined K–12 presence. In 1943, the Sisters of Mercy were unable to staff a high school and lower school, so they delegated the Dominican sisters of the Congregation of St. Thomas of Aquinas, Diocese of Seattle to take over the St. Francis students. The present location of St. Francis Parish School was opened in 1952, and the Dominican Sisters continued to run the school until 1978. After changing hands once more in 1978 to a different sister group, the school is presently operated by lay teachers and one Mercy Sister. It is fitting that the staff has come full circle to include this one Mercy Sister.

Today, St. Francis Parish School has a preschool through eighth grade platform that serves 586 students. The school's curriculum has grown to add computer technology, and grades 2–8 have smart boards, internet capability, and sound systems in every classroom. Growing with demand, the school has evolved to include Spanish, art, and music. Additional teachers have been added to St. Francis' staff to teach these new curriculums, and yearly textbook updates occur in every class in order to maximize the school's educating potential.

Most importantly, St. Francis Parish School pushes its students to be lifelong active leaders and responsible citizens. Every age group is required to do community service through both class service projects and quarterly school service projects. An array of community service organizations welcome the school's generosity such as the American Heart Association, the Cancer Society, Mercy Beyond Borders, the Homeless Center, Catholic Charities, Mercy Hospital, Lion's Club, SPCA, the Valley Achievement Center, Alpha Canine, and St. Faustina's. For 100 years, St. Francis Parish School has instilled high leadership, faith, and service qualities throughout its students.

St. Francis Parish School is a keystone of our educational community that measures success in its loyalty from generations of students. I thank St. Francis for its 100 years of service to the people of Bakersfield and wish them the very best in its next 100 years.

A TRIBUTE TO LUCY GLENN TAYLOR

HON. BRETT GUTHRIE

OF KENTUCKY

IN THE HOUSE OF REPRESENTATIVES

Wednesday, January 13, 2010

Mr. GUTHRIE. Madam Speaker, I rise today to honor the memory of a distinguished lady of Kentucky, Lucy Glenn Taylor. A third generation funeral home director and community leader, Lucy lived her life by the philosophy "always be kind to others," a motto which translated into her daily life.

Lucy dedicated her life to others starting at a young age. During World War II Lucy organized and managed funeral services while members of her family were in military service. Many have said that she even helped move caskets from time to time.

Lucy went on to become the director of her family's funeral home in 1978 and it was her notorious kind demeanor that inspired her children to continue the family business. Lucy always took the time to get to know those who used her family's services and was a well-loved and respected member of the community.

Once named the First Lady of the Year by Beta Sigma Phi International Service Sorority, Lucy took on several leadership roles within her community. She was a member of the Pilot Club for 50 years, during which she once served as president, and served on the board of directors for the Elizabeth Munday Center and Kentucky Wesleyan College. Among other organizations, Lucy was involved with the Junior League of Owensboro, Wendell Foster Bazaar, the Isaac Shelby Chapter of the Daughters of the American Revolution and was also a member and former president of the Franklin School PTA.

Always poised yet genuine, those who had the privilege of meeting Lucy Glenn Taylor never forgot her. Lucy never intended to draw attention to her acts of kindness. To the contrary, she would quietly extend a hand to those in need.

Sadly, on Monday, January 4, 2010, Lucy Glenn Taylor passed away in her home at the age of 88. I join with her family, friends, and confidants in mourning her loss. Although we may have lost one of the Commonwealth's most loyal friends, Lucy's legacy will continue through the countless number of people whose lives she touched.

GARY NICHOLS

HON. SAM GRAVES

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Wednesday, January 13, 2010

Mr. GRAVES. Madam Speaker, it is with great pride and pleasure that I rise today to recognize Gary W. Nichols for his outstanding service to his country, and to congratulate him on receiving his honorary high school diploma from North Kansas City High School in North Kansas City, Missouri.

Gary dropped out of high school in 1954 to join the United States Navy. He would have been a member of the graduating class of 1956. Gary was a career serviceman from 1954–1974 and served on several destroyers and carriers during the Vietnam War. He attained the Rank of E–5.

Gary has earned the gratitude and respect of his fellow veterans and fellow citizens of Kansas City, Missouri. He has served as the Post Commander as well as the District 3 Commander for the American Legion. His life's dedication and hard work should serve as an example to the rest of us on how we can better serve each other and our great nation.

Gary is originally from Kingsville, MO, but he now lives in Kansas City with his wife Shirley, where he is the proud father of seven children and step-children, 22 grandchildren and five great-grandchildren.

Madam Speaker, I ask my colleagues to join with me in congratulating Gary W. Nichols on the occasion of receiving his honorary high school diploma on January 30, 2010. I would also like to thank North Kansas City High School for providing Gary with the degree he would have received had he not left school to fight for his nation. I know Gary's colleagues, family and friends join with me in thanking him for his commitment to his country and wishing him happiness and good health in his future endeavors.

COMMENDING HAMILTON STEPHENS WINTERS

HON. RODNEY ALEXANDER

OF LOUISIANA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, January 13, 2010

Mr. ALEXANDER. Madam Speaker, I rise today to recognize and commend a distinguished student, Hamilton Stephens Winters, on his achievement of Eagle Scout, awarded January 9, 2010.

For nine years, Hamilton has been active in scouts. Prior to completing Cub Scouts in 2006, Hamilton received the Arrow of Light

Award, which is the highest award a Cub Scout can earn.

After completing the Cub Scout program, Hamilton joined Boy Scout Troop 66. During his tenure in the Boy Scouts, Hamilton has earned 37 merit badges, far surpassing the 21 merit badges that are required. This accomplishment is all the more impressive, considering Hamilton is only 14 years old.

Hamilton is a model citizen amongst the youth in our country and my district. His proven leadership and remarkable accomplishments have truly made his family and community proud. I am confident that Hamilton will use the skills he has acquired for the rest of his life as tools for the betterment of his community, state and country. I ask my colleagues to join me in congratulating Hamilton Stephens Winters on this monumental achievement.

DR. CINDY STEVENSON

HON. ED PERLMUTTER

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, January 13, 2010

Mr. PERLMUTTER. Madam Speaker I rise today to recognize and applaud Dr. Cindy Stevenson, superintendent of Jeffco Public Schools for her selection as finalist in the 2010 Superintendent of the Year. Of the 49 state-level finalists only four nominees are chosen. This program along with ARAMARK Education, ING and the American Association of School Administrators celebrates the contributions and leadership of top public school superintendents like Dr. Stevenson.

Dr. Stevenson's service to Jefferson County schools has helped with the development of its teachers and educational leaders. She has always held a strong focus on student achievement, improving teaching and learning, creating community partnerships and focusing on continuous improvement for all Jefferson County schools. The work of a superintendent like Dr. Stevenson has resulted in a number of successful academic communities in Jefferson County.

To reach this point in the nomination process Dr. Stevenson was required to fulfill a list of rigorous criteria. Among the qualifying factors Dr. Stevenson had to exemplify creativity in successfully meeting the needs of students in the school system, exemplary strength in both personal and organizational communication, a constant improvement of administrative knowledge and active participation in local community activities. Dr. Stevenson has met and exceeded this criteria and her nomination and successes confirm this.

I extend my deepest congratulations to Dr. Stevenson for her selection as finalist for the 2010 Superintendent of the Year. I have no doubt she will exhibit the same dedication in all her future accomplishments.

HONORING THE LIFE OF CORPORAL JAMES SZUBA

HON. JOE DONNELLY

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, January 13, 2010

Mr. DONNELLY of Indiana. Madam Speaker, I rise today in tribute to Corporal James Szuba, a nearly eight year veteran of the Mishawaka Police Department, who gave his life in the line of duty.

On Saturday, January 9, 2010, an intoxicated driver, in the act of fleeing from a pursuing officer, struck Corporal Szuba's patrol car as he was responding to a call for assistance. On board was his eight-year-old canine partner, a German Shepherd named Ricky, who was also killed upon impact.

Mishawaka Police Assistant Chief Mike Samp noted "He was very dedicated. He was one of those officers who would step up and help an officer if they needed anything. He was an outstanding officer who is going to be greatly missed around here." In 2004 he and three fellow officers were presented the Officer of the Year Award by the Indiana Council of Fraternal, Veterans and Social Societies after they rescued a five-year-old boy from drowning in a frozen neighborhood pond. Cpl. Szuba also received several letters of commendation and his performance evaluation noted that he "is one of the most dependable and trustworthy officers . . . he has leadership skills and is well respected by his peers and supervisors."

James followed a family tradition of service; his late father, Floyd, was an officer and his brother, John, is a sergeant with the nearby South Bend Police Department. Cpl. Szuba was trained in patrol tactics and narcotics searches. He was also an Indiana Law Enforcement Academy firearms instructor for the Mishawaka Police Department.

Corporal Szuba leaves behind his mother, Gerri, his wife, Debbie, a son, Joshua and daughter, Stephanie, two brothers and two sisters as well as many friends, relatives and fellow officers. Madam Speaker, we grieve for the loss of Corporal James Szuba. Let us always value that America's police officers serve to protect our country, day in and day out, regardless of the dangers they face. May God welcome him home and give comfort to his family and friends.

CELEBRATING VALDOSTA, GEORGIA'S 150TH BIRTHDAY

HON. JACK KINGSTON

OF GEORGIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, January 13, 2010

Mr. KINGSTON. Madam Speaker, today I rise to celebrate the 150th birthday of Valdosta, Georgia. This impressive milestone allows us to take the time to celebrate the city's progress over the past 150 years.

Valdosta was incorporated as a town in 1860, when Troupville, the previous Lowndes County seat, relocated to follow the expanding railroad. The city of Valdosta is home to more than 46,000 people, as well as Moody Air Force Base, where President George W. Bush received his National Guard flight training. Valdosta is commonly referred to as the "Azalea City," as the red, pink, and white plants bloom in abundance throughout the city, especially in the spring.

According to tradition, the first train came over the new road to Valdosta on July 4, 1860. Willis Allen was designated as the first manager of the railroad, which was then called Savannah, Florida, & Western and later became part of the Atlantic Coast Line. Valdosta was primarily an agricultural city, and with time it became the largest inland market for Sea Island cotton in the world, until the boll weevil beetle eliminated the crop in 1917. Today, Valdosta's agriculture consists mainly of row crops such as tobacco, cotton and peanuts.

Valdosta has been the home of many skilled athletes, which earned the town the 2008 "Titletown, USA" award by ESPN. With 14 national titles, 47 conference titles, 99 state titles, and 289 region titles, Valdosta has certainly earned this honor. Valdosta has also thrived in the artistic realm. A number of comedians, actors, and musicians have emerged from Valdosta. The original "Jingle Bells" tune was even composed by one of Valdosta's music teachers, James Lord Pierpont. Valdosta's symphony orchestra—composed of local artists, students, and professors at Valdosta State University—attracts guest performers of international reputation. The Arts and Balloon Festival, held in April, serves to celebrate all of these artistic endeavors.

Whether you are admiring the beauty of Valdosta at the annual Azalea festival in March, watching one of the city's athletes perform on the national stage, or simply encountering friendly faces as you pass through one of Valdosta's many parks and historic districts, the city is no doubt a captivating one. From its birth in 1860 until today, the year of its Sesquicentennial Celebration, Valdosta has remained one of the nation's greatest and most productive cities. It is one of the many cities that keep Georgia on the mind, and I am proud to celebrate its history with you today.

HOPE FOR HAITI

HON. GERALD E. CONNOLLY

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, January 13, 2010

Mr. CONNOLLY of Virginia. Madam Speaker, I rise today to offer my deepest sympathy to the people of Haiti as they cope with the aftermath of yesterday's massive earthquake. The tremendous loss of life and the untold devastation has left the capital of Port-au-Prince in ruins and countless families facing the untold horrors of loved ones injured or killed. This earthquake has shown us nature's worst.

The world's response to this awful tragedy will demonstrate the best of human nature. Many people will offer relief and assistance, through time and money. As we have always done in times of international disaster, the United States is sending aid to Haiti, including Fairfax County's Urban Search and Rescue Team 1 (USAR Team 1), which deployed this morning.

USAR Team 1 is one of two urban search and rescue teams nationwide that report to the U.S. Agency for International Development—Office of U.S. Foreign Disaster Assistance for humanitarian deployments. This highly trained rescue team has deployed to numerous locations across the globe, saving lives in areas such as Armenia, Indonesia, Romania, Kenya, Bolivia, Oklahoma City, and the Pentagon, providing critical lifesaving rescues, especially in building collapse situations.

In this terrible time of tragedy, Fairfax County's USAR Team 1 represents the best that America has to offer, hope and a commitment

to helping those in need. I commend the men and women of USAR Team 1 on their heroic efforts, mourn for those who lost their lives and pray for those awaiting aid.

SALUTING THE ATHLETES OF THE 2010 WINTER GAMES OF TEXAS

HON. SAM JOHNSON

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, January 13, 2010

Mr. SAM JOHNSON of Texas. Madam Speaker, I rise to recognize the outstanding athletes of the fifth annual Winter Games of Texas.

This multi-sport youth athletic event is patterned after the international Olympic Games and presented by The Texas Amateur Athletic Federation, a nonprofit organization established in 1925 to promote, organize and conduct amateur athletics in Texas.

The sports festival serves as an excellent showcase of the talented young athletes of Texas. More than 4,500 young people will participate in this year's competition.

An exciting Celebration of Athletes program will be held, featuring games, live entertainment, professional athletes, and past Olympic heroes.

Fourteen different sporting events are included in the contest this year: soccer, basketball, table tennis, wrestling, cheerleading, swimming, flag football, ice hockey, figure skating, volleyball, fencing, bowling, rock climbing, karate, and gymnastics.

I commend each of the athletes who will be competing in these sports. Their hard work, dedication and passion will serve them well in all aspects of life.

I would also like to thank the City of Frisco, including their fine leader, Mayor Maher Maso, the Texas Amateur Athletic Federation, and all the volunteers throughout this city and state who have expended their time and energy to prepare for this great event.

I wish all participants and volunteers an enjoyable and successful tournament.

Let the games begin!

IN HONOR AND REMEMBRANCE OF RICHARD J. ZUNT

HON. DENNIS J. KUCINICH

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, January 13, 2010

Mr. KUCINICH. Madam Speaker, I rise today in honor and remembrance of Mr. Richard J. ''Dick'' Zunt, dedicated father, uncle, journalist and friend, whose amazing life reflected love for family, community and journalistic excellence. As a high school sports beat reporter, he consistently captured the energy, action and emotion of games played throughout Greater Cleveland. From amazing triumphs, to shocking defeats, to predictable endings, Mr. Zunt's reporting was always accurate, compassionate, and respectful—and held the interest and imagination of tens of thousands of readers.

Though a talented reporter, it was Mr. Zunt's kind demeanor, great sense of humor and generous heart that drew others to him. He lived his life by the Golden Rule, reaching out to help wherever needed. He grew up in Cleveland, instilled with values of hard work, service to community and an unmistakable joy for life. A talented athlete himself, Mr. Zunt ran track at St. Ignatius High School, graduating in 1950. As a student reporter at John Carroll University, Mr. Zunt began honing his journalistic skills as a reporter for the university paper, the ''Carroll News.'' He graduated from John Carroll in 1955, then served two years in the United States Navy. In 1957, following his military service, Mr. Zunt joined The Plain Dealer, where he worked as a sports reporter, with an emphasis on high school sports, until his retirement in 2001.

Throughout his tenure at The Plain Dealer, Mr. Zunt made countless friends, many of whom remained close friends throughout his life. His honest approach, unwavering integrity and caring nature forged life-long bonds of trust, friendship and admiration with coaches, players, school administrators and colleagues. He was very active in the community, serving on several community, press and educational boards—and was an active alumnus of St. Ignatius High School. Though not impressed with awards and accolades, Mr. Zunt's many achievements were publicly recognized. He was inducted to the St. Ignatius Hall of Fame, the Greater Cleveland Softball Hall of Fame, and the Cleveland Press Club Hall of Fame.

Madam Speaker, please join me in honor and remembrance of Mr. Richard J. ''Dick'' Zunt, whose love for family and friends, service to community and joy for living will be remembered always. I offer my deepest condolences to his loving children, Mary ''Cal,'' Monica, Sarah, and Richard J. Jr.; to his daughters-in-law, Brooke and Ethel; to his sons-in-law, Mike and Ruben; to his brothers, J. Raymond and Robert; to his sister Mary; to his dear companion, Doris; and to all his extended family members and numerous friends. Mr. Zunt's life—defined by kindness, joy, talent and a compassionate heart—will forever live in the minds and hearts of his family, friends and all whom knew and loved him well—and he will never be forgotten.

A TRIBUTE TO KAREN ANDE AND RUTHANN RICHTER

HON. ANNA G. ESHOO

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, January 13, 2010

Ms. ESHOO. Madam Speaker, I rise today to pay tribute to two Bay Area women, Karen Ande and Ruth Richter, and their compelling book Face to Face, Children of the AIDS Crisis in Africa.

This very special work was conceived after Karen Ande and Ruthann Richter travelled to Africa in 2004. They were devastated by the plight of children living under staggeringly brutal conditions, often without food, education or a stable, caring adult in their lives. Many of the children had watched their parents die and then had to cope with the consequences of living alone or with little support. They resolved to bring the issue to light and their book is the vehicle they chose to accomplish this goal.

The following words in praise of the book by Philip Pizzo, M.D., Dean of the Stanford University School of Medicine, a specialist in pediatric AIDS and one of the 14th Congressional District's most distinguished and effective leaders, are an eloquent statement about the book and its subject.

''Ruthann Richter and Karen Ande have given a new voice and face to this pandemic, which continues to destroy the hopes, dreams and lives of children. Through compelling and poignantly informed stories and narratives and incredibly sensitive and touching portraits of children, families, providers and communities, Richter and Ande remind us, in a deeply personal way, how important HIV remains in Africa and beyond.''

Madam Speaker, I ask my colleagues to join me in honoring Karen Ande and Ruthann Richter for their extraordinary work and their efforts to bring to our attention the continuing ravages of the AIDS virus on the children of Africa.

GOVERNOR ALBERT ROSELLINI

HON. DAVID G. REICHERT

OF WASHINGTON

IN THE HOUSE OF REPRESENTATIVES

Wednesday, January 13, 2010

Mr. REICHERT. Madam Speaker, I rise today in honor of Governor Albert Rosellini, who will celebrate his 100th birthday on January 21, 2010. Gov. Rosellini was elected to the Washington State Senate in 1938, and served honorably as Washington State's governor from 1957 to 1965. Ultimately, this man has always worked as a servant and leader for his family, community and State.

As a 29-year-old law school graduate from Tacoma, Washington, Governor Rosellini began his career early, serving in the Washington State Senate in 1938 and championing issues ranging from forward-looking transportation policy to juvenile justice. He was an advocate for working families and never missed an opportunity to improve the lives of his constituents. Later, as Governor, Rosellini played an important role in starting one of our nation's finest medical schools at the University of Washington. He also helped create the Evergreen Point Floating Bridge—a bridge that now bears his name. The type of leadership that helped build the Floating Bridge is typical of Gov. Rosellini: visionary and decisive.

Additionally, Governor Rosellini's ascension to the Governorship of Washington was a seminal moment in the illustrious history of Roman Catholic Italian-Americans and he remains a leader in that community to this day.

A Seattle columnist wrote in 2005 that Governor Rosellini ''makes most governors after him look like slackers.'' Madam Speaker, Gov. Rosellini served Washington with a steely determination, with the cares, concerns, and best interest of all Washingtonians in his mind and heart at all times. It is my distinct honor to recognize him and his countless contributions to the great state of Washington, and to challenge us all to aspire to serve in the same way he has throughout his distinguished life and career.

Along with this House, I wish Mr. Rosellini a happy 100th birthday and thank him for his dedicated public service.

INTRODUCTION OF LEGISLATION TO ESTABLISH 10-YEAR TERM FOR TSA ADMINISTRATOR

HON. FRANK R. WOLF

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, January 13, 2010

Mr. WOLF. Madam Speaker, today I am introducing legislation to establish a 10-year term of office for any individual appointed to serve as the administrator of the Transportation Security Administration, TSA, akin to the appointment process for the director of the Federal Bureau of Investigation, FBI.

The failed Christmas Day bombing of a U.S. airliner points to the need for strong, capable leadership at TSA. It is essential that the agency be independent of political influence and focus on its core mission: to protect ''the Nation's transportation systems to ensure freedom of movement for people and commerce.'' Given the continued threat from al Qaeda to U.S. and international aviation, it is essential that the TSA administrator has bipartisan support.

I believe a 10-year term for the administrator of TSA will help provide the agency with the qualified, long-term and independent leadership it needs at this time. Over the last 9 years since TSA's creation following 9/11, TSA has had six administrators—averaging terms of just 1.5 years. This is hardly the stable and committed leadership that the agency should have, given its critical role in ensuring the safety of our citizens and aviation infrastructure. It simply does not make sense for the position to change hands with each new administration or even sooner.

This bill further strengthens our Nation's homeland by ensuring stable leadership at the Department of Homeland Security and freeing that the TSA administrator to assure agency professionalism over political fidelity. I urge my colleagues to support this important legislation.

RECOGNITION FOR CHIEF ROBERT W. GILBERT, U.S. BORDER PATROL

HON. GABRIELLE GIFFORDS

OF ARIZONA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, January 13, 2010

Ms. GIFFORDS. Madam Speaker, I rise today to recognize Robert W. Gilbert, who is leaving his position as Chief Patrol Agent of the United States Border Patrol Tucson Sector to become the Department of Homeland Security Attaché in Mexico.

As the representative of one of only ten congressional districts on the U.S.-Mexico border, I have worked closely with Chief Gilbert in the ongoing effort to secure our border. Chief Gilbert has been relentless in his pursuit of this goal, and for that, every American owes him a tremendous debt of gratitude.

During his time in Tucson, Chief Gilbert never lost sight of the fact that our border is more than a boundary separating two nations. He knows that our border with Mexico is a conduit for trade through which hundreds of millions of dollars of vital goods and services flow each year. He is also acutely aware of the negative impact on local residents, ranchers and businesses caused by the criminal cartels that smuggle people and drugs across the border and into our communities.

Chief Gilbert followed his father into the Border Patrol and has carried out assignments in San Diego, El Paso and on the Canadian border. In March 2007, he was named Chief Patrol Agent of the Tucson Sector, the Nation's largest and most active border region.

Chief Gilbert supervises more than 3,200 agents who patrol 262 miles of international border. The agents who work for him account for the highest number of drug seizures and illegal immigrant apprehensions in the Nation. Chief Gilbert has called the Tucson Sector ''ground zero for the Border Patrol.'' When he was asked whether being assigned to such a busy part of the border was a reward or a punishment, Chief Gilbert called his posting ''an honor.'' It has been no less an honor for those of us who have had the opportunity to work with him.

Representing the Eighth Congressional District in Southeastern Arizona, I have had the privilege of witnessing first-hand the Border Patrol's important work. It has been a highlight of my time in Congress to meet the men and women of the Tucson Sector of the Border Patrol who serve in one of the most challenging and rugged regions in our country.

Under Chief Gilbert's exceptional leadership, great progress has been achieved in making our border more secure. In just the first three months of fiscal year 2010, agents in the Tucson Sector arrested 51,111 people and seized 270,418 pounds of marijuana. In fiscal year 2009, agents in the Tucson Sector seized an all-time national record of more than 1.2 million pounds of marijuana.

It is clear on many levels that Chief Gilbert and the men and women under his command are gaining control of the most porous area of our border with Mexico.

In addition to implementing effective new strategies to deal with the high volume of drug and human smuggling, Chief Gilbert and his team have been most responsive to my inquiries on behalf of constituents and they have reached out to build positive relationships with local residents, ranchers and business owners. The Chief established regular meetings of community stakeholders which have resulted in stronger partnerships between the Border Patrol and the citizens who live along the border. He has gone to great lengths to establish better understanding and communications with the community including his mule ride along the border with area ranchers to directly inspect the effects that smuggling has had on their land and operations.

In a 2009 interview with Linda Valdez, a columnist with the Arizona Republic, Chief Gilbert talked about the enthusiasm he has for his job. ''If you can't get excited about defending the United States of America, you don't have a pulse,'' he said.

Each day, the agents supervised by Chief Gilbert confront armed smugglers, harsh desert terrain and weather extremes to keep us safe. Each day, they and Chief Gilbert illustrate what it means to be dedicated to duty and to country.

While enormous credit rightfully goes to Chief Gilbert for Border Patrol successes since he arrived on the job, we also recognize the great sacrifices that have been made by his family. His wife Lia and children Matthew and Sophia have been there to support the Chief through his many long days and weekends at work. The strength of his family has played a vital role in sustaining the Chief in his tireless service to the Nation. We thank them for all they have done for him and, through him, for all of us.

On behalf of the people of Arizona's Eighth Congressional District, I am proud to give the highest commendation to Chief Robert W. Gilbert for a job very well done. This man is a true patriot, who has served our region and the Nation with selflessness, integrity and honor.

GRATITUDE FOR THE SERVICE OF LASHAWN Y. WARREN

HON. JOHN CONYERS, JR.

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Wednesday, January 13, 2010

Mr. CONYERS. Madam Speaker, I would like to take this opportunity to thank one of the most dedicated and productive members of the Judiciary Committee staff for her service to the House, LaShawn Warren. For 2½ years, LaShawn served as Oversight Counsel for the Committee on the Judiciary.

LaShawn graduated magna cum laude from Savannah State College in Savannah, Georgia. She earned her law degree from Howard University, where she served as co-editor-in-chief of the Social Justice Law Review and rose to the leadership ranks of many of the law school's societies and associations. In addition to her law degree, she earned a certificate in non-profit management from Georgetown University's Center for Professional Development.

Prior to joining the staff of the Judiciary Committee, LaShawn served as Legislative Counsel for Civil Rights for the American Civil Liberties Union, ACLU. As Legislative Counsel, she prepared congressional testimony for the U.S. Congress and the United Nations Human Rights Council, UNHRC, and lobbied Members of Congress, UNHRC members, and their respective staffs on voting rights, education equity, racial profiling, employment, housing, domestic violence policy, welfare reform, privacy, international human rights, and civil rights enforcement. She chaired advocacy and legislative coalitions, worked with national and local media, and served as the lead strategist for the civil rights community's successful effort to reauthorize the Voting Rights Act in 2006. Prior to her tenure at the ACLU, she served as a legislative analyst for the Seattle City Council and as an Assistant Attorney General for the Washington State Office of the Attorney General.

During her time with the Judiciary Committee, LaShawn led the Congress' investigation into the enforcement of Federal civil rights laws, hiring practices, and resource management issues in the Civil Rights Division, CRT, of the Department of Justice. By the end of the 110th Congress, her work had exposed massive politicization of the CRT's operations, including its hiring practices and case-prosecution decisions. Cleaning up that division—so central to the equal rights of all Americans—is a great legacy of LaShawn's work at the Committee. She additionally served as the Committee's lead counsel on voting issues and conducted investigative and legislative

work related to voting, employment, housing, predatory lending, bankruptcy, civil rights and criminal law enforcement, international law compliance, and civil rights in immigration policy. She authored large portions of the Committee staff's report ''Reining in the Imperial Presidency: Lessons and Recommendations Relating to the Presidency of George W. Bush'' and supervised the drafting and editing of the Committee's bipartisan amici brief in Northwest Austin Municipal Utility District No. 1 v. Eric H. Holder (2009).

On behalf of the Judiciary Committee, its staff, and this distinguished body, I would like to thank LaShawn for her service and for her unwavering commitment to protecting and advancing civil rights and liberties for all Americans. We are losing a dear colleague, mentor, and friend—her generosity, optimism, professionalism, and warmth shall be sorely missed. We wish her the best of luck and extend to her our deepest gratitude.

HONORING MR. ROD MORGAN ON BECOMING THE FIRST AFRICAN AMERICAN TO SERVE AS PRESIDENT OF THE INDIANA STATE BAR ASSOCIATION

HON. ANDRÉ CARSON

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, January 13, 2010

Mr. CARSON of Indiana. Madam Speaker, I rise today to honor Mr. Rod Morgan, a remarkable jurist from Indiana's 7th Congressional District, who recently became the first African American to serve as president of the Indiana State Bar Association. I applaud Mr. Morgan for this monumental achievement.

Currently a partner at Bingham McHale LLP in Indianapolis, Mr. Rod Morgan's legal career has been vast and varied. His career has touched upon nearly every aspect of jurisprudence from serving as an Army Judge Advocate General, to acting as a legal advisor to numerous military and political leaders, to teaching law and writing scholarly papers. Mr. Morgan is also an active member of the community, serving on numerous boards and associations, recently serving as president of the Indianapolis Black Chamber of Commerce and chairman of the Partnership for Affordable Housing. His election as president of the Indiana State Bar Association marks yet another milestone in an exemplary career.

Today, I ask my colleagues to join me in honoring Mr. Rod Morgan and wishing him the best of luck in his latest endeavor.

IN HONOR AND REMEMBRANCE OF ELIZABETH JOYCE COSSER

HON. DENNIS J. KUCINICH

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, January 13, 2010

Mr. KUCINICH. Madam Speaker, I rise today in honor and remembrance of Elizabeth Joyce Cosser, lovingly known as ''Nan'' treasured grandmother of my wife, Elizabeth, and dearest mother and matriarch.

Mrs. Cosser was born in 1923 and spent her childhood in the beautiful, rolling farmlands of Nottinghamshire and later South Downs, England. Nan's unyielding love for the natural world, great joy of learning, deep commitment to family and sense of service to others was deeply rooted in her childhood. Moreover, Nan was raised to believe that girls were just as worthy as boys, and her fierce independence, courage and outspokenness shone throughout her life—and began during an era when women's rights and opportunities were still non-existent. A trailblazer in so many ways—Nan was a feminist and environmentalist before those words existed in the world's consciousness.

As a young woman, Nan ventured out on her own, eventually leaving home to become a nurse. During WWII, Nan's family homestead, Blackcap Farm, was destroyed by Canadian Troops who leveled the countryside with rounds and mortars during training maneuvers. At that same time, Nan worked as a nurse, tending to wounded soldiers amidst air raids and heaving bombing, in Brighton and the East End. After the war, Nan continued her chosen vocation of nursing, specializing in delivering babies. She became a community midwife, and delivered 1,265 babies, including Elizabeth, her namesake and granddaughter.

Nan coveted nature, and was on the forefront of the green movement and animal rights causes. In her spare time, Nan planted trees—thousands of trees. To this day, thick groves of chestnut, oak, buckeye and hazelnut trees grow along the country paths in Belhus Woods in Essex—all planted by Nan.

Nan taught by example, instilling in her children and grandchild a true love and respect for the earth and for each other. Beyond her love of gardening, Nan spent time with family on numerous outdoor adventures. She guided her grandchildren through the countryside, gathering berries which she later transformed into pies, jams, wine and even vodka. Her artistic talents and interests were extensive and varied; Nan excelled at painting, embroidery, knitting and pottery, and her adventurous spirit led her to journey to places around the world—researching the history of the culture wherever she went.

Nan combined her love of history and art, creating beautiful works depicting momentous eras and individuals in world history. Nan's keen interest in England's royal lineage led her to embark on an extensive project in which she researched every king and queen in England, dating back 1,000 years. Her research then inspired her to create an incredible series of pottery busts reflecting, in detail, the likeness and aura of royalty dating back one thousand years!

Madam Speaker and Colleagues, please join me in honor and recognition of Elizabeth Joyce ''Nan'' Cosser, whose kind and generous heart drew others to her. Nan's strength, integrity, and love for the world and its inhabitants, will forever live within the hearts of all us who knew and loved her well, and will forever reflect from the branches and leaves of the towering oak and chestnut trees along the English countryside—forever connecting us all in the cycle of life.

TOWN HALL BY MAIL SURVEY RESULTS FOR FLORIDA'S 10TH CONGRESSIONAL DISTRICT

HON. C. W. BILL YOUNG

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, January 13, 2010

Mr. YOUNG of Florida. Madam Speaker, Our nation is faced with more major issues, and is more divided over how we should handle those issues, than at any time I have served in Congress.

These issues include matters of national security, financial security, economic security, and the future of our health care system. Last November, I asked residents of the 10th Congressional District I have the privilege to represent to share their thoughts with me on these and many other pressing issues. To date, more than 31,500 have responded to my survey which included 26 questions on a wide range of legislative matters. In addition, almost half of those who responded provided some very helpful additional comments about other matters of interest to them. In order to certify the accuracy of the results, I had an outside firm tabulate the surveys before returning them to me to review the comments.

Madam Speaker, following my remarks, I will include for the benefit of my colleagues the complete results of my Town Hall by Mail survey. As we return for the Second Session of this 111th Congress and begin debate on these many difficult issues, I think they will find these results of special interest.

CONGRESSMAN BILL YOUNG TOWN HALL BY MAIL

1. Which of the following do you feel to be the most pressing federal issue?
Federal Deficit, 17.33%
Job Creation, 16.02%
A Growing Federal Government, 15.14%
Health Care, 14.52%
National Security, 11.21%
Energy Independence, 8.83%
Immigration, 7.79%
Other, 3.61%
No Response, 2.86%
Housing, 2.69%

2. Are you satisfied with your current health care coverage?
Yes, 73.09%
No, 20.40%
Not currently covered, 4.77%
No Response, 1.73%

3. From what you have read about the pending health care legislation before Congress, do you believe this legislation would improve the quality of your health care coverage?
Yes, 15.85%
No, 70.71%
Unsure, 11.72%
No Response, 1.71%

4. From what you know about the health care reform legislation pending before Congress, would you support or oppose this legislation?
Support, 22.42%
Oppose, 65.81%
Unsure, 10.22%
No Response, 1.55%

5. Should health care reform include a government-run public option?
Yes, 28.49%
No, 60.44%
Unsure, 8.88%
No Response, 2.19%

6. Do you believe that any health care reform legislation should specifically prohibit

federal funding for illegal immigrants to receive health care coverage?
Yes, 81.17%
No, 11.12%
Unsure, 5.99%
No Response, 1.71%
7. Should Congress raise taxes to pay for health care reform legislation?
Yes, 16.47%
No, 74.73%
Unsure, 7.04%
No Response, 1.76%
8. Should Congress pay for health care reform legislation by cutting Medicare by $500 billion as proposed in the House bills?
Yes, 7.48%
No, 83.32%
Unsure, 7.44%
No Response, 1.76%
9. Should Congress require individuals to purchase health care insurance or face a tax penalty?
Yes, 17.02%
No, 73.54%
Unsure, 7.77%
No Response, 1.68%
10. Do you believe that the $787 billion economic stimulus spending bill approved by Congress earlier this year has created jobs?
Yes, 15.32%
No, 73.67%
Unsure, 9.48%
No Response, 1.53%
11. Given the continued increase in unemployment, should Congress enact a second stimulus spending bill this year?
Yes, 13.31%
No, 72.66%
Unsure, 12.36%
No Response, 1.67%
12. Should the President approve the recommendation of General Stanley McChrystal to deploy some 40,000 more troops to Afghanistan?
Yes, 49.60%
No, 32.53%
Unsure, 16.04%
No Response, 1.83%
13. Would you be willing to pay higher fuel and energy prices to reduce the production of greenhouse gases?
Yes, 23.59%
No, 64.03%
Unsure, 10.52%
No Response, 1.86%
14. Should Congress be required to post major legislation online at least 72 hours before it's voted on in the House or Senate?
Yes, 85.08%
No, 5.90%
Unsure, 7.16%
No Response, 1.86%
15. Should Congress extend the $8,000 federal first–time homebuyer's tax credit (the credit is set to expire on November 30, 2009)?
Yes, 48.66%
No, 41.21%
Unsure, 8.34%
No Response, 1.79%
16. Should Congress consider passage of a second Cash for Clunkers program?
Yes, 13.43%
No, 78.75%
Unsure, 6.27%
No Response, 1.56%
17. Should Congress provide additional bailout funds for U.S. automakers and financial institutions?
Yes, 2.88%
No, 90.71%
Unsure, 4.82%
No Response, 1.58%
18. The federal National Debt is currently over $11.9 trillion and is projected to increase by more than $9 trillion over the next ten years. To balance our account, Congress should:
Reduce government spending and eliminate programs, 83.30%
Increase taxes to pay for existing government programs, 13.43%
No Response, 3.27%
19. Should the federal government be required by law to have a balanced budget, as the Florida state government and most other states are required to do?
Yes, 79.64%
No, 9.18%
Unsure, 9.38%
No Response, 1.81%
20. Which do you believe would do more to create jobs and stimulate the American economy?
Increased government spending and new government programs, 13.21%
Reducing taxes on private business (the U.S. business tax rate is the 29th highest of the world's 30 largest economies), 81.37%
No Response, 5.43%
21. The Federal Reserve had refused to disclose to the Congress which companies have been given trillions of dollars in bailout money. Should the Fed be subject to a full and complete audit of its actions?
Yes, 94.54%
No, 1.71%
Unsure, 2.24%
No Response, 1.51%
22. Should suspected terrorists be transferred from the prisons at Guantanamo Bay to federal prisons in the United States?
Yes, 20.62%
No, 67.22%
Unsure, 8.21%
No Response, 3.95%
23. Should amnesty for those here illegally be included in immigration reform?
Yes, 12.23%
No, 74.12%
Unsure, 9.69%
No Response, 3.96%
24. The measure of the cost-of-living for Social Security recipients is predicted to increase from 2010 to 2011, yet recipients are not likely to receive a cost-of-living adjustment the next year. Should Social Security recipients receive an increase in their benefits for 2012?
Yes, 74.86%
No, 10.60%
Unsure, 10.70%
No Response, 3.84%
25. Should the U.S. continue pursuing a missile defense shield in Europe?
Yes, 51.27%
No, 27.68%
Unsure, 17.19%
No Response, 3.86%
26. Should economic sanctions continue against Iran?
Yes, 78.87%
No, 7.27%
Unsure, 10.07%
No Response, 3.78%

IN TRIBUTE TO SHARON SCHULTZE

HON. BOB FILNER

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, January 13, 2010

Mr. FILNER. Madam Speaker, I rise today to recognize the dedication and contributions of my Senior Legislative Assistant, Sharon Schultze.

On Monday, January 11, 2010, Sharon retired after seventeen years of service in my Washington Congressional office. In and of themselves, these years are enough to qualify her for special recognition, but she also served as my Assistant for four years when I was a member of the San Diego Board of Education, as my Council Representative for five years when I was a member of the San Diego City Council, and in numerous roles in many of my campaigns, including Finance Director for two of my Congressional Campaigns. When one of my early campaigns showed practically a zero in donations for an entire summer month of fundraising, I called on her, and the contributors returned. Throughout the years, she has been my go-to person when I need something done and done right.

Upon reflection, I believe that her most important contribution has been to provide a consistent and friendly voice to the people we are serving, knowing many by name. She gives them what they are asking for—either the answers they need or information about who can help if we are not the right office to call. A visitor or caller never goes away without assistance.

Sharon's work over the years has included legislation that addresses people's needs: education, gay and lesbian, health, labor, Native American, senior citizen and Social Security, religion, art, welfare, women, and veterans issues. She was my sole staff person for the House of Representatives Veterans' Affairs Committee (VA) for fourteen years. She has met with constituents and lobbyists, answered mail, prepared my statements for the VA and the House and talking points for speaking engagements, prepared bills for introduction in the House, and written press releases. In fact, she has done almost everything in my office, from the duties of staff assistant to executive assistant to administrative assistant, as needed—just not systems administration.

She has taken a keen interest in how microcredit and microenterprise can help many people in our country, travelling to Bangladesh to learn about the Grameen Bank in Dhaka, founded by Nobel Peace Prize Laureate Professor Muhammad Yunus.

She has helped me prepare for many of the awards and recognitions I have received, for example, the 2009 Gusi Peace Prize I was recently awarded in the Philippines and the Martin Luther King, Jr. Award I received from the National Education Association in 2003. Her supporting role in my work on the issues important to my Filipino constituents was critical to my selection as a recipient of the Legion of Honor, the highest civilian award given by the Philippines, presented by then-President Fidel Ramos.

Sharon has also prepared the nominations I have made throughout the years for winning entries, for example in the Victory Against Hunger Award sponsored by the Congressional Hunger Center, the Private Sector Small Business Award from the Asian American Business Roundtable, the Congressional Angels in Adoption Awards from the Congressional Coalition on Adoption Institute, the Ethics Award from the San Diego Human Dignity Foundation, and my nominations for the White House Conference on Aging. For each of the seventeen years we have been in Washington, she has been the DC staff person in charge of trip arrangements to Washington for the winning students in the annual Congressional Arts Competition. She has greeted our Congressional Pages and has handled the ticket requests for Presidential inaugurations.

She has joined with me in many of our accomplishments. She was with me when we

talked with VA Secretary Jesse Brown about the need for a Veterans' Home in Chula Vista, California. She was at the table when we spoke to VA Secretary Principi about providing medical equipment and supplies to the Veterans Hospital in Manila. She helped to bring a Community Based Outpatient Clinic to Imperial County, California and the Miramar National Cemetery to San Diego, California, with a groundbreaking scheduled for January 30, 2010.

Her important legislative achievements include passage of several bills for veterans, including a bill to provide a posthumous Purple Heart to the families of every prisoner of war who died while in a prison camp, a bill to provide compensation to World War II Merchant Mariners who were excluded from the original GI Bill benefits, and legislation to restore equity and promised benefits to the Filipino World War II veterans who were deprived of both by an act of Congress in 1946.

I want to take this opportunity to say thank you to Sharon for 26 years of working together, learning together, and achieving together. As a former history professor, I believe that we have changed a small piece of history.

CONDEMNING THE GOVERNMENT OF UGANDA'S ANTI-HOMOSEXUALITY BILL

HON. ALCEE L. HASTINGS

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, January 13, 2010

Mr. HASTINGS of Florida. Madam Speaker, I rise today to speak out against Bill No. 18, the Anti-Homosexuality Bill of 2009, which will soon be considered for passage by the government of Uganda. This proposed legislation criminalizes and punishes homosexuality, thereby endangering the lives of all Ugandans and threatening their civil and human rights. This is outrageously discriminatory and deeply troubling.

The Anti-Homosexuality Bill was introduced as a Private Member's Bill by Ugandan Member of Parliament David Bahati of the National Resistance Movement Party on April 29, 2009. Following adoption, it was published in the Uganda Gazette on September 25, 2009, according to the procedural rules of the Ugandan Parliament. A vast majority of governments throughout the world, including the United States, continue to deny full civil rights and protections to their lesbian, gay, bisexual, and transgender, LGBT, citizens. However, the Anti-Homosexuality Bill takes this to a deadly extreme.

This legislation condemns HIV-positive citizens, including minors, who engage in consensual homosexual acts to death and sentences citizens who engage in consensual homosexual acts to life imprisonment. The Anti-Homosexuality Bill also seeks to persecute LGBT citizens living abroad by extraditing them for acts committed outside Uganda, including those who are also dual citizens of Uganda and the United States. Furthermore, this legislation requires known homosexuals to be reported to the authorities within 24 hours; failure to do so would result in a jail term of up to 3 years. This applies to Ugandan nationals and dual citizens living abroad, as well as any person who witnesses such an act within Uganda, regardless of whether they have legal ties to the Ugandan nation. Finally, the Anti-Homosexuality Bill requires that its provisions override any commitment to international agreements or protocols that recognize the rights of LGBT persons to the extent of the inconsistency between the two. As a responsible member of the international community, the United States cannot condone such a bill becoming law.

The Anti-Homosexuality Bill legislates against the fundamental democratic right of freedom from fear of physical harm by one's own government. This legislation would undermine the government of Uganda's commitment to democracy at a most basic level, significantly damage its relations with the international community, and risk inciting greater hate-motivated violence within Uganda itself. Its mere existence almost certainly will lead to violence against individuals who either are LGBT or are rumored to be LGBT, their families, and community leaders in their places of worship, homes, schools, and businesses.

Furthermore, I am deeply concerned about the consequences that this bill would have on public health in Uganda as it attempts to combat HIV/AIDS. The stigmatization of homosexual identity and behavior continues to stymie efforts to fight HIV/AIDS in the United States and abroad. The bill's criminalization of homosexuality will undoubtedly discourage individuals from having the open and honest discussions about their sexual health and behavior that are crucial to lessening the spread and burden of this infection.

I commend President Obama and State Secretary Clinton for denouncing this bigoted legislation and am pleased to acknowledge that their sentiments have been publicly shared by the European Union, Canada, and other nations and international human rights groups. In addition, I also applaud those Ugandans, including Senior Advisor to President Museveni, John Nagenda, who have spoken out in opposition to this bill and urge them to fight it when Uganda's parliament enters discussions on the matter in February or March of this year.

I am further encouraged by Secretary Clinton's commitment to protect "the rights of the LGBT community worldwide" and will continue working to ensure that sexual orientation and gender identity not constitute the basis for criminal penalties, harassment, or discrimination. It is my fervent hope that Congress will show a similar commitment to its own LGBT citizens as it is called upon to repeal discriminatory legislation such as "Don't Ask, Don't Tell" and the Defense of Marriage Act.

Madam Speaker, I unequivocally condemn the Anti-Homosexuality Bill in the strongest possible terms and urge the government of Uganda to withdraw this bill and support the inalienable human rights of all people.

CONGRATULATING RODNEY KAY

HON. LYNN A. WESTMORELAND

OF GEORGIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, January 13, 2010

Mr. WESTMORELAND. Madam Speaker, I rise today to congratulate Rodney Kay, named my State's 2009–10 "Assistant Principal of the Year" by the Georgia Association of Secondary School Principals. Rodney, head of Curriculum and Instruction at Heard County High School in Franklin, will represent the Peach State well when he competes for the national title in March.

Rodney won this award after serving as an administrator for only two years. This recognition so early in his career demonstrates the passion and commitment he brings to educating young people. His leadership, combined with the talents of all the fine educators at Heard County High, quickly brought demonstrable results. The school has achieved new records in test scores, and the Governor's Office of Student Achievement named Heard County as one of only nine schools to attain "platinum" status in the 2008–09 school year.

Rodney's win was not only well-deserved, but it also had the additional benefit of bringing positive attention to Heard County students' accomplishments, said Principal Rusty Sowell. "It is a tremendous honor to be selected, and it speaks for itself with the things he has done and helped us achieve," Sowell continued.

This success might derive from Rodney's team player approach with teachers. Rodney knows first-hand the challenges as well as the joys that come with serving directly in the classroom. Before his promotion to assistant principal at Heard County, he worked as a Spanish teacher for 13 years in his hometown of Carrollton.

As a Member of Congress, I greatly appreciate efforts to honor the outstanding public servants who dedicate their lives to enlightening the next generation of Americans. Our teachers rank among our greatest resources. They put their own hearts on the line for students facing educational hardships or troubled home lives. They also know the triumph of seeing students learn, overcome obstacles, achieve academic excellence and go on to successful college and professional careers.

Rodney Kay obviously has approached this calling with fervor and passion—and with an eye on a higher purpose. "I believe I am in the school to serve teachers and students, and I have been placed on this Earth to serve God and others," Rodney said.

We appreciate that service from Rodney and his fellow educators. On behalf of the people of Georgia's 3rd District, I congratulate him on this honor and wish him the best of luck as he advances to the next level.

RECOGNIZING STEELE CREEK PRESBYTERIAN CHURCH IN CHARLOTTE, NC

HON. SUE WILKINS MYRICK

OF NORTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, January 13, 2010

Mrs. MYRICK. Madam Speaker, I would like to honor and recognize Steele Creek Presbyterian Church in Charlotte, NC. Steele Creek Presbyterian was founded in 1760, and this year, they celebrate their 250th anniversary as a church community.

As one of the oldest churches in our area, Steele Creek Presbyterian Church is a cornerstone in the Charlotte community. Its membership is dedicated to the service of others, whether by providing food to area shelters, manpower to local Habitat for Humanity

projects, or any number of other volunteer efforts in our community. The congregation at Steele Creek Presbyterian Church continually sets an example of living a life of faith by raising our future generations in an atmosphere that fosters love, service and a sense of community.

Madam Speaker, today it is my honor to recognize Steele Creek Presbyterian Church. They have demonstrated a level of commitment to community that is well appreciated, and it serves as an example for us all. It is a privilege to represent the Steele Creek congregation, and I wish them many more years of worship and service.

A TRIBUTE TO HARDY WILLIAMS

HON. ROBERT A. BRADY

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, January 13, 2010

Mr. BRADY of Pennsylvania. Madam Speaker, I rise to honor the life and work of my friend Hardy Williams, the late State Senator from Philadelphia. Senator Williams was a pioneer in championing African American causes in Philadelphia and dedicated his life to serving his community.

Senator Williams was born April 14, 1931 and raised in West Philadelphia. A product of the School District of Philadelphia, Sen. Williams graduated from Pennsylvania State University and the University of Pennsylvania Law School. He was elected to the Pennsylvania House of Representatives, and began his groundbreaking work shortly thereafter. He organized the Pennsylvania Legislative Black Caucus in 1972, and served five successful terms as a State Representative.

In 1982 he was elected to the Pennsylvania State Senate. During his tenure in the Senate, Sen. Williams served as minority chairman of the Public Health and Welfare Committee and chairman of a task force on violence as a public health issue. In 1994, he founded and served as executive director of Black Family Services. Sen. Williams also founded the Organized Anti-Crime Community Network. He worked with Blacks Networking for Progress, the Delaware Valley Ecumenical Council, and the African-American Delaware Valley Port Corporation. Sen. Hardy was instrumental in establishing the Crisis Intervention Network, a program dedicated to preventing violence among youths.

Senator Hardy Williams' long and impressive career showcases his commitment, service, and dedication to bettering his community. Madam Speaker, I ask that you and my other distinguished colleagues join me in celebrating the life and accomplishments of Sen. Williams, and honor him for the great work he has done for the people of Philadelphia.

IN HONOR OF NAVY SEAL SPECIAL WARFARE OPERATOR FIRST CLASS JEREMY WISE

HON. MIKE ROSS

OF ARKANSAS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, January 13, 2010

Mr. ROSS. Madam Speaker, I rise today to honor a true American hero. On December 30, 2009, our state and nation lost a great patriot when former Navy SEAL Special Warfare Operator First Class Jeremy Wise, aged 35, died in an attack on a CIA outpost near Khost, Afghanistan. He died when a terrorist detonated a bomb at the facility killing seven Americans in the attack.

Petty Officer Wise was raised in Arkansas by his loving parents, Dr. Jean and Mary Wise, and graduated from Hendrix College in Conway, Arkansas. Although I never had the honor to meet Petty Officer Wise, I extend my deepest condolences on behalf of all Arkansans to his family, friends, colleagues and acquaintances for this devastating loss.

Petty Officer Wise joined the U.S. Navy in 2001 where he rose to the rank of Special Warfare Operator First Class as a Navy SEAL, joining an elite group of service men and women. Petty Officer Wise served with the U.S. Navy until September 2009. After his Naval service, he headed to the front lines in Afghanistan as a security contractor doing the important work over there that needs to be done to secure our nation here at home. Throughout his extended period of service to our nation, Petty Officer Wise was an exemplary serviceman who embodied the true patriot.

My deepest thoughts and prayers are with his wife, Dana; son, Ethan; parents, Jean and Mary; and the rest of his family during this extraordinarily difficult time.

Today, I ask all members of Congress to join me as we honor the life of Navy SEAL Special Warfare Operator First Class Jeremy Wise and his legacy, as well as each man and woman in our armed forces, and those in harm's way supporting their efforts, who give the ultimate sacrifice in service to our great country.

BULGARIA SETS PACE FOR ECONOMIC RECOVERY

HON. JOE WILSON

OF SOUTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, January 13, 2010

Mr. WILSON of South Carolina. Madam Speaker, as chairman of the Congressional Caucus on Bulgaria, I would like to commend Prime Minister Boyko Borisov and the country of Bulgaria for their fiscal soundness.

According to a January 12, 2010 article in The Wall Street Journal, countries around the world, including the United States, could learn from the Bulgarians as proponents of a free market democracy. Bulgaria entered the European Union (EU) in 2007 and succeeded in producing the smallest budget deficit among the 27 member nations last year. (They are not yet part of the euro zone, which currently consists of 16 EU nations.) As a dynamic member of NATO, Bulgaria is a valued partner of America.

Bulgaria is on track to be the only EU nation to balance its 2010 budget. The country was able to manage its budget by instituting key fiscal strategies. The most basic example was the capital city's ability to freeze wages and pensions for those in the government, re-evaluate costly state investment projects, and slash government spending by 15 percent. Such efforts resulted in a "full-year deficit of less than 500 million lev ($370 million), or 0.8 percent of gross domestic product. The closest country to do so was Germany with 3.4 percent.

Given the international attention to Bulgaria's fiscal strategy, European leaders will now understand Bulgaria has arrived on the world stage. Continuing economic progress could help Bulgaria leapfrog other euro desiring countries, like Romania and Hungary who had to be given bailouts from the International Monetary Fund, IMF, due to the downturn, where as Bulgaria has not and does not intend to ask the IMF for assistance. Even Poland, who has been rethinking their entering the euro currency nations club, may be outpaced by Bulgaria as a currency member nation.

Bulgaria's decision to tackle the difficult issue of spending and budget deficits, which plagued their country in the past, is now a model for other Baltic states where deficits are rising. Further evidence of their success is the credit-rating agency Standard & Poor's has upgraded Bulgaria's status as stable.

I commend Prime Minister Borisov and Finance Minister Simeon Djankov for their visionary work elevating Bulgaria as a major player in the EU and world. Entry into the euro should be given serious consideration by the EU as a result of these major achievements.

TRIBUTE TO REVEREND CHARLES ALLEN

HON. RON PAUL

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, January 13, 2010

Mr. PAUL. Madam Speaker, Reverend Charles L. Allen. Sr., Pastor of the Greater Mount Nebo Missionary Baptist Church, is retiring after thirty-two years of dedicated service. I am pleased to join his parishioners in thanking Reverend Allen for his devoted service to his church and community.

Reverend Allen has served in many capacities throughout his years in the ministry. Among the many positions Reverend Allen has held are President of the Puritan District Congress of Texas and advisor to the City Wide Ushers Association. Reverend Allen also taught Moody Bible College courses to his parishioners and other interested members of the community. Reverend Allen served in the United States Army from 1952 until 1954.

Under Reverend Allen's leadership, Greater Mount Nebo experienced a tremendous increase in membership. Reverend Allen helped ensure Greater Mount Nebo had sufficient resources to construct a new edifice and retire the church's mortgage. Reverend Allen also helped his congregation, and the entire community, by organizing a variety of education courses.

Reverend Allen's parishioners benefited not just from his teachings, but from his personal example. Reverend Allen treats everyone who crosses his path with integrity and compassion. The vitality and warmth exhibited by this spiritual and dedicated leader has earned him the respect and admiration of those individuals who have been privileged to know and work with him.

In conclusion, Madam Speaker, I am pleased to join the congregation of Greater Mount Nebo Missionary Baptist Church in

thanking Reverend Charles L. Allen, Sr., for all he has done to better the lives of his parishioners.

A RESOLUTION ''CELEBRATING THE LIFE AND WORK OF DR. MARTIN LUTHER KING, JR. DURING THE 30TH ANNIVERSARY OF THE STEVIE WONDER SONG TRIBUTE TO DR. KING, 'HAPPY BIRTHDAY,' AND FOR OTHER PURPOSES''

HON. JOHN CONYERS, JR.

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Wednesday, January 13, 2010

Mr. CONYERS. Madam Speaker, today I rise to introduce a resolution celebrating the life and work of Dr. Martin Luther King, Jr. during the 30th anniversary of the Stevie Wonder song tribute to Dr. King, ''Happy Birthday.'' Joining me in this effort is the gentleman from Georgia, JOHN LEWIS, and I would like to acknowledge him at this time.

For over 40 years, we have commemorated the life and work of our nation's greatest civil rights leader, Dr. Martin Luther King, Jr. Since 1986, we have recognized Dr. King with a Federal holiday in his honor—a holiday that I worked hard to achieve. As we approach this year's King Holiday, which coincides with the 30th anniversary of Stevie Wonder's song tribute to Dr. King, ''Happy Birthday,'' I am honored to introduce this resolution for a few reasons.

First, we celebrate Dr. Martin Luther King, Jr. for pursuing a dream of equality that made our nation a more free and just society. In his short life, Dr. King laid the foundation for a society that could live up to the ideal that ''all men are created equal.'' It is on the shoulders of Dr. King and others at the forefront of the Civil Rights Movement, that we are here today, able to acknowledge that much of Dr. King's dream has been realized.

Our 44th President, President Barack Obama, is a testament to Dr. King's pursuit and struggle for equality. At his Inauguration, President Obama acknowledged that he was a product of Dr. King's legacy, when he expressed that the historic day be explained by ''why men and women and children of every race and every faith can join in celebration across this magnificent Mall, and why a man whose father less than sixty years ago might not have been served at a local restaurant can now stand before you to take a most sacred oath.''

Second, we are able to commemorate the life and work of Dr. Martin Luther King, Jr. on the third Monday in January every year because of the commitment to continue Dr. King's legacy by people like Stevie Wonder. Stevie Wonder's 1980 song tribute to Dr. King, ''Happy Birthday,'' became a rallying cry for those supporting the campaign to honor Dr. King with a Federal holiday. It was that song that led to the collection of 6 million signatures in support of a Federal holiday that Stevie Wonder and Coretta Scott King presented to Congressional Leadership in 1982.

After legislation providing for a Federal holiday in honor of Dr. King had been enacted in 1983, and was first observed in 1986, it was Stevie Wonder that headlined a concert during that first official commemoration of Dr. King. Significantly, Stevie Wonder's work to advance the legacy of Dr. King did not end here. Mr. Wonder went on to address such racial and social ills as apartheid in South Africa, famine in Africa, and the AIDS epidemic.

Finally, I introduce this resolution commemorating the life and work of Dr. King during this 30th anniversary of ''Happy Birthday'' because, while the legacy of Dr. King lives on in Stevie Wonder and so many of us, we must realize that we still have work to do to live up to the ideal that ''all men are created equal.'' Advancing Dr. King's mission of equality means eliminating the disparities that exist in so many aspects of our society, like healthcare, housing, employment, and education. Advancing Dr. King's mission of peace means encouraging our nation to be a peaceful democracy.

Therefore, it is with this resolution that I ask the people of the United States to renew pledges to advance those principles and actions that are consistent with Dr. King's dream, those principles of equality, freedom, peace, courage, and compassion. Let us allow Dr. King to live on in each of us, not just on the third Monday in January, but every day.

IN OPPOSITION TO H.R. 3326, THE FY10 DEFENSE APPROPRIATIONS ACT

HON. BARBARA LEE

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, January 13, 2010

Ms. LEE of California. Madam Speaker, I rise today in opposition to H.R. 3326, the Department of Defense Appropriations Act for FY 2010.

Critical provisions have been added to this bill in order to help those facing incredible hardships during this difficult economic time.

The extension of expanded unemployment benefits until the end of February is a vital stopgap measure for those in dire need, and I would like to stress that this is only a piece of our urgent responsibility to restore the economic livelihood, and promise of opportunity to so many individuals and communities across the country.

I am also pleased to see that H.R. 3326 includes language prohibiting the establishment of permanent military bases in Iraq or Afghanistan.

Unfortunately, I cannot support the $125 billion included in this bill for ongoing military operations in Iraq and Afghanistan, nor can I support a continuation of runaway defense spending especially at a time when individuals and families across this nation are facing enormous challenges in simply trying to make ends meet.

Madam Speaker, I have been clear in my respectful disagreement with the President's decision to escalate the United States military presence in Afghanistan, as well as my belief that the situation in Afghanistan will not be solved with a military solution.

This bill does not include additional funding for the proposed troop deployments, and I am hopeful Congress will hold an honest debate and up-or-down vote on the issue of a military escalation prior to obligating federal resources.

The direct costs of two wars in Iraq and Afghanistan have reached nearly $1 trillion, and the indirect costs to our national security, our economy, and to our brave men and women in uniform are immeasurable.

We further cannot afford to squander our resources on costly cold-war era weapons that in many cases are outdated and truthfully inappropriate for reducing the real threats facing our nation.

The fact is, as we work to reform our nation's healthcare and education systems, invest in housing and infrastructure, and put American's back to work, sending more than 50 percent of the federal discretionary budget to the Pentagon represents a clear and unacceptable tradeoff.

For those reasons I cannot support this bill.

INTRODUCTION OF THE LIFELONG IMPROVEMENTS IN FOOD AND EXERCISE ACT (LIFE)

HON. ELEANOR HOLMES NORTON

OF THE DISTRICT OF COLUMBIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, January 13, 2010

Ms. NORTON. Madam Speaker, today, as we come close to the enactment of historic health care legislation, I introduce the Lifelong Improvements in Food and Exercise Act (LIFE), authorizing a national initiative to attack a major health problem in the United States that cannot be remedied through the health care system alone. Growing problems of overweight and obesity are now found in Americans of every age, race, and major demographic group, and threaten the health of Americans like no other single disease or condition does. In fact, the key to eliminating many of the most serious health conditions is reducing overweight and obesity. The LIFE bill would provide $25 million in funding to the Centers for Disease Control and Prevention (CDC) for a coordinated effort to reverse increasingly sedentary lifestyles and diets that are high in fat and sugar. Despite rising consciousness of this epidemic, from NBC's ''The Biggest Loser'' to a steady stream of diet books, startling rates of obesity among adults and children continue in the United States. In 2007, estimates from the CDC National Center for Health Statistics showed that the percentage of children who are overweight has more than doubled, and among adolescents, the rates have tripled since 1980. Today, 13 million overweight children have an 80 percent chance of being overweight adults, with the health conditions that follow, such as high blood pressure, heart disease, and cancer. The CDC reports that Type 2 diabetes, considered an adult disease, is now widespread in children. The health care system is already paying the price, and the consequences for kids will follow them throughout their lives. If we are serious about health care, we must start where the most serious health conditions begin: in the epidemic of overweight and obesity.

The LIFE bill directs the CDC to pursue obesity and sedentary lifestyles in three ways: train health professionals to recognize the signs of obesity early and educate people concerning healthy lifestyles, such as proper nutrition and regular exercise; conduct education campaigns to teach the public about how to recognize and address overweight and obesity; and develop intervention strategies to be

used in everyday life at worksites and in community settings. This important legislation is the minimum necessary to address this major health care crisis. Already, chronic diseases, many of which are caused or exacerbated by overweight or obesity, account for 70 percent of all deaths in the U.S., which is 1.7 million each year, and 60 percent of U.S. medical care expenses annually. According to the Surgeon General's Call to Action to Prevent and Decrease Overweight and Obesity, the cost of obesity in the United States was more than $117 billion in 2000. Currently, an estimated 300,000 deaths per year are related to obesity.

A focused national health initiative is necessary because unhealthy lifestyles have become a normal part of everyday life. Participation in high school physical education classes has dropped from 42 percent in 1991 to 33 percent in 2005. National data show an increase in unhealthy eating habits for adults and no change in physical activity. Changes in nutrition are equally critical because 60 percent of young people consume too much fat, a factor doubling the percentage of overweight youth.

I urge my colleagues to join me in support of this important legislation to mobilize the country now, before entirely preventable health conditions, that often begin in children, overwhelm the nation's health care system.

TRIBUTE TO PROFESSOR JACK DAVIDSON

HON. DENNIS MOORE

OF KANSAS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, January 13, 2010

Mr. MOORE of Kansas. Madam Speaker, I rise today to pay tribute to Kansas University Professor John P. [Jack] Davidson, who died on January 10th.

Jack Davidson, along with his wife Mary, was a consistent voice for enlightened, progressive leadership in Lawrence and Douglas County, Kansas. I was proud to have him as a constituent and very much appreciated his thoughtful advice on many of the pending issues of the day. Jack was a candidate for the Kansas Board of Education in 1998, the same year I first was a candidate for the U.S. Congress, and he later served a term as an elected member of the Lawrence U.S.D. No. 497 School Board. Jack was a longtime, dedicated Democratic Party activist whose dedication, hard work and creativity will be missed by all who knew him and worked with him through the past several decades. I am pleased to include with this tribute an obituary for Jack that appeared in the Lawrence Journal World.

Thank you very much, Madam Speaker, for this opportunity to pay tribute to a Kansan who worked tirelessly to make his community, his nation and the world a better place.

[From the Lawrence Journal World, Jan. 12, 2010]

Jack Davidson (John P. Davidson) died at home in Lawrence on January 10. A memorial service is planned at the Ecumenical Christian Center on Feb. 15.

He was born on July 22, 1924, in Los Angeles, the son of John Pirnie Davidson and Istalia Rhine.

After graduating from Glendale High School, Jack followed his interests in rocketry and science to the University of California, Berkeley.

From 1943 to 1946, he served in the Army Signal Corps in the European Theater of Operations until he was honorably discharged as a first sergeant.

Returning to Berkeley, he graduated from the University of California in 1948, with highest honors in physics.

As a graduate student at Washington University in St. Louis, he worked with Mary Rieser and others to organize the Student Committee for the Admission of Negroes. Although most students supported that effort, Arthur Holly Compton, the Chancellor, declined to challenge community traditions at that time. Jack and Mary were married in September 1949.

Jack received his doctorate in 1952, working under Eugene Feenberg. He did postgraduate work at Columbia University and eventually published more than 40 research papers, a monograph, and encyclopedia entries.

He taught at the Brazilian Center for Physical Research in Rio, and at the Joint Establishment for Nuclear Energy Research in Lillestrom, Norway. His research for the Norwegian merchant marine on the possibility of outfitting the fleet with nuclear reactors included the possibility that the reactor core might breach containment and melt down through the hull. This was the first use of the term ''meltdown'' in nuclear reactor literature.

He taught and did research at Rensselaer Polytechnic Institute through 1966, and after that at the University of Kansas. He was chairman of the Department of Physics and Astronomy from 1977 to 1989. He also taught at Tsing Hua University in Taiwan in the summer of 1969.

Jack Davidson led summer camps in astronomy for high school students for many years. He is a member of the American Astronomical Society, the American Physical Society, and the Kansas Academy of Sciences.

After his retirement in 1996, he served on the USD 497 School Board from 1999 to 2003. He was also active in local Democratic Party politics and in flying clubs.

He was preceded in death by his brother, Duncan Davidson. He is survived by his wife, Mary Davidson, of the home, and by four sons, John Pirnie Davidson III and his wife, Shirley Schaeffer, Scarsdale, New York; Robert Kenneth Davidson and his wife, Monica Davidson, Ottawa, KS; Tom Davidson and his wife, Diane Davidson, Lexington, MA; and Jim Davidson, Lawrence, KS; and by six grandchildren, Jessica, Julia, Anna, Nathan, Owen, and Alice.

In lieu of flowers, the family asks that contributions be made to the Ecumenical Christian Center, 1204 Oread.

RESOLUTION

HON. EDOLPHUS TOWNS

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, January 13, 2010

Mr. TOWNS. Madam Speaker, I introduce a resolution recognizing and supporting the goals and ideals of North American Inclusion Month.

Whereas one in every five Americans struggles with some sort of disability, be it intellectual, physical or otherwise, and the need for inclusion of individuals with disabilities is a family, community and national priority;

Whereas a similar ratio exists in the Jewish community, with over 1 million Jewish individuals living with a form of disability;

Whereas individuals with disabilities face significant disadvantages in educational and employment opportunities;

Whereas 70 percent of individuals with disabilities are unemployed or significantly underemployed;

Whereas special education and related programming do not address underlying needs for appropriate training to lead to greater independence and employment;

Whereas Yachad, the National Jewish Council for Disabilities, and its parent organization, the Union of Orthodox Jewish Congregations of America, is dedicated to addressing the needs of all individuals with disabilities and including them in the Jewish community;

Whereas Yachad provides programming for individuals with disabilities and their families to foster inclusion in communal happenings and assists in placing individuals with disabilities in employment;

Whereas Yachad and the Union of Orthodox Jewish Congregations of America are cosponsoring North American Inclusion Month in February to increase public awareness of the life circumstances of individuals with disabilities, and the need for increased employment opportunities, better special education and increased inclusion of these individuals on the family, communal and national levels: Now, therefore, be it

Resolved, That the House of Representatives recognizes and supports the goals and ideals of North American Inclusion Month.

NONNIE BURNS—A CHAMPION OF JUSTICE

HON. BARNEY FRANK

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, January 13, 2010

Mr. FRANK of Massachusetts. Madam Speaker, on March 25th, when we will be in session I assume, an excellent organization known as Discovering Justice will present the Champion of Justice Award to a great advocate of fairness, Nonnie Burns. Nonnie Burns, I should say at the outset, is an old friend of many years, going back to the days when she was a strong supporter of mine when I first ran for the State Legislature in the Beacon Hill section of Boston in 1972. Since then, she has gone on to an extraordinarily distinguished career, first as an extremely respected judge in the Massachusetts trial courts, and then as the state's Commissioner of Insurance, a position from which she has since retired.

Throughout her career as an attorney, judge and commissioner, Nonnie Burns has exemplified the legal profession at its best—namely in a commitment to seeing that justice is done for all. It is entirely appropriate that Discovering Justice, housed I should note in the Federal Courthouse in Boston named for our beloved late colleague Joe Moakley, is honoring her. Discovering Justice educates young people about the justice system and what they can do to make sure that it functions as it should. They run a particularly large program called Children Discovering Justice, which Nonnie Burns inspired and which she has championed. The program for children in grades 1–5 is taught in 25% of the public schools in Boston.

Madam Speaker, I am proud to call Nonnie Burns a friend and grateful for the advice I have been able to get from her over the years. In particular, during her tenure as Insurance Commissioner, she was of significant value to those of us on the Financial Services Committee in her thoughtful and prompt responses to questions we had affecting insurance policy. I congratulate Discovering Justice for recognizing her value and presenting her with this award, which, as I noted, I will not be able to note in person because I will be here on the floor when the event goes forward.

HONORING RALPH L. FLETCHER

HON. ADAM H. PUTNAM

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, January 13, 2010

Mr. PUTNAM. Madam Speaker, today I rise to recognize Ralph L. Fletcher, the mayor of Lakeland, a city in my 12th Congressional District of Florida. Ralph has worked tirelessly to represent the best interests of the citizens of Lakeland. Moreover, as a small business owner, he has successfully run his Fletcher Printing Company and helped form the successful real estate company, Arch Inc.

''Buddy'' Fletcher enjoyed building one-on-one relationships with the citizens of Lakeland. As his deputy city manager, Tony Delgado told the Lakeland Ledger, Monday mornings became Buddy Time—where the mayor would share with him all of the complaints and suggestions he had gathered from residents of Lakeland over the weekend. No task was too small or big for Mr. Fletcher, and he was dedicated to making sure that the issue was addressed properly.

Mr. Fletcher truly is Lakeland's own. He first attended Lakeland High School and then later pursued his education even further at Florida Southern College. Mr. Fletcher first served as one of Lakeland's City Commissioners from 1989 to 1992. He was then elected as mayor of Lakeland in 1993 as has served in that office ever since.

When he first decided to run for office, his wife suggested that running a campaign only on economic development would not be sufficient. However, during his tenure as mayor he helped bring in Watkins Motor Lines and the headquarters of the grocery chain Publix downtown to add jobs in the city. Always with an eye for the long term benefits to Lakeland, Fletcher is remembered by his admirers for improved economic development, city beautification and the restoration of parks.

Fletcher has been well renowned for his accessibility to residents. He instructed his staff to give out his cell phone number to any resident who wanted to reach him personally. People he has golfed with had several anecdotes about taking weekend calls out on the course. A reporter once asked him how many hours a week he dedicated to job. Fletcher was baffled by this question because he considered himself always on duty from when he woke up at 4:30 a.m. until he went to sleep.

In 1998, he was recognized for his volunteer service earning the Sun 'n Fun Chairman of the Board Award. The Sun 'n Fun organization is a volunteer group focused on aviation education and running the Florida Air Museum.

In 2001, he earned the Jere Annis Leadership Award. These awards are granted to those who have graduated from the Lakeland Leadership Program—which has provided consistent leadership in enhancing quality of life and cohesion in the Lakeland community.

Mr. Fletcher truly is a great leader in the community and his extensive volunteer efforts reflect that. In February of 2004 he earned the Distinguished Citizen of the Gulf Ridge Council of the Boy Scouts of America for outstanding leadership. In May of 2009, he earned the University of South Florida Polytechnic Distinguished Service Award for his contributions to USF Polytechnic and service to the community.

Mr. Fletcher looks forward to spending his retirement with his devoted wife of 57 years, Weetsie.

Lakeland City Commissioner Dean Boring had this to say of Fletcher, ''He's been Lakeland's No. 1 cheerleader, and he'll never stop doing that. If you cut Buddy Fletcher, Lakeland would pour out. He lives, sleeps, eats and drinks Lakeland.''

IN RECOGNITION OF FAMILIES FLU VACCINATION DAY AND FAMILIES FIGHTING FLU

HON. CHRIS VAN HOLLEN

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

Wednesday, January 13, 2010

Mr. VAN HOLLEN. Madam Speaker, today I rise in recognition of Families Flu Vaccination Day and Families Fighting Flu. Influenza is a serious disease that kills nearly 100 children younger than five years of age every year in the United States. In fact, more children die from the flu than from chicken pox, whooping cough, and measles combined. The flu is a highly contagious viral infection of the respiratory tract. With the recent development of H1N1, a deadlier strain of the flu, it is more important now than ever to vaccinate our children and educate the American public. Indeed, more than 240 children in the United States have died from the H1N1 virus.

I commend the efforts of Families Fighting Flu, a non-profit, volunteer-based organization of families who have experienced firsthand the death of a child or have had a child experience severe medical complications from seasonal or H1N1 influenza. Families Fighting Flu and its medical advisors are dedicated to educating people about the severity of influenza and the importance of vaccinating children against the flu every year. The members of Families Fighting Flu have suffered terrible personal losses as result of the virus. We are grateful that they are sharing their personal tragedies so that others will not have to suffer such loss. Influenza is unpredictable, but we know that the more people who are vaccinated, the less likely the disease will spread.

Every year in the United States more than 20,000 children under the age of five are hospitalized due to influenza. Additionally, children are two-to-three times more likely than adults to get sick with the flu because of their less developed immune systems. Because the flu vaccine is typically 60 to 90 percent effective when administered to children, getting an annual flu vaccination is an easy way to help stop the spread of the virus.

This week is National Influenza Vaccination Week, a national observance that was established to highlight the importance of continuing influenza vaccination, as well as foster greater use of the flu vaccine after the holiday season into January and beyond. The Centers for Disease Control and Prevention recommends that all children 6 months through 18 years of age get vaccinated against the flu every year. In addition, the CDC recommends that all contacts and caregivers of children from birth to age five should be vaccinated.

Madam Speaker, I urge my colleagues to join me in paying tribute to Families Fighting Flu. This non-profit organization is determined to help prevent the tragedy of losing another child by encouraging annual flu vaccinations for all children. I look forward to working with my colleagues to support Families Flu Vaccination Day and make influenza immunization for children a national health priority.

PERSONAL EXPLANATION

HON. LUIS V. GUTIERREZ

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, January 13, 2010

Mr. GUTIERREZ. Madam Speaker, I was unavoidably absent from this chamber yesterday evening and today. I would like the record to show that, had I been present, I would have voted ''present'' on rollcall vote 1, ''nay'' on rollcall vote 2 and ''yea'' on rollcall votes 3, 4 and 5.

EARMARK DECLARATION

HON. DEAN HELLER

OF NEVADA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, January 13, 2010

Mr. HELLER. Madam Speaker, pursuant to the Republican Leadership standards on earmarks, I am submitting the following information regarding earmarks I received as part of H.R. 3288, the Consolidated Appropriations Act for fiscal year 2010:

Requesting Member: Congressman DEAN HELLER

Bill Number: HR 3288

Account: Military Construction—Army National Guard

Legal Name of Requesting Entity: Nevada National Guard

Address of Requesting Entity: 2460 Fairview Dr., Carson City, NV 89701

Description of Request: $2,000,000. Funding will be used for wind, solar, and geothermal energy projects at facilities and training sites operated by the Nevada National Guard.

Requesting Member: Congressman DEAN HELLER

Bill Number: HR 3288

Account: Military Construction—Air National Guard

Legal Name of Requesting Entity: Nevada National Guard

Address of Requesting Entity: 2460 Fairview Dr., Carson City, NV 89701

Description of Request: $10,800,000. Funding will be used for the design and construction of a new fire station at the Nevada Air National Guard base located at the Reno-Tahoe International Airport in Reno, Nevada. The

new fire station is intended to replace the half-century old original structure. Construction of the new fire station will alleviate the concerns regarding the current fire station, which has become inadequate in size and insufficient in space in order to properly support the fire protection and crash/rescue requirements for the 152nd Airlift Wing.

Requesting Member: Congressman DEAN HELLER

Bill Number: HR 3288

Account: Transportation—Federal Highway Administration—Surface Transportation Priorities

Legal Name of Requesting Entity: Nevada Department of Transportation

Address of Requesting Entity: 1263 South Stewart St., Carson City, NV 89712

Description of Request: $779,200. The project will add three miles of controlled access freeway from Fairview Dr. to the southern connections at the existing US 50 West—Tahoe Juncture/Carson Street intersection. The Freeway will be designed for two lanes in each direction with provisions for future widening in the median connection to the Reno/Sparks community with Carson City and the Lake Tahoe Basin.

HONORING THE BLUE RIDGE COUNCIL BOY SCOUTS AS THEY CELEBRATE THEIR 86 YEARS OF SERVICE TO THE UPSTATE OF SOUTH CAROLINA

HON. BOB INGLIS

OF SOUTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, January 13, 2010

Mr. INGLIS. Madam Speaker, Saturday, January 9, 2010, marked a special day for the Blue Ridge Council Boy Scouts and the entire Boy Scouts of America organization. The Blue Ridge Council celebrated its 86th year of serving the youth of Upstate South Carolina and the national Boy Scouts of America organization celebrated its centennial. The Boy Scouts of America organization was founded on principals set forth to shape and mold boys into young men. Learning to become mentally awake, physically strong and morally straight are key to the development of loyal patriots and the Boy Scouts of America have long since been instrumental in the lives of many young men.

TRIBUTE TO SALLY WINSHIP, R.D.H., M.S., ED.D.

HON. DENNIS MOORE

OF KANSAS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, January 13, 2010

Mr. MOORE of Kansas. Madam Speaker, before my election to the House of Representatives, I served for several years as an elected member of the board of trustees for the Johnson County Community College in Overland Park, Kansas. This excellent community college is the crown jewel of my home community, and I was very proud to be associated with this outstanding institution of higher education.

During my board service, I got to know Dr. Sally Winship who served as dean of the College's Continuing Education and Community Services. This month, Dr. Winship is retiring after working as a community college educator and administrator for 37 years. She retires as vice president of the College's Workforce, Community and Economic Development Department, and has also served as president of the JCCC Center for Business and Technology.

Sally was originally trained as a dental hygienist and became coordinator of the JCCC program before becoming assistant dean of the Science, Health Care and Math Division in 1987. She received her B.S. degree from Armstrong State College, and then obtained her M.S. degree from Columbia University, and her doctorate in education from the University of Kansas.

During Sally's time at the college, the outstanding Regnier Center for Technology and Business was designed, built, and opened. Her responsibilities included managing over 60 full-time staff and 550 part-time faculty, as well as managing programs serving over 155,000 participants and 480 area businesses.

Sally worked hard to make the Johnson County Community College this area's workforce development resource for the greater Kansas City business community. During her time at the college, it grew in student population, course offerings, campus buildings, prestige and reputation.

Madam Speaker, I join Sally's many friends and colleagues in wishing her health, happiness, and prosperity for the next chapter of her life, and in thanking her for her many, important contributions to our community.

IN MEMORY OF JAMES TERRELL JORDAN

HON. MIKE ROSS

OF ARKANSAS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, January 13, 2010

Mr. ROSS. Madam Speaker, I rise today to honor the memory of James Terrell Jordan of Monticello, Arkansas, who passed away on December 27, 2009, at the age of 84. Having fought for freedom in World War II, James then committed his life to the people of Arkansas through public office for over five decades.

James was born in Drew County, Arkansas, to his late parents Alvin and Linnie Jordan, and attended schools in Monticello and California. He was a member of the 101st Airborne Division in World War II, serving as a paratrooper and receiving a Purple Heart Medal.

Following active duty on the frontlines, James returned to serve his community beginning as Drew Country treasurer in 1956. He then served as county judge for eight years before becoming mayor of Monticello for 17 years. Having also given his time and energy to numerous agencies, councils and committees, James was awarded the "Man of the Year" award in 1985 from the Drew County Chamber of Commerce.

James was elected to the Arkansas House of Representatives in 1986 and served for 12 years. Representing District 92, he served on the Committee on City, County and Local Affairs and the Committee on Public Transportation. His lifetime love of education led to his eventual appointment to the University of Arkansas Board of Visitors by Governor Mike Huckabee.

I had the distinct privilege of serving with James during my time in the Arkansas state legislature and he was someone I respected and trusted for sincere advice and counsel. As an admired and respected public officer, James worked tirelessly to better the lives of those around him.

James was well known for far more than being a member of the Greatest Generation who committed himself to the state he loved so much; he was also known to many as a good friend and role model.

My thoughts and prayers and those of every Arkansan are with his wife, Bonnie; two sons, Terrell and Jerry; daughter, Cindy; his nine grandchildren, eight great grandchildren and the rest of his family and friends during this difficult time. James will be profoundly missed and the people of Arkansas are deeply grateful to his lifetime of exemplary effort and legacy of community service and leadership.

TRIBUTE TO MARIE LOUISE ANDERSON GREENWOOD

HON. DIANA DeGETTE

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, January 13, 2010

Ms. DEGETTE. Madam Speaker, I rise today to honor the extraordinary life and exceptional accomplishments of Mrs. Marie Louise Anderson Greenwood. On January 15, 2010, Mrs. Greenwood will be honored by the Denver business community at the 25th annual Martin Luther King, Jr. Business Social Responsibility Awards where she will receive the "Trailblazer Award" in recognition of her tireless commitment to education, community and moving beyond racial barriers.

She was born in Los Angeles, California on November 24, 1912, the only daughter of Joseph and Sarah Anderson. In search for better opportunities, her family moved to Denver, Colorado, where Marie attended Denver West High School. Marie graduated third in her class in 1931 and received an honorary four-year state scholarship which she used to attend the Colorado Teachers College, now The University of Northern Colorado. As an African American student, Marie faced racism and was prevented from living on campus or joining student organizations. However, she sought membership in the Alpha Kappa chapter of Alpha Kappa Alpha Sorority, the first national sorority founded for college educated African American women, and solidified her commitment to education.

Marie excelled at the Colorado Teachers College. She was recruited to teach in Denver Public Schools in 1934, a year before she was slated to graduate. Despite the opportunity to be the first African-American teacher in Denver Public Schools, Marie chose instead to finish her studies and graduate with the class of 1935. With a Bachelor of Arts degree in Elementary Education in hand, Marie was hired as the first to receive a probationary contract as a first grade teacher in the school system. In 1938, she accepted the offer of permanent tenure at Whittier Elementary School as the first teacher of color in the Denver Public Schools.

Marie continued to teach first grade at Whittier Elementary School until 1945 when she

took a leave of absence to raise her four children: Louise, Richard, William Jr. and James. As her family moved to a new home in 1950 near the Newlon School, the Greenwoods initiated the integration of the neighborhood. Their children became the first African Americans to attend Newlon and Marie and William R. Greenwood, Marie's husband, created the framework at that school for what we now know as a Parent Teacher Association (PTA). Marie organized a preschool program and became the first PTA president. In 1953, she returned to teaching as a primary grade substitute teacher with the desire to teach full-time at the Newlon school.

In 1955, in spite of the administration's alleged discrimination against minority teachers and their practice of assigning African American teachers only to schools in the then predominantly African American neighborhood of Northeast Denver, Marie obtained a regular teaching position at Newlon School. This was due, in part, to the PTA mothers who recognized Marie's proficiency as a teacher and advocated on her behalf. Her keen ability to relate to both students and teachers, along with her belief that every child can learn, earned her recognition as one of the best teachers in the Denver Public Schools. Marie retired from teaching in 1974, but completed her book ''Every Child Can Learn'', which looks back on her 30 years of experience and discusses the challenges she faced during that time.

The Denver community is fortunate to have such a strong role model and leader in Marie Louise Anderson Greenwood. She continues helping children and promoting literacy through the ''Read Aloud'' program, which has adult volunteers reading books to young children both in Denver Public Schools and at Denver Public Libraries. She has maintained her dedication to the Alpha Kappa Alpha Sorority for more than 75 years. Marie is also still active in her church. At 97 years old, her exuberance and spirit are reflected in her active involvement in the liturgical dance ministry of Shorter AME Church of which she has been a member since 1927.

Marie has been recognized by several organizations for her many years as an educator and overcoming prejudice throughout her career. She was honored in 1997 as a pioneer in her field by The University of Northern Colorado Alumni Association, where a teaching scholarship has been established in her name. In 2001, the Denver Public Schools even built a school and named it the Marie L. Greenwood K–8 school in her honor. Race relations in America have not improved as quickly as we would ever hope, but without pioneers like Marie Greenwood leading the way, barriers would never be broken and dreams would never become reality. In advance of our annual commemoration of the life and lessons of Dr. Martin Luther King, Jr., please join me in paying tribute to Marie Louise Anderson Greenwood for her life's work as a distinguished educator, public servant and social trailblazer.

HONORING THE LIFE OF MEMPHIS MUSIC ICON WILLIE MITCHELL

HON. STEVE COHEN

OF TENNESSEE

IN THE HOUSE OF REPRESENTATIVES

Wednesday, January 13, 2010

Mr. COHEN. Madam Speaker, I rise today to honor the life of Willie Mitchell, a great Memphis music performer, producer, icon, and patriarchal figure to many jazz and R&B artists. Willie Mitchell was a great trumpeter, bandleader, and early in his career had worked with talented artists, including Otis Clay. After the passing of Joe Coughi, Willie Mitchell took over Hi Records on Lauderdale Street in South Memphis where he assembled house band Hi Rhythm and defined the sounds of O.V. Wright, Syl Johnson, Ann Peebles, and many others.

Willie Mitchell's greatest find could, arguably, be singer Al Green. As a great horn player and musician, Willie Mitchell was performing in Texas and Al Green was on the bill. He told Al Green, ''Come back to Memphis and I'll make you a star''—and Willie Mitchell made it happen for Al Green. That happened often in Memphis someone saying,—''Come to Memphis and I'll make you a star.'' And then Al Green helped to unite the sounds of jazz and R&B to meet the demands of a new era of music. Speaking about Al Green, Willie Mitchell marveled that ''. . . of all the singers, he was the only one that could hear jazz changes and really sing in that style . . . and it was just hit after hit.''

Willie Mitchell's contributions and influence transcends the boundaries of place and time. Detroit's distinguished Motown Records, headed by Berry Gordy, Jr., sent a team down to Hi Records to learn the secret behind Willie Mitchell's sound. These sounds can still be heard in recent string and horn arrangements on Rod Stewart's newest album ''Soulbook,'' a soon-to-be released album by legend Solomon Burke and in the current artistry of pop singer John Mayer, hip-hop artist Anthony Hamilton, and others.

Willie Mitchell received many awards including the 2008 GRAMMYs Trustees Award for a lifetime of achievements. In 2004, the portion of Lauderdale Street in front of Royal Studios in Memphis, which Willie Mitchell retained after the sale of Hi Records in the late 70s, was renamed ''Willie Mitchell Boulevard'' by the City.

Willie Mitchell was laid to rest today in Memphis. He gave people lots of love and happiness and reasons to stay together—he and Al Green. We'll all miss Willie Mitchell. I appreciate the fact that he came our way and helped produce the Memphis sound and became part of that great Memphis legend of soul music. He was loved by his musical community and by his family. He leaves two wonderful daughters, two grandsons who became his sons, a step-son and a musical history and tradition that will live on forever.

PERSONAL EXPLANATION

HON. BARBARA LEE

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, January 13, 2010

Ms. LEE of California. Madam Speaker, today I missed rollcall vote No. 1, on a quorum call of the House. Had I been able to, I would have voted ''present'' on this rollcall vote.

Daily Digest

Senate

Chamber Action

The Senate was not in session today. It will next meet at 11 a.m., on Tuesday, January 19, 2010.

Committee Meetings

No committee meetings were held.

House of Representatives

Chamber Action

Public Bills and Resolutions Introduced: 32 public bills, H.R. 4428–4459; 1 private bill, H.R. 4460; and 10 resolutions, H. Con. Res. 226–227; and H. Res. 1007–1014 were introduced.

Pages H138–40

Additional Cosponsors: **Pages H140–41**

Report Filed: A report was filed today as follows:

H.R. 3650, to establish a National Harmful Algal Bloom and Hypoxia Program, to develop and coordinate a comprehensive and integrated strategy to address harmful algal blooms and hypoxia, and to provide for the development and implementation of comprehensive regional action plans to reduce harmful algal blooms and hypoxia, with an amendment (H. Rept. 111–396, Pt. 1). **Page H138**

Speaker: Read a letter from the Speaker wherein she appointed Representative Berkley to act as Speaker Pro Tempore for today. **Page H43**

Chaplain: The prayer was offered by the Guest Chaplain, Reverend Samuel Tialavea, Congregational Christian Church of American Samoa. **Page H43**

Discharge Petition: Representative Buchanan presented to the clerk a motion to discharge the Committee on Rules from the consideration of H. Res. 847, expressing the sense of the House of Representatives that any conference committee or other meetings held to determine the content of national health care legislation be conducted in public under the watchful eye of the people of the United States (Discharge Petition No. 9).

Making further continuing appropriations for fiscal year 2010—Presidential Veto: The House voted to sustain the President's veto of H.J. Res. 64, making further continuing appropriations for fiscal year 2010, by a yea-and-nay vote of 143 yeas to 245 nays with 1 voting "present", Roll No. 2 (two-thirds of those present not voting to override).

Pages H48–49, H104–05

Subsequently, the message (H. Doc. 111–84) and the resolution were referred to the Committee on Appropriations. **Page H105**

Suspensions: The House agreed to suspend the rules and pass the following measures:

Supporting continued political and economic development in Ukraine: H. Res. 981, to support continued political and economic development in Ukraine; **Pages H49–51**

Congratulating Flint native, University of Alabama sophomore, and running back Mark Ingram on winning the 2009 Heisman Trophy: H. Res. 970, to congratulate Flint native, University of Alabama sophomore, and running back Mark Ingram on winning the 2009 Heisman Trophy and to honor both his athletic and academic achievements;

Pages H51–53

Congratulating the staff, students, and faculty at the Illinois Mathematics and Science Academy for winning the 2009 Star Innovator in the Intel Schools of Distinction competition: H. Res. 862, amended, to congratulate the staff, students, and faculty at the Illinois Mathematics and Science Academy for winning the 2009 Star Innovator in the Intel Schools of Distinction competition;

Pages H53–55

Congratulating North Central College on winning the 2009 NCAA Division III men's cross country championship: H. Res. 1001, to congratulate North Central College on winning the 2009 NCAA Division III men's cross country championship; **Pages H55–56**

Honoring the life and work of Dr. Martin Luther King, Jr.: H. Res. 1002, to honor the life and work of Dr. Martin Luther King, Jr. and to encourage the continued commitment to the Martin Luther King, Jr. Day as a national day of service, by a ⅔ yea-and-nay vote of 379 yeas with none voting "nay", Roll No. 3; **Pages H56–60, H107–08**

Supporting the initiatives of Chicago Wilderness and the Children's Outdoor Bill of Rights: H. Res. 860, amended, to support the initiatives of Chicago Wilderness and the Children's Outdoor Bill of Rights, by a ⅔ yea-and-nay vote of 369 yeas to 1 nay, Roll No. 4; **Pages H60–61, H108**

E.V. Wilkins Post Office Designation Act: H.R. 3892, to designate the facility of the United States Postal Service located at 101 West Highway 64 Bypass in Roper, North Carolina, as the "E.V. Wilkins Post Office", by a ⅔ yea-and-nay vote of 356 yeas to 1 nay, Roll No. 5; **Pages H61–63, H108–09**

Sergeant Matthew L. Ingram Post Office Designation Act: H.R. 4139, to designate the facility of the United States Postal Service located at 7464 Highway 503 in Hickory, Mississippi, as the "Sergeant Matthew L. Ingram Post Office"; **Pages H63–64**

Providing that claims of the United States to certain documents relating to Franklin Delano Roosevelt shall be treated as waived and relinquished in certain circumstances: S. 692, to provide that claims of the United States to certain documents relating to Franklin Delano Roosevelt shall be treated as waived and relinquished in certain circumstances; **Page H65**

Government Accountability Office Improvement Act of 2009: H.R. 2646, to amend title 31, United States Code, to enhance the oversight authorities of the Comptroller General; and **Pages H65–67**

Enacting certain laws relating to national and commercial space programs as title 51, United States Code, "National and Commercial Space Programs": H.R. 3237, to enact certain laws relating to national and commercial space programs as title 51, United States Code, "National and Commercial Space Programs". **Pages H67–H104**

Recess: The House recessed at 1 p.m. and reconvened at 3:05 p.m. **Page H104**

Moment of Silence: The House observed a moment of silence in honor of Paula Nowakowski. **Pages H105–07**

Moment of Silence: The House observed a moment of silence in honor of all those impacted by the catastrophic earthquake that struck Haiti on January 12, 2010. **Page H108**

Meeting Hour: Agreed that when the House adjourns today, it adjourn to meet at 9 a.m. on Friday, January 15th, and further, when the House adjourns on that day, it adjourn to meet at 12:30 p.m. on Tuesday, January 19th for morning hour debate. **Page H109**

Quorum Calls—Votes: Four yea-and-nay votes developed during the proceedings of today and appear on pages H104–05, H107, H108 and H108–09. There were no quorum calls.

Adjournment: The House met at 10 a.m. and adjourned at 7:37 p.m.

Committee Meetings

CHINA: RECENT SECURITY DEVELOPMENTS

Committee on Armed Services: Held a hearing on China: Recent Security Developments. Testimony was heard from the following officials of the Department of Defense: ADM Robert F. Willard, USN, Commander, U.S. Pacific Command; and Wallace C. Gregson, Assistant Secretary, Asian and Pacific Security Affairs; and David B. Shear, Deputy Assistant Secretary, East Asian and Pacific Affairs, Department of State.

MISCELLANEOUS MEASURES

Committee on the Judiciary: Ordered reported H.R. 3190, Discount Pricing Consumer Protection Act of 2009.

The Committee adversely reported H. Res. 994, Directing the Attorney General to transmit to the House of Representatives all information in the Attorney General's possession relating to the decision to dismiss United States v. New Black Panther Party.

BRIEFING—ATTEMPTED TERRORIST ATTACK ON NORTHWEST FLIGHT 253

Permanent Select Committee on Intelligence: Met in executive session to receive a briefing on Attempted Terrorist Attack on Northwest Flight 253. The Committee was briefed by the following officials of the Office of the Director of National Intelligence: Dennis C. Blair, Director; and Michael Leiter, Director, National Counterterrorism Center.

Next Meeting of the SENATE

11 a.m., Tuesday, January 19

Senate Chamber

Program for Tuesday: Senate will meet in a pro forma session.

Next Meeting of the HOUSE OF REPRESENTATIVES

9 a.m., Friday, January 15

House Chamber

Program for Friday: The House will meet in a pro forma session at 9 a.m.

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Congressional Record

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