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House of Representatives

The House met at 12:30 p.m. and was called to order by the Speaker pro tempore (Mr. PETERS).

DESIGNATION OF SPEAKER PRO TEMPORE

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

WASHINGTON, DC,
December 14, 2010.

I hereby appoint the Honorable GARY C. PETERS to act as Speaker pro tempore on this day.

NANCY PELOSI,
Speaker of the House of Representatives.

MORNING-HOUR DEBATE

The SPEAKER pro tempore. Pursuant to the order of the House of January 6, 2009, the Chair will now recognize Members from lists submitted by the majority and minority leaders for morning-hour debate.

The Chair will alternate recognition between the parties, with each party limited to 30 minutes and each Member, other than the majority and minority leaders and the minority whip, limited to 5 minutes.

NOTICE

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

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

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

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

Members of the House of Representatives' statements may also be submitted electronically by e-mail, to accompany the signed statement, and formatted according to the instructions for the Extensions of Remarks template at http://clerk.house.gov/forms. The Official Reporters will transmit to GPO the template formatted electronic file only after receipt of, and authentication with, the hard copy, and signed manuscript. Deliver statements to the Official Reporters in Room HT–59.

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By order of the Joint Committee on Printing.

CHARLES E. SCHUMER, *Chairman.*

COMPROMISE TAX CUT PROPOSAL

The SPEAKER pro tempore. The Chair recognizes the gentleman from Oregon (Mr. DEFAZIO) for 5 minutes.

Mr. DEFAZIO. Well, the Senate has acted on the so-called tax cut proposal. They acted the way the Senate usually acts when confronted with a problem; they added ornaments to the Christmas tree. They actually increased the cost.

This legislation will cost $858 billion over 2 years. That is bigger than the much-reviled stimulus passed in the beginning of the Obama Presidency: $858 billion. That will add approximately $430 billion a year to the deficit for the next 2 years. That is $430 billion more borrowed, probably from China.

Now, the question is: Is this the best possible use of this money? Will this put America and Americans back to

work and get us more firmly on the path to recovery? I think not. I think much of this money is wasted and will create zero jobs.

Now, if you think that the Bush-era tax cuts worked well—they didn't create any jobs, but if for some reason you think they worked well—then you are going to like this. In fact, it is even a bigger giveaway than the Bush-era tax cuts. Or if you think the $300 billion of the so-called stimulus that the President gave away in tax cuts, the Larry Summers tax cuts that were so small that no one would notice and they would just spend them on consumer goods—bad politics, bad economics, didn't put anybody back to work, to get three Republican votes, that is why that $300 billion went in there, and bumped out real investment that would have created immediate and real jobs and long-term benefits—no, instead we had ephemeral spending. That was supposed to put Americans back to work.

If you liked that, you are going to love this. It has new provisions. One, instead of President Obama's ''making work pay'' tax cuts, now we are going to attack Social Security. That is right, the Republicans are getting their dreams here.

We are going to give a tax holiday of 2 percent on Social Security. Isn't that great? It goes to any income level. That means Members of Congress will get a minimum of a $2,100 tax break, as will other people who do very well in this country.

But, don't worry, that that would kind of hurt Social Security, to cut its income by $111 billion next year. It would accelerate the point at which it couldn't pay benefits. But, don't worry, we will borrow the money from China, and we will inject it into the Social Security trust fund, tearing down the firewall between the general fund and Social Security.

Next year the Republicans are going to say to the President, Hey, you can't let that tax cut for working people, that FICA holiday, expire. And, oh, by the way, we can't afford to subsidize Social Security anymore out of the general fund.

This is a trap, and that kind of a tax cut is not going to put people back to work.

Then we have the tax cuts for the upper income, $51 billion for incomes above $250,000. Now, remember, up to $250,000, everybody under what President Obama first proposed would get a tax break. It is only your income over 250 that would be taxed at the Clinton-era rates. And guess what happened during the Clinton era? We balanced the budget, and we created 23 million jobs. Not too bad. Now we have record deficits, and we are creating an anemic number of jobs.

They estimate this package might create between 1 million and 3 million jobs, or save them, or later they will say it could have been worse, just like they did with the stimulus. If we directly invested a fraction of this $858 billion in roads, bridges, highways, sewers, water systems, building schools, things that would pass benefits to future generations, we could create millions of jobs and you would have gotten something for your money, other than current consumption.

Then, how about this new provision, estates over $10 million? Now, the media keeps saying $5 million. No, it is 5 and 5, husband and wife, $10 million of an estate tax-free, and after that a lower tax break. That costs $10 billion a year.

We are going to borrow $10 billion a year, all the American people are going to borrow that money, to give 6,000 families a tax break, who are already doing quite well, thank you very much. How many jobs will that create? Zero. Goose egg. None. It isn't about small business anymore. We are talking estates over $10 million.

Then we are going to continue the Bush-era reductions in capital gains and dividend taxes, which go predominantly to the highest income brackets, under the premise that those things too create jobs. If this is a job creator, it is the least efficient, lamest way to create jobs at unbelievable expense.

If we want to create jobs, there are better ways to do it; or if you want to do the tax relief, you could do it for much less. If you cut out the upper income, over $250,000, the estates over $10 million, look at capital gains, dividends, don't do the FICA tax, or at least cap it so people at levels of Members of Congress don't get it, we could do this for less and put more people to work.

COSTS TOO HIGH FOR WAR IN AFGHANISTAN

The SPEAKER pro tempore. The Chair recognizes the gentleman from Massachusetts (Mr. MCGOVERN) for 5 minutes.

Mr. MCGOVERN. Mr. Speaker, the recent congressional elections here in the United States focused on many issues, but the war in Afghanistan was not one of them.

There is no draft in this country. We have an all-volunteer Armed Forces. Only a small percentage of our population is at risk. And no one is paying for the war. It is all going on America's credit card. We are borrowing all the money to pay for this war. So, why should anyone pay attention?

I believe, Mr. Speaker, that we must pay more attention. There is absolutely no excuse for our collective indifference. At 109 months, this is the longest war in our history. Over 1,400 of our uniformed men and women have lost their lives in Afghanistan. Over 8,700 have been wounded in action.

High levels of deployment continue to strain our uniformed men and women, their families and their communities. In spite of the military's best efforts, suicide and post-traumatic stress rates continue to soar and our ability to care for the wounded is severely overburdened.

The ability of individual servicemembers and their units to rest, recuperate, retrain and reequip themselves for redeployment is stretched beyond its limits. And in Afghanistan, our so-called ally, President Hamad Karzai, is corrupt. The Afghan military and the police are not reliable partners and al Qaeda is someplace else.

A few weeks ago, President Obama told us we are in Afghanistan for at least another 4 years, maybe more. The question is, for what? Why do we need to sacrifice more precious American lives? Why do we need to continue to align ourselves with a crooked government that routinely commits fraud in elections? Why aren't we instead using all of our resources to go after the terrorists that murdered so many of our civilians on September 11?

The Republicans won back the majority of the House by promising to control spending and reducing the deficit. This war has already cost us over $450 billion. When combined with the cost of the war in Iraq, it accounts for 23 percent of our combined deficits since 2003.

Where is the outcry from the tea partiers and the deficit hawks? Fiscal conservatives should be outraged that this war is being financed with borrowed money. And for those who support the war, you should pay for it. And where is the liberal outrage? For those of us who are tired of being told that we don't have enough money to extend unemployment benefits or invest in green jobs or new jobs, we should be yelling and screaming at the fact that when it comes to the war in Afghanistan and supporting Hamad Karzai, our Treasury is an ATM machine.

□ 1240

Let us put in perspective what this war truly costs and what we must give up in order to maintain the status quo. According to Nobel Laureate and Columbia University professor Joseph Stiglitz, testifying before the House Veterans' Affairs Committee, the total cost of the wars in Iraq and Afghanistan, including interest payments on the money borrowed for these wars and taking care of our wounded soldiers and veterans, will likely be between $4 trillion and $6 trillion. Yes, Mr. Speaker, between $4 trillion and $6 trillion.

On Saturday, December 11, Mr. Speaker, another soldier from my district sacrificed his life in Afghanistan. Army Specialist Ethan Goncalo was just 21 years old when he died in Kabul. He is the third graduate of Durfee High School in Fall River to die in uniform this year, and the fourth servicemember from Fall River, a town of 90,000 residents. His loss is deeply felt in this tight-knit community, and my thoughts and prayers are with his parents, family, friends, and schoolmates.

Mr. Speaker, I believe the human and financial costs of this war are unacceptable and unsustainable. It is bankrupting us. We need a plan to extricate

ourselves from Afghanistan, not a plan to stay there for 4 more years and ''then we'll see.'' This doesn't mean that we abandon the Afghan people, Mr. Speaker. Rather, we should abandon this war strategy. It hasn't brought stability to Afghanistan, and it is not enhancing our own national security.

Ending war is politically difficult. It is easier for politicians to ''go along'' rather than make waves. But, Mr. Speaker, this isn't about politics. It's about doing the right thing. And the right thing is to end this war.

[From the Boston Globe, Dec. 14, 2010]

WARTIME LOSSES HIT HARD IN TIGHTKNIT FALL RIVER

(By David Abel and John M. Guilfoil)

FALL RIVER.—A week before Army Specialist Ethan Goncalo was scheduled to speak at BMC Durfee High School, where he had been an A student known for his fastball, the 21-year-old died in Afghanistan.

He became the school's third graduate to die in uniform this year and the fourth servicemember from Fall River.

In Massachusetts, only Boston, with six times the population of Fall River, has lost more of its own in Iraq and Afghanistan, according to icasualties.org, which tracks military deaths.

''As a community, it's tough . . . very tough,'' principal Paul Marshall said yesterday.

Marshall said the succession of deaths has made him wonder whether it was wise for administrators to steer students into the military.

''In time of peace, it's a great opportunity,'' he said. ''Kids can get their education paid for, but they are literally putting their life on the line.''

Since the wars in Iraq and Afghanistan began, Fall River has lost five servicemembers, and Boston has lost seven.

Goncalo, who was assigned to the First Battalion, 181st Infantry Regiment in Worcester, died Saturday in Kabul of injuries sustained in a noncombat-related incident, military officials said.

In addition to Goncalo, Fall River has lost Army Private Michael E. Bouthot, a 19-year-old who died in Iraq in 2006; Army Sergeant Robert Barrett, a 21-year-old who died in Afghanistan in April; Army Specialist Scott Andrews, also 21, who was killed in June in Afghanistan; and Marine Corporal Paul Fagundes, 29, who died July 4 while trying to rescue fellow Marines drowning in a rip current off Guantanamo Bay. Barrett and Fagundes were also Durfee graduates.

''It seems surreal that we would lose this many heroes,'' said Manuel DaPonte, director of veterans services in Fall River, which has about 90,000 residents.

''It's really hard to believe. It doesn't seem real or fair for so many people to die from a city our size.''

Mayor Will Flanagan said it was hard for him to imagine attending his fourth military funeral this year, his first term in office.

''It has had a toll on me,'' he said. ''This is a time for me to reflect and to be there for the families and the city, to honor any requests they have.''

He said the city has paid tribute to the fallen in parades and through benefits. In addition, he said the city plans to rename the reconstructed Brightman Street Bridge the Veteran's Memorial Bridge when it is rededicated in the spring.

''Fall River is a hard-working community, a patriotic community, and our young men see the military as a way to serve,'' said Flanagan. ''It provides them stability in their lives and gives them an opportunity to further their education and to earn an income.''

He added: ''We are deeply saddened by the loss, but these young men paid the ultimate sacrifice for freedom and democracy. Their losses are not in vain, and their memories will not be forgotten.''

At Durfee yesterday, friends, coaches, and administrators described Goncalo as a talented baseball player, a driven student, and a good friend. He had agreed to address his school during his upcoming leave.

Marshall said each of the young men who attended the 2,200-student school was the kind of person you would want beside you in a foxhole.

''They were stand-up kids,'' he said. ''The common thing is that they made their commitment with their eyes wide open.''

He said Goncalo, who graduated from Durfee in 2008 after transferring there a year earlier from Bishop Connolly High School, fit in immediately. ''It felt like he was here for four [years],'' Marshall said. ''He was that kind of kid.''

Brad Bustin, the varsity baseball coach at Durfee, described Goncalo as ''dedicated, well-rounded, and a hard worker.'' Goncalo was a utility player who caught and pitched, with an arm strong enough to play outfield and a glove good enough to play first base.

''He was a nice, nice kid, easy to get along with and liked by all the other kids,'' Bustin said. ''He was just a happy person, a happy kid, always smiling.''

The school put a large piece of paper in the school cafeteria with several boxes of magic markers. Students described Goncalo as a ''good man'' and a ''big brother.''

''You were a great teammate, friend, and an overall good man,'' wrote one student, Nathan Farias. ''Thank you for all you helped me with.''

Danielle Santos, another student, also thanked the fallen soldier.

''You were the nicest guy and a great athlete,'' she wrote. ''You will be missed.''

Goncalo's relatives could not be reached yesterday and were apparently heading to Dover Air Force Base in Delaware, where his body was to be brought sometime today or tomorrow, city officials said. The military did not release details about his death.

On Goncalo's Facebook page, friends sang his praises.

Bryanna Rego, who attended Bishop Connolly High School with Goncalo, recalled how he loved to goof around.

''Ethan was an amazing person,'' she wrote. ''. . . He made an impact on so many people's lives, and his face will be engraved in not only mine, but in the hearts of everyone who knew him.''

RECESS

The SPEAKER pro tempore. Pursuant to clause 12(a) of rule I, the Chair declares the House in recess until 2 p.m. today.

Accordingly (at 12 o'clock and 42 minutes p.m.), the House stood in recess until 2 p.m.

□ 1400

AFTER RECESS

The recess having expired, the House was called to order by the Speaker pro tempore (Mr. CUMMINGS) at 2 p.m.

PRAYER

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

Lord God, at this time when You desire to be close to Your people, the truth of Isaiah, the prophet, frightens us. So we withdraw to a more comfortable place, content with fictitious demands on our time.

You said to Isaiah:

''Since this people draws near with words only and honors Me with their lips alone, their hearts are far from me. Their reverence for Me has become routine observance.

''I will now deal with this people in surprising and wondrous fashion.

''Woe to those who would hide their plans, thinking they are too deep for the Lord; who work in the dark saying, Who sees us or who really knows what we are about?''

It is time, Lord, to shake us from our stupor. Send forth Your word to shatter our illusions and all our fears, 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 his approval thereof.

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

PLEDGE OF ALLEGIANCE

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

Mr. CHAFFETZ 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.

COMMUNICATION FROM THE HONORABLE BART STUPAK, MEMBER OF CONGRESS

The SPEAKER pro tempore laid before the House the following communication from the Honorable BART STUPAK, Member of Congress:

HOUSE OF REPRESENTATIVES,
Washington, DC, December 10, 2010.

Hon. NANCY PELOSI,
Speaker, House of Representatives,
Washington, DC.

DEAR MADAM SPEAKER: This is to notify you formally pursuant to rule VIII of the Rules of the House of Representatives that I have been served with a subpoena for testimony issued by the United States District Court for the Eastern District of Michigan.

After consultation with the Office of General Counsel, I have determined that compliance with the subpoena is consistent with the precedents and privileges of the House.

Sincerely,

BART STUPAK,
Member of Congress.

COMMUNICATION FROM CHIEF OF STAFF, THE HONORABLE BART STUPAK, MEMBER OF CONGRESS

The SPEAKER pro tempore laid before the House the following communication from Scott Schloegel, Chief of

Staff, the Honorable BART STUPAK, Member of Congress:

HOUSE OF REPRESENTATIVES,
Washington, DC, December 10, 2010.

Hon. NANCY PELOSI,
Speaker, House of Representatives, Washington, DC.

DEAR MADAM SPEAKER: This is to notify you formally pursuant to rule VIII of the Rules of the House of Representatives that I have been served with a subpoena for testimony issued by the United States District Court for the Eastern District of Michigan.

After consultation with the Office of General Counsel, I have determined that compliance with the subpoena is consistent with the precedents and privileges of the House.

Sincerely,

SCOTT SCHLOEGEL,
Chief of Staff,
Congressman Bart Stupak.

HEALTH CARE TAKEOVER UNCONSTITUTIONAL

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

Mr. WILSON of South Carolina. Mr. Speaker, yesterday U.S. District Judge Henry E. Hudson of Virginia struck down the individual mandate within the health care takeover as unconstitutional. This job-killing mandate infringes upon an individual's right to choose whether to participate in the government takeover. The ruling affirms that this legislation goes beyond the government's power to regulate interstate commerce. Virginia Attorney General Ken Cuccinelli has taken the lead protecting citizens' rights and has been joined by South Carolina Attorney General Henry McMaster.

Americans should not be forced to purchase health insurance by the Federal Government. Many small businesses cannot afford it. It is time that Congress repeal the government takeover of health care and replace it with a patient-centered program. This is the solution that provides a viable answer to America's health care issues.

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

MEDIA COVERAGE OF DREAM ACT SHOWS BIAS

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

Mr. SMITH of Texas. Mr. Speaker, it is hard to imagine a worse example of media bias than the national coverage of the so-called DREAM Act. Seldom were the facts given to the American people.

The national media said it applied to ''65,000 youngsters.'' The legislation actually would give amnesty to at least 1 million to 2 million illegal immigrants up to the age of 30. And no one in the national media mentioned that no hearings had been held on the bill and no committee had approved it.

The DREAM Act would mean fewer jobs for American workers, and the Congressional Budget Office said it would cost taxpayers billions of dollars. But you won't hear that from the national media.

Even if the national media won't, Congress should put the interests of American workers and taxpayers first. That's what the last election was all about.

PASSING OF AMBASSADOR RICHARD HOLBROOKE

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

Mr. DREIER. Mr. Speaker, the sudden and unexpected passing of Ambassador Richard Holbrooke has been very, very sad news for Americans, and it obviously has sent shock waves throughout the international community.

Dick Holbrooke is someone with whom I was privileged to work on a number of issues over the past decade and a half. And I will say that he was known for being rough-and-tumble. He was described by one as ''the bulldozer diplomat.''

But I have to say that Dick Holbrooke was a true polyglot. He knew, in dealing with diplomatic challenges, that it took different talents and different styles. Regardless of where he was in the world, he was able to apply his unique talents. I have to say that we worked together on a number of very important issues.

As we look at the challenge that exists today in Afghanistan and Pakistan, his passing will be a real loss for that effort. But his passing should lead us to redouble our commitment to pursue the goal that I believe Dick Holbrooke always pursued, and that was for peace, stability, the rule of law, and self-determination around the world.

Our thoughts and prayers go to his wife and two sons.

HONORING THE SERVICE AND SACRIFICE OF SERGEANT DAVID S. ROBINSON

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

Mr. BOOZMAN. Mr. Speaker, I rise today to honor one of America's bravest, Sergeant David Robinson of Fort Smith, Arkansas, who valiantly sacrificed his life in support of combat missions in Afghanistan.

Service runs in Sergeant Robinson's family, with a grandfather who served as a sharpshooter in the military. So, when at a young age he told his mother he wanted to serve in the military, it was no surprise. He followed in his grandfather's footsteps, going into the artillery field when he joined the Army in 2004.

As a member of the 2nd Cavalry, he served as a gunner, a rifleman, and an ammunitions handler. At the young age of 25, he already had remarkable service to our Nation during his three tours: two in Operation Iraqi Freedom and one in support of Operation Enduring Freedom.

My prayers and the prayers of Arkansans are with Sergeant Robinson's family, including his wife Heidi and three young children, Jerimy, Tyler, and Madison. I humbly offer my thanks to Sergeant David Robinson, a true American hero, for his selfless service to the security and well-being of Americans, and I ask my colleagues to keep his family in their thoughts and prayers during this very difficult time.

□ 1410

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.

99-YEAR TRIBAL LEASE AUTHORITY ACT

Mr. LARSEN of Washington. Mr. Speaker, I move to suspend the rules and pass the bill (S. 1448) to amend the Act of August 9, 1955, to authorize the Coquille Indian Tribe, the Confederated Tribes of Siletz Indians, the Confederated Tribes of the Coos, Lower Umpqua, and Siuslaw, the Klamath Tribes, and the Burns Paiute Tribe to obtain 99-year lease authority for trust land.

The Clerk read the title of the bill.

The text of the bill is as follows:

S. 1448

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

SECTION 1. LEASES OF RESTRICTED LAND.

Subsection (a) of the first section of the Act of August 9, 1955 (25 U.S.C. 415(a)), is amended in the second sentence by inserting ''land held in trust for the Coquille Indian Tribe, land held in trust for the Confederated Tribes of Siletz Indians, land held in trust for the Confederated Tribes of the Coos, Lower Umpqua, and Siuslaw Indians, land held in trust for the Klamath Tribes, and land held in trust for the Burns Paiute Tribe,'' after ''lands held in trust for the Confederated Tribes of the Warm Springs Reservation of Oregon,''.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Washington (Mr. LARSEN) and the gentleman from Utah (Mr. CHAFFETZ) each will control 20 minutes.

The Chair recognizes the gentleman from Washington.

GENERAL LEAVE

Mr. LARSEN of Washington. 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 bill under consideration.

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

There was no objection.

Mr. LARSEN of Washington. Mr. Speaker, I yield myself such time as I may consume.

Under what is known as the Long Term Leasing Act, lands held in trust for Indian tribes may be leased for a variety of purposes for a term of no greater than 25 years, with an option for an additional 25 years if approved by the Bureau of Indian Affairs.

Often, tribes find that in order to operate more efficiently and to sustain economic development activities, they need to be able to lease trust lands for longer periods. In fact, through various acts of Congress, approximately 50 tribes have been granted the ability to issue leases not to exceed 99 years.

The pending legislation would afford this extended leasing authority to several tribes in the State of Oregon.

I want to commend our colleagues, Mr. DEFAZIO and Mr. SCHRADER from Oregon, for their work in getting this bill to the floor. I ask Members to support it.

I reserve the balance of my time.

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

As a matter of policy, authorizing 99-year lease terms for tribes is a means of increasing tribal independence from the Bureau of Indian Affairs bureaucracy. Therefore, we have no objection to this bill.

Mr. FALEOMAVAEGA. Mr. Speaker, I rise in strong support of S. 1448, legislation that will allow five Indian Tribes—the Coquille Indian Tribe, the Confederated Tribes of Siletz Indians, the Confederated Tribes of the Coos, Lower Umpqua, and Suislaw, the Klamath Tribes, and the Burns Paiute Tribe—to enter into long-term leases for trust land.

First, I want to commend Senator JEFF MERKLEY for his leadership on this issue. I also want to thank Senator RON WYDEN, Representative PETER DEFAZIO, and Representative KURT SCHRADER, for their support and advocacy on behalf of the five Indian Tribes in the State of Oregon that are the subject of this legislation.

Historically, since 1834, Congress prohibited land transactions with Indian Tribes unless specifically permitted. In 1955, under the Long-Term Leasing Act, Congress permitted the leasing of Indian lands, but restricted the term of leases to no more than 25 years. Conditions for economic development and business opportunities have changed significantly and leases with terms of more than 25 years are now more desirable. As a result, 50 Indian Tribes have already petitioned Congress and have been granted authority to enter into long-term leases through amendments to the Long-Term Leasing Act. Another bill, S. 2906, to be considered later will add two more Indian Tribes from the State of Washington. I want to register my support for these bills.

Extending the privileges of the Long-Term Leases Act to these Indian Tribes is very important since economic development and business opportunities underscore our government's longstanding responsibility to the Indian Tribes. This longstanding responsibility is to provide assistance to the Indian people in their efforts to break free from the devastating effects of extreme poverty and unemployment and achieve lasting economic self-sufficiency. Yet, high rates of unemployment and poverty continue to exist among Indian Tribes. And one of the main reasons has been the lack of effective control by the Indians over their own lands and resources.

I urge my colleagues to support this important piece of legislation.

Mr. DEFAZIO. Mr. Speaker, S. 1448 is identical to legislation that I introduced in the House of Representatives with Representative SCHRADER in March. The bill accomplishes two things: (1) It corrects a disparity between federally recognized tribes in Oregon in how these tribes lease land held in trust, and (2) it incentivizes long-term investment that will attract businesses and create jobs for Oregon tribes and nearby communities.

Currently, four of the nine federally recognized tribes in Oregon are able to lease land held in trust by the Federal Government for up to 99 years without going through a maze of bureaucracy and red tape at the Bureau of Indian Affairs. The 99-year lease authority is crucial to attracting and retaining long-term investment, incentivizing economic development projects on trust land, and creating jobs for communities that need them the most.

But five of Oregon's nine federally recognized tribes—the Coquille, the Confederated Tribes of the Siletz, the Confederated Tribes of the Coos, Lower Umpqua, and Siuslaw, the Klamath, and the Burns Paiute do NOT have this important authority. These tribes are limited to 25-year leases or must rely on a lethargic BIA to approve longer leases on an individual basis.

S. 1448 fixes this disparity and gives all nine federally recognized tribes the same authority to pursue economic development and job-creating activities on land held in trust.

The bill enjoys bipartisan support, has no opposition in the State of Oregon, and passed the U.S. Senate without amendment and by unanimous consent. This is a no-brainer. It's good for the Tribes. It's good for rural and tribal communities. The bill will create jobs and incentivize financial investment. I ask my colleagues to pass this bill today on suspension and send it to President Obama for his signature.

Ms. RICHARDSON. Mr. Speaker, I rise today in support of S. 1448, which allows the Coquille Indian Tribe, the Confederated Tribes of Siletz Indians, the Confederated Tribes of Coos, Lower Umpqua, and Siuslaw, the Klamath Tribes, and the Burns Palute Tribe to obtain a 99-year lease authority.

I thank Senator MERKLEY for introducing this legislation, and I also thank Chairman RAHALL for bringing this bill to the floor today.

This common sense legislation will allow these tribes in Oregon to continue their lease authority for 99 years. The tribes will be guaranteed to be able to live on their current land well into the next century.

As a member of the Native American Caucus, I will continue to be an advocate for Native Americans. My home state of California is home to nearly 100 federally recognized tribes. I pledge to continue to work on behalf of all Native Americans in this Congress and the 112th Congress.

Mr. Speaker, I urge my colleagues to join me in supporting S. 1448.

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

Mr. LARSEN of Washington. Mr. Speaker, again I want to urge our colleagues to support S. 1448, and I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Washington (Mr. LARSEN) that the House suspend the rules and pass the bill, S. 1448.

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.

MODIFYING TRIBAL LEASE PROVISIONS

Mr. RAHALL. Mr. Speaker, I move to suspend the rules and pass the bill (S. 2906) to amend the Act of August 9, 1955, to modify a provision relating to leases involving certain Indian tribes.

The Clerk read the title of the bill.

The text of the bill is as follows:

S. 2906

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

SECTION 1. LEASES INVOLVING CERTAIN INDIAN TRIBES.

The first section of the Act of August 9, 1955 (25 U.S.C. 415), is amended—

(1) in subsection (a), in the second sentence, by inserting ''and land held in trust for the Kalispel Tribe of Indians, the Puyallup Tribe of Indians,'' after ''the Kalispel Indian Reservation''; and

(2) in subsection (b), by inserting '', the Puyallup Tribe of Indians, the Swinomish Indian Tribal Community, or the Kalispel Tribe of Indians'' after ''Tulalip Tribes''.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from West Virginia (Mr. RAHALL) and the gentleman from Utah (Mr. CHAFFETZ) each will control 20 minutes.

The Chair recognizes the gentleman from West Virginia.

GENERAL LEAVE

Mr. RAHALL. 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 bill under consideration.

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

There was no objection.

□ 1420

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

Mr. Speaker, as with the bill we just considered, the pending legislation would amend the long-term leasing act to allow several tribes, in this case located in Washington State, to issue leases for trust lands for terms not to exceed 99 years. As business opportunities and economic considerations

change over time, leases longer than what is allowed in current law are often necessary to facilitate economic development on trust lands.

In closing, this legislation would advance tribal sovereignty, promote job growth, and speed up business deals. I want to commend our colleague, Representative ADAM SMITH, who has pressed for passage of S. 2906.

I reserve the balance of my time.

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

As a matter of policy, authorizing 99-year lease terms for tribes is a means of increasing tribal independence from the Bureau of Indian Affairs bureaucracy. Therefore, we have no objection to this bill.

Mr. FALEOMAVAEGA. Mr. Speaker, I rise in support of S. 2906, legislation to amend certain provisions of the Long-Term Leasing Act of 1955 for the benefits of the three Washington State Indian tribes, the Kalispel Tribe and the Puyallup Tribe, and the Swinomish Tribal Community.

First I want to commend Senator MARIA CANTWELL for her leadership. I also want to thank Senator PAT MURRAY, Representative ADAM SMITH, and Representative NORMAN DICKS, for their support and advocacy on behalf of the Indian Tribes in the State of Washington.

Similar to S. 1448, this bill will amend the Long-Term Leasing Act of 1955, to add three more Indian Tribes from the State of Washington to the list of Indian Tribes that have been granted authority to enter into long-term leases of up to 99 years.

Conditions for economic development and business opportunities have significantly changed since Congress passed the Long-Term Leases Act in 1955. The current economic downturn has certainly exacerbated already deteriorating economic conditions for many of the Indian tribes. As such, extending the privileges of the Long-Term Leases Act is essential for economic development and business opportunities. It is the longstanding responsibility of our Federal Government to provide assistance to the Indian people in their efforts to improve their economic conditions and maximize business opportunities for the betterment of the Indian people.

I urge my colleagues to pass S. 2906.

Mr. SMITH of Washington. Mr. Speaker, I thank the gentleman for yielding and I rise in strong support of S. 2906, a bill introduced by Senator CANTWELL that is the companion to H.R. 4401, which I introduced in the House last year.

S. 2906 amends the Indian Long-Term Leasing Act for the benefit of three federally recognized Tribes in the State of Washington: the Swinomish Indian Tribal Community, the Kalispel Tribe of Indians, and the Puyallup Tribe of Indians, which is in my district.

Specifically, this legislation amends the leasing act to allow the Puyallup Tribe and the Kalispel Tribe to enter into 99 year business leases. Currently, these Tribes are limited to 25 year business leases.

Additionally, S. 2906 eliminates the requirement that the Puyallup Tribe, the Kalispel Tribe, and the Swinomish Indian Tribal Community seek the approval of the Secretary of the Interior for every business deal involving tribal lands.

Under S. 2906, the Tribes will adopt leasing regulations, to be approved by the Department of the Interior. Once the Department approves the Tribal regulations, the Department will be relieved of its obligations to approve the Tribes' leases of less than 75 years and the Tribe will then be required to follow its own leasing regulations for leases of its land. The Department will still retain the authority to review and approve leases of Tribal lands for more than 75 years.

This bill is tremendously important to the Puyallup Tribe in my district, as it will enable the Tribe to move forward with its plans to develop a marine terminal on its land in the Port of Tacoma.

The shipping terminal will be the largest economic development and job-creation project the Tribe has undertaken, and when fully constructed, will be the largest international container terminal facility in the Pacific Northwest. This project will provide tremendous benefits both to the Puyallup Tribe as well as the South Puget Sound economy.

Unfortunately, until now, the Tribe has found it difficult to engage and move forward with business partners in furthering the terminal project because of the burdensome and uncertain bureaucratic process of obtaining Interior approval for the deals.

Passage of S. 2906 will ensure that that the Tribe and its business partners will have certainty in moving forward with this and other business opportunities that will enhance the economy of the Puyallup Tribe and the Port of Tacoma, and will help to spur job creation in the South Puget Sound region.

I thank the Chairman and Ranking Member for their help in advancing this legislation, and I ask for my colleagues' support for the passage of S. 2906.

Ms. RICHARDSON. Mr. Speaker, I rise today in support of S. 2906, which allows the Kalispel Tribe of Indians and the Puyallup Tribe of Indians to lease land placed in trust for a term greater than 25 years. This legislation further allows the Puyallup Tribe of Indians, the Swinomish Indian Tribal Community, and the Kalispel Tribe of Indians to lease restricted lands under certain conditions without requiring the Secretary of the Interior's approval.

I thank Senator CANTWELL for introducing this legislation, and I also thank Chairman RAHALL for bringing this bill to the floor today.

As a member of the Native American Caucus, I have worked with my colleagues in Congress to address the needs of all Native Americans. While the legislation before us today affects three tribes in Washington State, I will continue to work on behalf of the nearly 100 federally recognized tribes in California and all tribes across the country.

Mr. Speaker, I urge my colleagues to join me in supporting S. 2906.

Mr. CHAFFETZ. Mr. Speaker, I yield back the balance of our time.

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

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from West Virginia (Mr. RAHALL) that the House suspend the rules and pass the bill, S. 2906.

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.

HOH INDIAN TRIBE SAFE HOMELANDS ACT

Mr. RAHALL. Mr. Speaker, I move to suspend the rules and concur in the Senate amendments to the bill (H.R. 1061) to transfer certain land to the United States to be held in trust for the Hoh Indian Tribe, to place land into trust for the Hoh Indian Tribe, and for other purposes.

The Clerk read the title of the bill.

The text of the Senate amendments is as follows:

Senate amendments:

On page 4, lines 13 through 15, strike ''upon compliance with the National Environmental Policy Act of 1969'' and insert ''in accordance with the regulations of the Department of the Interior for implementing the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.) that are applicable to trust land acquisitions for Indian tribes that are mandated by Federal legislation,''

On page 8, strike lines 17 through 22 and insert the following:

SEC. 5. GAMING PROHIBITION.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from West Virginia (Mr. RAHALL) and the gentleman from Utah (Mr. CHAFFETZ) each will control 20 minutes.

The Chair recognizes the gentleman from West Virginia.

GENERAL LEAVE

Mr. RAHALL. 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 bill under consideration.

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

There was no objection.

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

Mr. Speaker, H.R. 1061, as amended, would transfer certain Federal and non-Federal land in the State of Washington to the Hoh Tribe to be held in trust by the United States for the benefit of the tribe.

The Hoh Indian Tribe is located on the coast of Washington. Its coastline is situated such that it is subject to frequent flooding, preventing the sustainable use of this land by the tribe.

Due to this situation, the tribe has acquired approximately 420 acres of land from private sources to relocate its government offices and tribal members. The bill would place this newly acquired 420 acres of land into trust for the tribe and as well transfer approximately 37 acres of Federal land into trust for the tribe in order to connect the tribe's newly acquired lands to its current lands.

On June 28, 2010, the House passed this legislation under suspension of the rules by a vote of 347–0. The Senate made technical amendments to the bill to clarify that the land would be placed into trust in accordance with the Department of the Interior's regulations

for mandatory trust land acquisitions. The Senate then passed the legislation before us today by unanimous consent on September 29, 2010.

In closing, I would commend our colleague and my fellow classmate, Representative NORM DICKS of Washington, for his hard work and dedication to this legislation, and I ask my colleagues to support its passage.

I reserve the balance of my time.

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

Mr. Speaker, the case for adding a small amount of land to the Hoh Reservation is compelling. Because the tribe's reservation receives about 140 inches of rain per year and is located within a tsunami zone, the tribe must expand its eastern border inland from the coast so they can construct safe housing and other facilities outside of the tsunami zone.

To accomplish this, H.R. 1061 places in trust several tracts of land for the tribe, most of which are currently owned by the tribe. These additions to the reservation are separated from the existing reservation by a 37-acre parcel of Federal land that is part of the Olympic National Park.

H.R. 1061 transfers ownership of this 37-acre parcel of Olympic National Park land to the tribe without consideration. This transfer creates a contiguous, intact reservation with full access across the reservation assured in the form of a road to Highway 101.

This bill also sets an important and needed precedent by transferring these 37 acres without extorting either a land exchange or payment to the Federal Government.

There are many instances when fairness and necessity justify the transfer of Federal lands to States, localities, tribes, or other American citizens. There are also instances when roads that are vital to park neighbors and park visitors should be repaired and rebuilt even though they may be located in otherwise protected areas.

It is worth noting that the National Park Service supports transferring the land from Olympic National Park to the tribe without the need for a land exchange or compensation. I also note the absolute silence and, hence, implied support from advocacy groups to give away this 37 acres of national park lands.

I reserve the balance of my time.

Mr. RAHALL. Mr. Speaker, as I mentioned in my opening remarks, I commend the gentleman from Washington (Mr. DICKS), the incoming ranking minority member of the House Appropriations Committee and my fellow classmate, a gentleman who has worked very hard on this legislation, and I now yield him such time as he may consume.

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

Mr. DICKS. Mr. Chairman, I appreciate very much your yielding to me, and I really appreciate the leadership that you have provided and the committee has provided.

I rise to urge final passage of H.R. 1061, the Hoh Indian Tribe Safe Homelands Act, which I sponsored. The Hoh Tribe lives right on the Pacific Coast in the Sixth District, which I represent. Their reservation is in a spectacularly beautiful area, but the location leaves the Hohs in constant danger of tsunamis. This legislation would allow the Hoh Tribe to move many structures out of the tsunami impact zone.

This legislation passed the House in June. In September the bill was amended then passed in the Senate. This amended version, which is supported by all parties, is what the House is considering today. I urge that we again pass this legislation and allow for the Hoh Tribe to build a safer future uphill from the tsunami danger.

H.R. 1061 accomplishes this goal by transferring a small parcel of land in Olympic National Park to the tribe. In addition, the legislation will place into trust this transferred Park Service land, along with other lands recently acquired by the tribe.

I really cannot overemphasize the necessity of this legislation for the safety of the Hoh Tribe. The reservation is located where the Hoh River dramatically empties into the Pacific Ocean. As I said earlier, real danger comes with its spectacular beauty. The Pacific Ocean has many extremely active seismic zones, including in Washington State. Earthquakes in the eastern Pacific always cause concern along the Washington coast, as folks are forced to monitor the tsunami situation.

The Hoh Tribe is also menaced by severe flooding nearly every year. We have very long winters in the Pacific Northwest, and throughout that season, the Hoh Tribe can experience flooding. These floods have destroyed buildings. A few years ago my office had to call the Washington State National Guard in order to help the tribe place sandbags during a flood emergency. This situation is intensifying as the Pacific and Hoh River erode the very limited land on the 1 square mile reservation.

With all of the reservation within a tsunami zone and nearly all of it in a floodplain, the Hoh Tribe has trouble qualifying for assistance. The BIA, FEMA, and HUD are precluded from providing assistance to the tribe due to the reservation's location and its vulnerability to natural disasters.

Although the threat always has existed, the desire to move the tribe to safety intensified after the 2004 Indian Ocean earthquake and resulting tsunami which killed more than 200,000 people. The Hoh Tribe developed its own strategy, which I wholeheartedly champion. With its own resources, the tribe bought several nearby parcels of land suitable for development away from the area of most danger. The Washington State Department of Natural Resources also has given the tribe a parcel of logged land in the same area.

H.R. 1061 will transfer to the tribe a 37-acre parcel of land currently part of the Olympic National Park.

This small parcel would make all of these lands mentioned above contiguous to the existing Reservation. Also, the main road linking the Tribe to U.S. Highway 101 runs through this Park Service parcel. Through years of negotiation, the Tribe, Olympic National Park, and others within the Park Service have come together in support of this legislation, which does include certain restrictions on development, including a ban on gaming.

The Park Service also benefits from this legislation. The land is not of great value from an ecological point of view because it has been logged repeatedly. The Park Service has difficulties managing the 37-acre parcel because it is surrounded by non-Federal land. It also allows Olympic National Park to be a "good neighbor" and meet its responsibility to respect their non-Federal neighbors and be a positive presence in the area.

The neighbors of the Hoh Tribe also support this legislation, including the surrounding local landowners, the Hoh River Trust, and numerous environmental organizations. Elected officials who support this legislation include Governor Gregoire, the local State Senator and Representatives and the Jefferson County Commissioners.

It is time for the House to pass H.R. 1061 and send the bill to the President to be signed into law.

I want to thank Chairman RAHALL and Ranking Member HASTINGS for their help with this legislation. I also want to thank Janet Ericson, Staff Director of the Office of Indian Affairs, and Todd Young and Chris Fluhr who work for my home State colleague, DOC HASTINGS.

I also want to commend the Hoh Tribe and Tribal Council, Chairwoman Maria Lopez, and Alexis Berry, the executive director for the hard work. This legislation is a tremendous down payment on a safer future for the Hoh Tribe.

I urge passage of the Hoh Indian Tribe Safe Homelands Act.

□ 1430

Mr. CHAFFETZ. Mr. Speaker, this is a reasonable and needed piece of legislation. I commend the bill's sponsors and all those that have worked on it.

I reserve the balance of my time.

Mr. RAHALL. Mr. Speaker, I am very honored now to yield 5 minutes to a very valued member of our Committee on Natural Resources and a colleague of ours who is no stranger to the effects of tsunamis among his people, the gentleman from American Samoa (Mr. FALEOMAVAEGA).

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

Mr. FALEOMAVAEGA. I want to thank the gentleman from West Virginia, our distinguished chairman of our Committee on Natural Resources, and I do also thank my good friend, the gentleman from Utah, and their management of this proposed legislation.

Mr. Speaker, having personally experienced what it means to go through an earthquake and a tsunami, I rise in

strong support of this proposed legislation for the Hoh Indian Tribe Safe Homelands Act, a bill that transfers certain Federal lands in the State of Washington to be held in Federal trust for the Hoh Indian Tribe.

I want to thank, especially, the gentleman from Washington, Mr. NORM DICKS, for sponsoring this important bill, and I would also like to thank the chairman of our committee and the members of our committee for their support.

While this bill serves primarily to transfer the acreage to the Hoh Indian Reservation, it also carries out a greater purpose and message: to support the welfare of the tribal members while reinforcing our longstanding responsibility to the first Americans.

Established by an Executive order in 1893, with only a square mile of land, the Hoh Indian Reservation is home to a tribe of nearly 300 members whose livelihood depends primarily on fishing. Located 28 miles south of Forks and 80 miles north of Aberdeen, the reservation presently consists of 443 acres of land surrounding the Hoh River, after which the tribe is named.

Recently, however, the reservation has been overwhelmed by river flooding caused by torrential rain and storm surges from the Pacific Ocean. Living, also, in one of the rainiest places in the contiguous United States, many of the tribal members' homes are encircled by sandbags to hold back the water, and most of the usable land is within the 100-year floodplain of the river, exacerbating what is already a tough economic development situation. Now, more than ever, floods are more frequent and more aggressive, also due to hardened riverbanks for erosion control and the influence of timber companies in the uplands.

Mr. Speaker, I want to urge my colleagues to support this proposed bill.

Ms. RICHARDSON. Mr. Speaker, I rise today in support of the Senate amendment to the Hoh Indian Tribe Safe Homelands Act and also the underlying bill.

I thank my colleague, Congressman NORMAN DICKS for introducing H.R. 1061 and I support this legislation with the Senate amendment.

Mr. Speaker, this legislation truly embraces a collaborative effort between the Hoh Indian Tribe and the Government. The Hoh Indian Tribe currently lives in a flood-prone area. In fact, over 90 percent of their current reservation lies in a flood zone. Year after year more of their homes and tribal buildings are washed away by flood waters. This legislation allows land to be taken into trust so the Hoh Indian Tribe can relocate to higher, safer lands.

This legislation permits the tribe to conduct a land survey of federal land for relocation and submit it to the Director of the National Park Service for approval. Certain activities such as logging, hunting, and gaming will be prohibited on federal lands. It also directs the Secretary of the Interior and the tribe to make collaborative agreements for mutual emergency fire aid and for the development of a non-motorized trail from Highway 101 to the Pacific Ocean. This trail will maintain the strong fishing culture of the Hoh Indian Tribe.

Mr. Speaker, as a Member of the Native American Caucus I urge my colleagues to join me in supporting the Senate amendment to the Hoh Indian Tribe Safe Homelands Act.

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

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

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from West Virginia (Mr. RAHALL) that the House suspend the rules and concur in the Senate amendments to the bill, H.R. 1061.

The question was taken; and (two-thirds being in the affirmative) the rules were suspended and the Senate amendments were concurred in.

A motion to reconsider was laid on the table.

LONGLINE CATCHER PROCESSOR SUBSECTOR SINGLE FISHERY COOPERATIVE ACT

Mr. RAHALL. Mr. Speaker, I move to suspend the rules and pass the bill (S. 1609) to authorize a single fisheries cooperative for the Bering Sea Aleutian Islands longline catcher processor subsector, and for other purposes.

The Clerk read the title of the bill.

The text of the bill is as follows:

S. 1609

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 ''Longline Catcher Processor Subsector Single Fishery Cooperative Act''.

SEC. 2. AUTHORITY TO APPROVE AND IMPLEMENT A SINGLE FISHERY COOPERATIVE FOR THE LONGLINE CATCHER PROCESSOR SUBSECTOR IN THE BSAI.

(a) IN GENERAL.—Upon the request of eligible members of the longline catcher processor subsector holding at least 80 percent of the licenses issued for that subsector, the Secretary is authorized to approve a single fishery cooperative for the longline catcher processor subsector in the BSAI.

(b) LIMITATION.—A single fishery cooperative approved under this section shall include a limitation prohibiting any eligible member from harvesting a total of more than 20 percent of the Pacific cod available to be harvested in the longline catcher processor subsector, the violation of which is subject to the penalties, sanctions, and forfeitures under section 308 of the Magnuson-Stevens Act (16 U.S.C. 1858), except that such limitation shall not apply to harvest amounts from quota assigned explicitly to a CDQ group as part of a CDQ allocation to an entity established by section 305(i) of the Magnuson-Stevens Act (16 U.S.C. 1855(i)).

(c) CONTRACT SUBMISSION AND REVIEW.—The longline catcher processor subsector shall submit to the Secretary—

(1) not later than November 1 of each year, a contract to implement a single fishery cooperative approved under this section for the following calendar year; and

(2) not later than 60 days prior to the commencement of fishing under the single fishery cooperative, any interim modifications to the contract submitted under paragraph (1).

(d) DEPARTMENT OF JUSTICE REVIEW.—Not later than November 1 before the first year of fishing under a single fishery cooperative approved under this section, the longline catcher processor sector shall submit to the Secretary a copy of a letter from a party to the contract under subsection (c)(1) requesting a business review letter from the Attorney General and any response to such request.

(e) IMPLEMENTATION.—The Secretary shall implement a single fishery cooperative approved under this section not later than 2 years after receiving a request under subsection (a).

(f) STATUS QUO FISHERY.—If the longline catcher processor subsector does not submit a contract to the Secretary under subsection (c) then the longline catcher processor subsector in the BSAI shall operate as a limited access fishery for the following year subject to the license limitation program in effect for the longline catcher processor subsector on the date of enactment of this Act or any subsequent modifications to the license limitation program recommended by the Council and approved by the Secretary.

SEC. 3. HARVEST AND PROHIBITED SPECIES ALLOCATIONS TO A SINGLE FISHERY COOPERATIVE FOR THE LONGLINE CATCHER PROCESSOR SUBSECTOR IN THE BSAI.

A single fishery cooperative approved under section 2 may, on an annual basis, collectively—

(1) harvest the total amount of BSAI Pacific cod total allowable catch, less any amount allocated to the longline catcher processor subsector non-cooperative limited access fishery;

(2) utilize the total amount of BSAI Pacific cod prohibited species catch allocation, less any amount allocated to a longline catcher processor subsector non-cooperative limited access fishery; and

(3) harvest any reallocation of Pacific cod to the longline catcher processor subsector during a fishing year by the Secretary.

SEC. 4. LONGLINE CATCHER PROCESSOR SUBSECTOR NON-COOPERATIVE LIMITED ACCESS FISHERY.

(a) IN GENERAL.—An eligible member that elects not to participate in a single fishery cooperative approved under section 2 shall operate in a non-cooperative limited access fishery subject to the license limitation program in effect for the longline catcher processor subsector on the date of enactment of this Act or any subsequent modifications to the license limitation program recommended by the Council and approved by the Secretary.

(b) HARVEST AND PROHIBITED SPECIES ALLOCATIONS.—Eligible members operating in a non-cooperative limited access fishery under this section may collectively—

(1) harvest the percentage of BSAI Pacific cod total allowable catch equal to the combined average percentage of the BSAI Pacific cod harvest allocated to the longline catcher processor sector and retained by the vessel or vessels designated on the eligible members license limitation program license or licenses for 2006, 2007, and 2008, according to the catch accounting system data used to establish total catch; and

(2) utilize the percentage of BSAI Pacific cod prohibited species catch allocation equal to the percentage calculated under paragraph (1).

SEC. 5. AUTHORITY OF THE NORTH PACIFIC FISHERY MANAGEMENT COUNCIL.

(a) IN GENERAL.—Nothing in this Act shall supersede the authority of the Council to recommend for approval by the Secretary such conservation and management measures, in accordance with the Magnuson-Stevens Act (16 U.S.C. 1801 et seq.) as it considers necessary to ensure that this Act does not diminish the effectiveness of fishery

management in the BSAI or the Gulf of Alaska Pacific cod fishery.

(b) LIMITATIONS.—

(1) Notwithstanding the authority provided to the Council under this section, the Council is prohibited from altering or otherwise modifying—

(A) the methodology established under section 3 for allocating the BSAI Pacific cod total allowable catch and BSAI Pacific cod prohibited species catch allocation to a single fishery cooperative approved under this Act; or

(B) the methodology established under section 4 of this Act for allocating the BSAI Pacific cod total allowable catch and BSAI Pacific cod prohibited species catch allocation to the non-cooperative limited access fishery.

(2) No sooner than 7 years after approval of a single fisheries cooperative under section 2 of this Act, the Council may modify the harvest limitation established under section 2(b) if such modification does not negatively impact any eligible member of the longline catcher processor subsector.

(c) PROTECTIONS FOR THE GULF OF ALASKA PACIFIC COD FISHERY.—The Council may recommend for approval by the Secretary such harvest limitations of Pacific cod by the longline catcher processor subsector in the Western Gulf of Alaska and the Central Gulf of Alaska as may be necessary to protect coastal communities and other Gulf of Alaska participants from potential competitive advantages provided to the longline catcher processor subsector by this Act.

SEC. 6. RELATIONSHIP TO THE MAGNUSON-STEVENS ACT.

(a) IN GENERAL.—Consistent with section 301(a) of the Magnuson-Stevens Act (16 U.S.C. 1851(a)), a single fishery cooperative approved under section 2 of this Act is intended to enhance conservation and sustainable fishery management, reduce and minimize bycatch, promote social and economic benefits, and improve the vessel safety of the longline catcher processor subsector in the BSAI.

(b) TRANSITION RULE.—A single fishery cooperative approved under section 2 of this Act is deemed to meet the requirements of section 303A(i) of the Magnuson-Stevens Act (16 U.S.C. 1853a(i)) as if it had been approved by the Secretary within 6 months after the date of enactment of the Magnuson-Stevens Fishery Conservation and Management Reauthorization Act of 2006, unless the Secretary makes a determination, within 30 days after the date of enactment of this Act, that application of section 303A(i) of the Magnuson-Stevens Act to the cooperative approved under section 2 of this Act would be inconsistent with the purposes for which section 303A was added to the Magnuson-Stevens Act.

(c) COST RECOVERY.—Consistent with section 304(d)(2) of the Magnuson-Stevens Act (16 U.S.C. 1854(d)(2)), the Secretary is authorized to recover reasonable costs to administer a single fishery cooperative approved under section 2 of this Act.

SEC. 7. COMMUNITY DEVELOPMENT QUOTA PROGRAM.

Nothing in this Act shall affect the western Alaska community development program established by section 305(i) of the Magnuson-Stevens Act (16 U.S.C. 1855(i)), including the allocation of fishery resources in the directed Pacific cod fishery.

SEC. 8. DEFINITIONS.

In this Act:

(1) BSAI.—The term ''BSAI'' has the meaning given that term in section 219(a)(2) of the Department of Commerce and Related Agencies Appropriations Act, 2005 (Public Law 108–447; 118 Stat. 2886).

(2) BSAI PACIFIC COD TOTAL ALLOWABLE CATCH.—The term ''BSAI Pacific cod total allowable catch'' means the Pacific cod total allowable catch for the directed longline catcher processor subsector in the BSAI as established on an annual basis by the Council and approved by the Secretary.

(3) BSAI PACIFIC COD PROHIBITED SPECIES CATCH ALLOCATION.—The term ''BSAI Pacific cod prohibited species catch allocation'' means the prohibited species catch allocation for the directed longline catcher processor subsector in the BSAI as established on an annual basis by the Council and approved by the Secretary.

(4) COUNCIL.—The term ''Council'' means the North Pacific Fishery Management Council established under section 302(a)(1)(G) of the Magnuson-Stevens Act (16 U.S.C. 1852(a)(1)(G)).

(5) ELIGIBLE MEMBER.—The term ''eligible member'' means a holder of a license limitation program license, or licenses, eligible to participate in the longline catcher processor subsector.

(6) GULF OF ALASKA.—The term ''Gulf of Alaska'' means that portion of the Exclusive Economic Zone contained in Statistical Areas 610, 620, and 630.

(7) LONGLINE CATCHER PROCESSOR SUBSECTOR.—The term ''longline catcher processor subsector'' has the meaning given that term in section 219(a)(6) of the Department of Commerce and Related Agencies Appropriations Act, 2005 (Public Law 108–447; 118 Stat. 2886).

(8) MAGNUSON-STEVENS ACT.—The term ''Magnuson-Stevens Act'' means the Magnuson-Stevens Fishery Conservation and Management Act (16 U.S.C. 1801 et seq.).

(9) SECRETARY.—The term ''Secretary'' means the Secretary of Commerce.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from West Virginia (Mr. RAHALL) and the gentleman from Utah (Mr. CHAFFETZ) each will control 20 minutes.

The Chair recognizes the gentleman from West Virginia.

GENERAL LEAVE

Mr. RAHALL. Mr. 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 bill under consideration.

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

There was no objection.

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

The pending legislation, the Catcher Processor Subsector Single Fishery Cooperative Act, was introduced by Senator CANTWELL in August 2009. Subsequently, our colleague, Congressman LARSEN from the State of Washington, introduced H.R. 3910 as companion legislation.

''Catch shares'' are a fisheries management tool in which the total amount of fishing quota is divided among a group of fishermen. This tool is used to manage several fisheries in waters off of Alaska. However, one particular fishery in this area, the Pacific cod longline catcher processors, is not managed using catch shares. S. 1609 authorizes the Secretary of Commerce to approve this fleet as a cooperative operating a catch share.

I commend our colleague, the gentleman from Washington, Mr. RICK LARSEN, for his diligence. He has discussed this with me on numerous occasions and with members of our committee, and I commend his leadership on this legislation. I also recognize the efforts to bring the bill to the floor by my good friend and colleague from Alaska, Mr. DON YOUNG. And I would note this measure is fully supported by the ranking member of our full committee, DOC HASTINGS of Washington.

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

Mr. CHAFFETZ. Mr. Speaker, I yield such time as he may consume to my distinguished colleague from Alaska (Mr. YOUNG).

(Mr. YOUNG of Alaska asked and was given permission to revise and extend his remarks.)

Mr. YOUNG of Alaska. I thank the gentleman for yielding.

I rise in strong support of H.R. 3910, the companion legislation to S. 1609. This is a very important bill to the State of Alaska and the State of Washington.

I would like to compliment my friend, Mr. LARSEN, for his work on this legislation.

I was originally a cosponsor of this. This is a much-needed bill for the management of fish in Alaska as well as in the State of Washington, where most of my fishermen do come from.

I would also like to thank STENY HOYER, the majority leader, for bringing this bill to the floor and making sure it becomes a reality.

This is a bill that was strongly supported by the whole delegations from the State of Washington and from the State of Alaska, Senators as well as House Members. There was no objection to this legislation. It is an example of how we can work together on an issue that affects both areas. It is really much sought for by the industry itself. And I want to compliment everybody that worked on this legislation.

Mr. RAHALL. Mr. Speaker, I yield such time as he may consume to the gentleman from Washington (Mr. LARSEN).

Mr. LARSEN of Washington. Mr. Speaker, I rise today to speak in favor of S. 1609, the Longline Catcher Processor Subsector Single Fishery Cooperative Act. This bill, introduced by Senator CANTWELL of Washington, is a Senate companion to H.R. 3910, legislation I introduced in the House, along with Representative DON YOUNG of Alaska. This is a bipartisan effort. It has the support of Representatives DOC HASTINGS, DAVE REICHERT and JAY INSLEE of Washington State as well.

This bill will further efforts by the North Pacific Fishery Management Council to rationalize the Pacific cod fishery and end the ''race for fish'' in the Bering Sea and Aleutian Islands. This legislation represents an important step in achieving the goals of the Magnuson-Stevens Fishery Conservation and Management Act by enabling

safer, more environmentally sound fishing practices, while also providing much-needed economic stability.

The freezer longline sector of the Pacific cod industry currently operates as a derby-style fishery. Providing the opportunity for participants to transition from this style of fishing to a cooperative model is essential to meeting conservation goals and, most importantly, will significantly improve the safety of life at sea.

In addition, fishery cooperatives provide more economic stability and predictability. They help prevent the types of severe price swings that this fishery experienced last year when the price for Pacific cod was cut in half. This type of instability not only impacts the market and consumers, but threatens the ability for these mostly family-owned businesses to continue fishing. The economic stabilization of the fleet will also allow for new investments in both vessels and equipment and much-needed jobs for shipyards throughout the Puget Sound region.

S. 1609 has broad support within the freezer longline sector, the commercial fishing industry, the State of Alaska, the State of Washington, and the environmental community. So I urge the House to pass this bipartisan bill, S. 1609.

Mr. CHAFFETZ. Mr. Speaker, we have no objection to this bill. We believe it should be passed and sent to the President for signature.

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

Mr. RAHALL. Mr. Speaker, I yield such time as he may consume to the gentleman from American Samoa (Mr. FALEOMAVAEGA).

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

Mr. FALEOMAVAEGA. Again, I want to thank the distinguished gentleman from West Virginia, the chairman of our committee, and my good friend from Utah on the other side of the aisle for their management and support of this legislation.

Mr. Speaker, I want to associate myself with the statement made earlier by the chief sponsor of this legislation, my good friend, the gentleman from Washington. I know a little bit about the industry of fishing. This is certainly important for the gentleman's district and the Members who are affected from the great State of Washington.

I urge my colleagues to support this proposed legislation.

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

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from West Virginia (Mr. RAHALL) that the House suspend the rules and pass the bill, S. 1609.

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.

□ 1440

LONGFELLOW HOUSE-WASHINGTON'S HEADQUARTERS NATIONAL HISTORIC SITE DESIGNATION ACT

Mr. RAHALL. Mr. Speaker, I move to suspend the rules and pass the bill (S. 1405) to redesignate the Longfellow National Historic Site, Massachusetts, as the ''Longfellow House-Washington's Headquarters National Historic Site''.

The Clerk read the title of the bill.

The text of the bill is as follows:

S. 1405

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 ''Longfellow House-Washington's Headquarters National Historic Site Designation Act''.

SEC. 2. REDESIGNATION OF LONGFELLOW NATIONAL HISTORIC SITE, MASSACHUSETTS.

(a) IN GENERAL.—The Longfellow National Historic Site in Cambridge, Massachusetts, shall be known and designated as ''Longfellow House-Washington's Headquarters National Historic Site''.

(b) REFERENCES.—Any reference in a law, map, regulation, document, paper, or other record of the United States to the Longfellow National Historic Site shall be considered to be a reference to the ''Longfellow House-Washington's Headquarters National Historic Site''.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from West Virginia (Mr. RAHALL) and the gentleman from Utah (Mr. CHAFFETZ) each will control 20 minutes.

The Chair recognizes the gentleman from West Virginia.

GENERAL LEAVE

Mr. RAHALL. 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 bill under consideration.

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

There was no objection.

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

Mr. Speaker, the pending legislation would rename the Longfellow National Historic Site in Cambridge, Massachusetts, as the Longfellow House-Washington's Headquarters National Historic Site to better reflect the many chapters of American history which unfolded at this historic home.

This bill is one of the last measures sponsored by the late Senator from Massachusetts, Edward M. Kennedy. Senator Kennedy was instrumental in securing the funds needed to preserve this national historic site, and it is fitting that we pass his legislation renaming a site which meant so much to him.

I urge my colleagues to join me in supporting this small, final piece of a legislative legacy left to us by one of the true giants to ever serve in this Congress.

I reserve the balance of my time.

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

Mr. Speaker, S. 1405 has been adequately explained by the majority, and we support the legislation. We see no reason to oppose it.

I just want to briefly thank the chairman. I am a freshman here in this body. I appreciate the leadership that he gave and the way that he conducted the Natural Resources Committee. I understand he is going to be a ranking member or in leadership on, perhaps, a different committee. I didn't want to let this time pass and this opportunity pass without thanking him for his leadership, for his fairness and for being able to share things with young folks like myself who are new to the House. I just want to wish him all the best and thank him for his leadership.

I look forward to spending Christmas Eve here with you, unfortunately. Hopefully not.

I reserve the balance of my time.

Mr. RAHALL. Before I respond to that, Mr. Speaker, I am going to yield 2 minutes to my colleague from American Samoa (Mr. FALEOMAVAEGA).

Mr. FALEOMAVAEGA. I thank the gentleman for yielding.

I would also like to compliment the gentleman from Utah's statement.

Mr. Speaker, this probably will be the last opportunity that I will have to offer my compliments and my utmost respect and commendation for the way that the gentleman from West Virginia has conducted the affairs of our Natural Resources Committee under his chairmanship, of which I am deeply honored to be a part. He is second to none in terms of his leadership, his service, and his commitment to serving our Nation.

I wanted to say that for the record, and I want to thank my good friend from Utah for his compliments as well.

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

Mr. RAHALL. I do want to extend my appreciation to the gentleman from Utah for his comments.

Mr. Speaker, this may very well be the last time that our Committee on Natural Resources will have bills on the floor of the House in this 111th Congress. I wish to take just a moment of personal reflection to thank, not only the gentleman from Utah, but my ranking member—the gentleman from the State of Washington, DOC HASTINGS, as well.

I talked to Mr. HASTINGS this morning. He is not sleepless in Seattle but is snowed in in Seattle and is unable to be here today, but I did want to acknowledge his position on our committee and wish him the best next year as he assumes the reins of leadership as chairman of our committee.

It has been, I think, a good couple of terms under my chairmanship. We have worked in a nonpartisan manner as much as feasible and as much as possible. On not every bill have we seen eye to eye, but we have respectfully agreed to disagree where we have disagreed.

I want to thank the members on the majority's side. My colleagues from all over this country and from the American territories have been very helpful in drafting important legislation that has fallen in line with our vital responsibilities as stewards of our public lands.

I also want to say a word of commendation to the staffs on both sides. We have brought numerous bills—I don't even have a final tally in front of me—to the floor of this House. Many are still languishing over in that other body. I commend the work of the staffs on both the majority's and the minority's sides and the manner in which they have worked cooperatively and in a bipartisan fashion over these 4 years that I have chaired this committee. In particular, the gentleman sitting to my right, Mr. Jim Zoia, has been with me over three decades. While we will move on to another committee in the next Congress, we will always remember our years on the Natural Resources Committee and our working so well with both sides.

So, again, I wish to express my appreciation to my ranking member, DOC HASTINGS, and to all the members of our committee—both Republican and especially my side, the Democratic side.

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

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from West Virginia (Mr. RAHALL) that the House suspend the rules and pass the bill, S. 1405.

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

The yeas and nays were ordered.

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

45TH ANNIVERSARY OF THE WHITE HOUSE FELLOWS PROGRAM

Ms. CHU. Mr. Speaker, I move to suspend the rules and concur in the concurrent resolution (S. Con. Res. 72) recognizing the 45th anniversary of the White House Fellows Program.

The Clerk read the title of the concurrent resolution.

The text of the concurrent resolution is as follows:

S. CON. RES. 72

Whereas in 1964, John W. Gardner presented the idea of selecting a handful of outstanding men and women to travel to Washington, DC, to participate in a fellowship program that would educate such men and women about the workings of the highest levels of the Federal Government and about leadership, as they observed Federal officials in action and met with these officials and other leaders of society, thereby strengthening the abilities of such individuals to contribute to their communities, their professions, and the United States;

Whereas President Lyndon B. Johnson established the President's Commission on White House Fellowships, through Executive Order 11183 (as amended), to create a program that would select between 11 and 19 outstanding young citizens of the United States every year and bring them to Washington, DC, for ''first hand, high-level experience in the workings of the Federal Government, to establish an era when the young men and women of America and their government belonged to each other—belonged to each other in fact and in spirit'';

Whereas the White House Fellows Program has steadfastly remained a nonpartisan program that has served 9 Presidents exceptionally well;

Whereas the 672 White House Fellows who have served have established a legacy of leadership in every aspect of our society, including appointments as cabinet officers, ambassadors, special envoys, deputy and assistant secretaries of departments and senior White House staff, election to the House of Representatives, Senate, and State and local governments, appointments to the Federal, State, and local judiciary, appointments as United States Attorneys, leadership in many of the largest corporations and law firms in the United States, service as presidents of colleges and universities, deans of our most distinguished graduate schools, officials in nonprofit organizations, distinguished scholars and historians, and service as senior leaders in every branch of the United States Armed Forces;

Whereas this legacy of leadership is a resource that has been relied upon by the Nation during major challenges, including organizing resettlement operations following the Vietnam War, assisting with the national response to terrorist attacks, managing the aftermath of natural disasters such as Hurricanes Katrina and Rita, providing support to earthquake victims in Haiti, performing military service in Iraq and Afghanistan, and reforming and innovating the national and international securities and capital markets;

Whereas the 672 White House Fellows have characterized their post-Fellowship years with a lifetime commitment to public service, including creating a White House Fellows Community of Mutual Support for leadership at every level of government and in every element of our national life; and

Whereas September 1, 2010, marked the 45th anniversary of the first class of White House Fellows to serve this Nation: Now, therefore, be it

Resolved by the Senate (the House of Representatives concurring), That Congress—

(1) recognizes the 45th anniversary of the White House Fellows program and commends the White House Fellows for their continuing lifetime commitment to public service;

(2) acknowledges the legacy of leadership provided by White House Fellows over the years in their local communities, the Nation, and the world; and

(3) expresses appreciation and support for the continuing leadership of White House Fellows in all aspects of our national life in the years ahead.

The SPEAKER pro tempore. Pursuant to the rule, the gentlewoman from California (Ms. CHU) and the gentleman from Utah (Mr. CHAFFETZ) each will control 20 minutes.

The Chair recognizes the gentlewoman from California.

GENERAL LEAVE

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

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

There was no objection.

Ms. CHU. I yield myself such time as I may consume.

Mr. Speaker, I rise in support of Senate Concurrent Resolution 72, a concurrent resolution recognizing the 45th anniversary of the White House Fellows Program.

Senate Concurrent Resolution 72 was introduced by the Senator from Kansas, SAM BROWNBACK, on September 22, 2010. The Senate passed the resolution by unanimous consent on September 29, 2010. Notably, an identical measure, House Concurrent Resolution 320, was introduced by the gentleman from Texas, Representative JOE BARTON, on September 28, 2010, and was referred to the Committee on Oversight and Government Reform.

Suggested by the then president of the Carnegie Corporation, President Lyndon Johnson established the President's Commission on White House Fellowships on October 3, 1964. President Johnson stated that the program's mission was to give highly promising young citizens ''firsthand, high-level experience with the workings of the Federal Government and to increase their sense of participation in national affairs.''

The nonpartisan program selects between 11 and 19 outstanding applicants per year to take a full-time, paid fellowship position working with senior White House staff, Cabinet Secretaries and other top government officials. This type of participation at the highest levels of our government's leadership develops experience vital to a continued career serving the public.

□ 1450

The hundreds of former White House Fellows have gone on to serve the public in many critical roles. They have been appointed judges, U.S. Attorneys, ambassadors, and Cabinet officers. They have been elected to local, State, and national office, including here in the House of Representatives and in the Senate.

Mr. Speaker, let us now recognize the legacy of leadership that the White House Fellows Program has provided to our country for the last 45 years through the passage of Senate Concurrent Resolution 72, recognizing the program on its 45th anniversary. I urge my colleagues to join me in supporting it.

I reserve the balance of my time.

Mr. CHAFFETZ. I yield such time as he may consume to the gentleman from Texas (Mr. BARTON).

(Mr. BARTON of Texas asked and was given permission to revise and extend his remarks.)

Mr. BARTON of Texas. I thank the gentleman from Utah.

I want to thank the leadership on both sides for allowing and supporting this resolution. I'm happy in the House to be the primary sponsor. I also want to commend Speaker PELOSI and Minority Leader BOEHNER for scheduling

this so timely. I was told yesterday it would be on the floor at 2:45, and I walked on the floor at 2:43, and it was on the floor at 2:45. So that shows that the House can work in a bipartisan, efficient fashion when it so desires.

Mr. Speaker, I was a White House Fellow in the class of 1981 and 1982 under President Ronald Reagan. I was one of 14 Fellows that year. I worked for the Secretary of Energy, the Honorable James Edwards of South Carolina, the former Governor of South Carolina. The Deputy Secretary was Ken Anderson, and my direct report was J. Hunter Child III, the director of the Office of Policy, Planning and Analysis.

In my class in 1981–82, we had Mike Ullman, who's now the CEO of J.C. Penney; we had Paul Applegarth, who was a senior official at the World Bank and later became a Presidential appointee under President Bush. We had several military officers, Tom Shul, Ellie Heineman. We had a police captain from Oakland, Chip Stewart. And we had a cheerleader from the New England Patriots who later worked for the director of the FBI. So we had a very diverse class.

The White House Fellows is nonpartisan. In fact, I don't recollect one political question being asked me in the interview process. To show you the caliber of the folks that interviewed me, in the semifinals at the LBJ School in Austin, Texas, I was interviewed by Hillary Rodham Clinton and Sarah Weddington, who was the chief attorney in support of Roe v. Wade. At the national finals in Washington, D.C., Ed Fuelner, who was then and now head of the Heritage Foundation, was one of the individuals who interviewed me. So you had very staunch Democrats and also very staunch conservative Republicans.

But they were interested then and now not in your political views so much as they were interested in your vision for America and where you had been and, even more importantly, where you might go in the future.

Most Fellows are in their late twenties to mid thirties. Some are as old as their mid forties. You serve for 1 year for one of the senior officials in the White House or the Office of the Vice President or a Cabinet Secretary. It's a very diverse experience. You have real work to do, as has been pointed out. You are paid at the GS schedule 14, but you also develop a friendship with your Fellows and you have what's called an educational program where you meet with officials of that administration but also leaders in the country.

We met my fellowship year with, of course, the President, the Vice President, all the Cabinet Secretaries, but we also met with Tip O'Neill. We met with Tom Foley. Tip O'Neill was then Speaker and Tom Foley, I believe, was the majority leader or the whip. I think Mr. Foley was the whip. We met with Leon Jaworski who was the prosecutor in Watergate.

Each fellowship class gets to go on some trips, both domestically and internationally. We took three domestic trips or four domestic trips. We went to California where Congressman Leon Panetta hosted us. We went to New York City, had a helicopter ride where we went over the old Yankee stadium. We went to Chicago, and I was able to get the class to come down to Texas, and we visited in Texas.

It is a tremendous program. Since President Johnson initiated it in 1965, over I think 672 young men and women have served as White House Fellows. Members of this body include, in addition to myself, former Congressman Tom Campbell of California, former Congressman and Senator Tim Wirth of Colorado, and in the other body, Senator Dave Karnes of the great State of Nebraska.

It's a program that encourages you once you've been a White House Fellow to be in public service or at least community service, either in the business world or in your civic or, in some cases, elective office. I wouldn't be on the floor of the House of Representatives today, Mr. Speaker, if it had not been for the White House Fellows Program. I believed before I became a Fellow that Washington was this mystic place that most of the time was nonfunctional and very difficult to navigate. The White House Fellowship Program gave me a window on government in Washington, in both the executive and the legislative branches, and it showed me that there were people of good will on both sides of the aisle, in the executive and the legislative branches. It showed me that in spite of what some people think this is a very transparent, open process. If you have an issue and you want to have an impact in our America, that is still possible; and I cannot say anything but the most positive things, Mr. Speaker, about the White House Fellows Program.

So I'm very glad on behalf of the other 671 former and current White House Fellows to be the chief House sponsor, very appreciative of it moving through the Senate, very appreciative of our Speaker and minority leader, Mr. BOEHNER and Ms. PELOSI, putting it up on the floor; and I would certainly encourage a unanimous vote in support of it.

I want to thank my good friend from Utah for yielding.

Mr. Speaker, I rise today in support of S. Con. Res. 72, to recognize the 45th anniversary of the White House Fellows Program.

The White House Fellows Program, as envisioned by President Johnson, was designed "to give the Fellows first hand, high-level experience with the workings of the Federal government and to increase their sense of participation in national affairs." In the fall of 1965, the first class of Fellows was named. The program is nonpartisan, and has remained so through nine administrations. Each year between 11 and 19 Americans are chosen for this once-in-a-lifetime experience. The Fellows are placed into various agencies of government and are then able to work hand-in-hand with leaders at the highest levels of government. In return for the Fellowship year, the Fellows are expected to repay the privilege of serving by continuing to work as private citizens on their public agendas.

To date, more than 600 White House Fellows have served the Federal government and established a record of leadership and service. A number of former Fellows have gone on to serve their government and communities in important ways, by receiving appointments as Cabinet officials and senior White House staff, election to the House of Representatives, Senate, and State and local government, appointments to the Federal, State, and local benches, appointments as United States Attorneys, leadership in many of the Nation's largest corporations and law firms, presidents of colleges and universities, deans of distinguished graduate schools, officials in nonprofit organizations, distinguished scholars and historians, and service as senior leaders in every branch of the United States Armed Forces.

In 1981, I was honored to be selected to serve as a White House Fellow in the Reagan Administration and was placed in the Department of Energy. This was an experience where I gained valuable insight and knowledge about leadership and public policy, and it was a privilege to serve in this unique capacity.

I believe the White House Fellows program is worthy of recognition, and I commend those who have worked to make it a success and a national resource for all branches of our government.

Mr. CHAFFETZ. Mr. Speaker, I would like to commend those individuals who were once Fellows and have gone on to serve our Nation with such distinction. I urge all Members to join me in support of this resolution, and I yield back the balance of our time.

Ms. CHU. Mr. Speaker, I again urge my colleagues to join me in supporting this measure, and I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentlewoman from California (Ms. CHU) that the House suspend the rules and concur in the concurrent resolution, S. Con. Res. 72.

The question was taken.

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

Ms. CHU. Mr. Speaker, I object to the vote on the ground that a quorum is not present and make the point of order that a quorum is not present.

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.

The point of no quorum is considered withdrawn.

PRIVATE ISAAC T. CORTES POST OFFICE

Ms. CHU. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 6205) to designate the facility of the United States Postal Service located at

1449 West Avenue in Bronx, New York, as the ''Private Isaac T. Cortes Post Office''.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 6205

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

SECTION 1. PRIVATE ISAAC T. CORTES POST OFFICE.

(a) DESIGNATION.—The facility of the United States Postal Service located at 1449 West Avenue in Bronx, New York, shall be known and designated as the ''Private Isaac T. Cortes 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 ''Private Isaac T. Cortes Post Office''.

The SPEAKER pro tempore. Pursuant to the rule, the gentlewoman from California (Ms. CHU) and the gentleman from Utah (Mr. CHAFFETZ) each will control 20 minutes.

The Chair recognizes the gentlewoman from California.

GENERAL LEAVE

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

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

There was no objection.

□ 1500

Ms. CHU. I now yield myself such time as I may consume.

Mr. Speaker, I rise in support of H.R. 6205, a bill to designate the facility of the United States Postal Service located at 1449 West Avenue in Bronx, New York, as the Private Isaac T. Cortes Post Office. H.R. 6205 was introduced by our colleague, the gentleman from New York, Representative JOSEPH CROWLEY, on September 23, 2010. The measure enjoys the support of New York's entire delegation to the House.

A native of the Bronx, Private Isaac T. Cortes held several jobs before enlisting in the Army. He was very proud to work as a security guard at Yankee Stadium and at one point hoped to become an officer with the New York City Police Department. He enlisted with the Army in November 2006 to gain experience that would help him achieve that goal, but later decided to become a career military man.

Private Cortes served as an infantryman with the 1st Squadron, 71st Cavalry Regiment, 1st Brigade Combat Team, 10th Mountain Division, Light Infantry, based out of Fort Drum, New York. He was a Humvee driver and performed operator-level maintenance on the vehicle. While overseas in Iraq, he participated in mountain Humvee and dismounted walking patrols. Private Cortes engaged in weapons cache searches and humanitarian aid missions to the local Iraqi people.

Sadly, on November 27, 2007, Private Cortes was one of two soldiers killed when an improvised explosive device was detonated as his vehicle rode past Amerli, Iraq, about 100 miles north of Baghdad. His awards and decorations include the Purple Heart, the Bronze Star, National Defense Service Medal, Iraq Campaign Medal, Global War on Terrorism Service Medal, and Army Service Medal.

He is survived by his parents, Emily and Isaias, his younger brother Christopher, a young daughter Amaria, and a large extended family. They remember Private Cortes as the kid who would help elders carry groceries, the young man who would play with his younger cousins, and the father who wanted to be the best he could be for his young child. Today we also remember him as the soldier who made the ultimate sacrifice for his country.

Mr. Speaker, let us now pay tribute to the life and service of Private Isaac T. Cortes by designating the postal facility on West Avenue in the Bronx in his honor.

I urge my colleagues to join me in supporting H.R. 6205.

I reserve the balance of my time.

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

I rise today in strong support of H.R. 6205, to designate the facility of the United States Postal Service located at 1449 West Avenue in Bronx, New York, as the Private Isaac T. Cortes Post Office.

Mr. Speaker, Private Cortes was born and raised in the Bronx and joined the Army in November of 2006. After basic training, he was assigned to the 10th Mountain Division based out of Fort Drum, New York. In September 2007, Private Cortes deployed to Iraq to support Operation Iraqi Freedom. And sadly, Mr. Speaker, less than 2 months later, on November 27, 2007, Private Cortes died when the vehicle he was riding in was struck by an improvised explosive device. Private Cortes was awarded the Purple Heart and the Bronze Star to honor his bravery and courage.

Mr. Speaker, it is altogether fitting and proper that we name this post office to honor Private Cortes. This was a man who made the ultimate sacrifice for his country, fighting for our freedom and the freedom of the Iraqi people. The least we can do is honor his memory by naming this post office after him. I join all Members to join me in strong support of this bill.

I yield back the balance of my time.

Ms. CHU. Mr. Speaker, I again urge my colleagues to join me in supporting this measure.

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 gentlewoman from California (Ms. CHU) that the House suspend the rules and pass the bill, H.R. 6205.

The question was taken.

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

Ms. CHU. Mr. Speaker, I object to the vote on the ground that a quorum is not present and make the point of order that a quorum is not present.

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.

The point of no quorum is considered withdrawn.

FOR VETS ACT OF 2010

Ms. CHU. Mr. Speaker, I move to suspend the rules and pass the bill (S. 3794) to amend chapter 5 of title 40, United States Code, to include organizations whose membership comprises substantially veterans as recipient organizations for the donation of Federal surplus personal property through State agencies.

The Clerk read the title of the bill.

The text of the bill is as follows:

S. 3794

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 ''Formerly Owned Resources for Veterans to Express Thanks for Service Act of 2010'' or ''FOR VETS Act of 2010''.

SEC. 2. RECIPIENTS OF CERTAIN FEDERAL SURPLUS PERSONAL PROPERTY.

Section 549(c)(3)(B) of title 40, United States Code, is amended—

(1) in clause (viii), by striking ''or'' after the semicolon;

(2) in clause (ix), by striking the period and inserting ''; or''; and

(3) by adding at the end the following:

''(x) an organization whose—''

''(I) membership comprises substantially veterans (as defined under section 101 of title 38); and

''(II) representatives are recognized by the Secretary of Veterans Affairs under section 5902 of title 38.''.

The SPEAKER pro tempore. Pursuant to the rule, the gentlewoman from California (Ms. CHU) and the gentleman from Utah (Mr. CHAFFETZ) each will control 20 minutes.

The Chair recognizes the gentlewoman from California.

GENERAL LEAVE

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

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

There was no objection.

Ms. CHU. I yield myself such time as I may consume.

Mr. Speaker, on behalf of the House Committee on Oversight and Government Reform, I present S. 3794, the FOR VETS Act of 2010. The measure authorizes the transfer of Federal surplus property to State agencies for donation within the State for veterans organizations.

S. 3794 was introduced by our colleague in the other Chamber, Senator PATRICK LEAHY of Vermont, on September 16, 2010. It was referred to the

Senate Committee on Homeland Security and Governmental Affairs and agreed to in the Senate, with amendment, by unanimous consent. The bill was referred to the House Committee on Oversight and Government Reform on November 15, 2010.

This bill, which was originally known as the Formerly Owned Resources for Veterans to Express Thanks for Service Act of 2010, adds veterans groups to the list of entities already eligible to receive the transfer of surplus Federal property from State agencies through donation. Under this measure, eligible groups will include education or public health organizations whose membership is substantially comprised of veterans and whose representatives are recognized by the Secretary of Veterans Affairs.

Mr. Speaker, S. 3794 provides unneeded and unutilized Federal property to assist our veterans in their daily lives. This is a small token of our gratitude for their sacrifices on behalf of our country, but one that can make a great difference to those proud men and women who have given so much for us. I would like to thank Senator LEAHY, Chairman TOWNS, and Ranking Member ISSA for their hard work on this bill; and I encourage my colleagues to join me in supporting this commonsense legislation.

I reserve the balance of my time.

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

I rise today in support of S. 3794, the FOR VETS Act of 2010. Mr. Speaker, this is a simple bill that is long overdue. The FOR VETS Act, known as the Formerly Owned Resources for Veterans to Express Thanks for Service Act—that's a great acronym right there—makes organizations whose membership is comprised primarily of veterans eligible to receive excess personal Federal property. I think it's appropriate that we draw a distinction between personal property and real property. There are major differences, and the value is certainly one of them.

Every day, Mr. Speaker, the General Services Administration, through State agencies, donates surplus goods, such as computers and home appliances, to a wide variety of organizations such as hospitals, schools, and public libraries. The FOR VETS Act simply adds veterans organizations to this list of eligible recipients who can receive the excess Federal personal property. The property being donated under the FOR VETS Act will be items that the Federal Government is no longer using. I can't imagine a more deserving segment of the population to which we should be donating this excess property.

□ 1510

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

Ms. CHU. Mr. Speaker, I again urge my colleagues to join me in supporting this measure, and I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentlewoman from California (Ms. CHU) that the House suspend the rules and pass the bill, S. 3794.

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.

MESSAGE FROM THE SENATE

A message from the Senate by Ms. Curtis, one of its clerks, announced that the Senate has passed a bill of the following title in which the concurrence of the House is requested:

S. 372. An act to amend chapter 23 of title 5, United States Code, to clarify the disclosures of information protected from prohibited personnel practices, require a statement in nondisclosure policies, forms, and agreements that such policies, forms, and agreements conform with certain disclosure protections, provide certain authority for the Special Counsel, and for other purposes.

The message also announced that the Senate has agreed to a concurrent resolution of the following title in which the concurrence of the House is requested:

S. Con. Res. 77. Concurrent resolution to provide for the approval of final regulations issued by the Office of Compliance to implement the Veterans Employment Opportunities Act of 1998 that apply to certain legislative branch employing offices and their covered employees.

The message also announced that the Senate agrees to the amendment of the House to the bill (S. 3817) ''An Act to amend the Child Abuse Prevention and Treatment Act, the Family Violence Prevention and Services Act, the Child Abuse Prevention and Treatment and Adoption Reform Act of 1978, and the Abandoned Infants Assistance Act of 1988 to reauthorize the Acts, and for other purposes.''.

CONGRATULATING GERDA WEISSMANN KLEIN ON PRESIDENTIAL MEDAL OF FREEDOM

Ms. CHU. Mr. Speaker, I move to suspend the rules and agree to the resolution (H. Res. 1743) congratulating Gerda Weissmann Klein on being selected to receive the Presidential Medal of Freedom, as amended.

The Clerk read the title of the resolution.

The text of the resolution is as follows:

H. RES. 1743

Whereas Gerda Weissmann was born in Bielsko, Poland in 1924;

Whereas within months of the German invasion of Poland in 1939, Ms. Weissmann's brother Arthur was taken away by the Germans and the remainder of her family was forced to live in a ghetto;

Whereas Ms. Weissmann was soon separated from her parents, who were sent to Auschwitz;

Whereas Ms. Weissmann was forced to spend the next 3 years in a succession of slave-labor and concentration camps;

Whereas in 1945, Ms. Weissmann was forced to walk in a 350-mile death march during which 2,000 women, including Ms. Weissmann, were subjected to starvation, exposure, and arbitrary execution;

Whereas the death march ended in Volary, Czechoslovakia, when the survivors were liberated by the United States Army;

Whereas Ms. Weissmann was one of less than 120 women to survive the death march;

Whereas one of the American Army officers who helped liberate the survivors was German-born Lieutenant Kurt Klein, whose parents had been murdered in Auschwitz;

Whereas Ms. Weissmann and Lieutenant Klein fell in love, got married, and moved to the United States to start a family;

Whereas upon moving to the United States, Mrs. Weissmann Klein worked vigilantly to promote Holocaust education and remembrance, teach tolerance, and combat hunger;

Whereas Mrs. Weissmann Klein's first book, *All But My Life*, was published in 1957, and chronicles her courageous struggle for survival during the Holocaust;

Whereas *One Survivor Remembers*, a documentary about Mrs. Weissmann Klein's experiences during the Holocaust, won an Academy Award in 1996;

Whereas Mrs. Weissmann Klein's lifelong work has been to repay this country for her freedom and the boundless opportunities given to her, she founded Citizenship Counts, a nonprofit organization that teaches today's youth to appreciate and celebrate the majesty of their American citizenship;

Whereas Mrs. Weissmann Klein's life and work have inspired generations of Americans and countless individuals from around the world; and

Whereas, on November 17, 2010, President Barack Obama announced that Gerda Weissmann Klein would be awarded the Presidential Medal of Freedom: Now, therefore, be it

Resolved, That the House of Representatives congratulates Gerda Weissmann Klein on being selected to receive the Presidential Medal of Freedom.

The SPEAKER pro tempore. Pursuant to the rule, the gentlewoman from California (Ms. CHU) and the gentleman from Utah (Mr. CHAFFETZ) each will control 20 minutes.

The Chair recognizes the gentlewoman from California.

GENERAL LEAVE

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

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

There was no objection.

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

Mr. Speaker, I rise in support of House Resolution 1743, a measure congratulating Gerda Weissmann Klein on being selected to receive the Presidential Medal of Freedom. House Resolution 1743 was introduced by our colleague, the gentleman from Arizona, Representative HARRY MITCHELL, on December 1, 2010. The measure enjoys the support of over 90 Members of the House.

Mr. Speaker, in 1939, Mrs. Weissmann Klein was living in Poland at the age of 15. Within months of the German invasion of Poland that year, she began to

lose her family. Her beloved older brother, Arthur, was taken away by the Germans, and the remainder of her family was forced to live in a ghetto. Later, the Nazis separated her from her parents, sending them to Auschwitz.

Weissmann Klein was forced to spend 3 years in a series of concentration and slave labor camps from 1942 to 1945. In 1945, she and the other inmates of her camp were sent on a 350-mile death march to avoid the advance of Allied forces. When the U.S. Army liberated the survivors of the march in Volary, Czechoslovakia on May 7, 1945, she was one of fewer than 120 out of 2,000 women to survive.

After the war, she married Lieutenant Kurt Klein of the U.S. Army, an intelligence officer present at the liberation at Volary. She settled with Kurt in Buffalo, New York, and had three children. She then spent decades telling her story, giving speeches, and writing books offering a message of hope drawn from her struggle for survival.

She and Kurt also got involved in a number of charity efforts. In 1998, they started the Gerda and Kurt Klein Foundation, a public nonprofit foundation which promoted the teaching of tolerance, respect for others, and the value of community service. Currently, she is focusing her efforts on her new foundation, Citizenship Counts, a nonprofit organization that reaches out to middle and high school students to promote the appreciation and potential of American citizenship and the democratic process.

For her life of service and promotion of tolerance and understanding among all people, President Obama announced that early next year, Gerda Weissmann Klein will be one of 15 recipients of the Nation's highest civilian honor, the Presidential Medal of Freedom.

Mr. Speaker, let us now pay tribute to Mrs. Weissmann Klein and congratulate her on being selected for the Presidential Medal of Freedom through the passage of House Resolution 1743. I urge my colleagues to support it.

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

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

I rise today in support of House Resolution 1743, congratulating Gerda Weissmann Klein on being selected to receive the Presidential Medal of Freedom.

Mr. Speaker, last month, on November 17, Gerda Weissmann Klein was informed that she will be receiving the Presidential Medal of Freedom. This award is the highest civilian honor that an American can receive, and Ms. Klein is very deserving.

She was born in Poland in 1924, and was taken prisoner when Nazi Germany invaded Poland in 1939. After being separated from her parents, Ms. Klein spent the next 6 years in concentration camps—6 years.

In 1945, Ms. Weissmann was forced to walk 350 miles in a death march where roughly 2,000 women were subjected to starvation, exposure, and arbitrary execution. Ms. Weissmann was one of less than 120 women who miraculously survived the death march and were liberated by the United States forces in Czechoslovakia.

One of the U.S. soldiers who was there to liberate the women was Lieutenant Kurt Klein. Klein and Ms. Weissmann soon fell in love and were later married.

Since moving to America after the war, Mrs. Weissmann Klein has worked tirelessly to promote Holocaust education and remembrance, teach tolerance, and combat hunger. She has written multiple books about her experience as a Holocaust survivor, and, to this day, she works to promote tolerance and educate people about the horrors of the Holocaust.

It is with great honor I commend her on being selected to receive this award and thank her for the work she has done.

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

Ms. CHU. Mr. Speaker, I am pleased to yield 5 minutes to the sponsor of this resolution, Representative HARRY MITCHELL from Arizona.

Mr. MITCHELL. Mr. Speaker, I rise today in support of H. Res. 1743, as amended, a resolution congratulating Gerda Weissmann Klein on receiving the Presidential Medal of Freedom.

Mrs. Weissmann Klein's story is remarkable and represents so much of what is so great about America. She was born in Bielsko, Poland in 1924. She was just 15 years old when Germany invaded her homeland in 1939, and the world she knew changed forever. Her brother, Arthur, was taken by the Nazis. Her parents were sent to death camps in Auschwitz. For 3 years, Gerda was forced to endure a succession of slave labor and concentration camps.

In 1945, Gerda was one of 2,000 women forced by Nazis to walk a 350-mile death march, during which women were subjected to starvation, exposure, and arbitrary execution. The death march finally ended in Volary, Czechoslovakia, when the survivors were liberated by the United States Army. Gerda was one of fewer than 120 women who survived.

One of the American Army officers who helped liberate Gerda that day was a German-born Lieutenant named Kurt Klein, whose parents had been murdered at Auschwitz. Gerda and Kurt fell in love, got married, and moved to the United States and started a family.

Once here, Gerda and Kurt worked diligently to promote Holocaust education and remembrance. They taught tolerance and worked to combat hunger.

Gerda became a United States citizen, a privilege for which she has devoted her life's work as gratitude. She founded Citizenship Counts, a nonprofit organization that teaches our youth to appreciate and celebrate the majesty of their American citizenship.

In 1957, Gerda's first book, ''All But My Life,'' was published. It chronicles her courageous struggle for survival during the Holocaust. In 1996, ''One Survivor Remembers,'' a documentary about her experiences during the Holocaust, won an Academy Award.

Gerda Weissman Klein's life and work have inspired generations of Americans and countless individuals around the world.

Last month, President Barack Obama announced that Gerda Weissmann Klein would be awarded the Presidential Medal of Freedom. This is the highest civilian honor that can be bestowed, and it is well deserved.

I urge my colleagues to support this resolution, as amended.

Before I yield, I want to thank Representative JEAN SCHMIDT for partnering with me on this resolution. I also want to thank Chairman TOWNS and Ranking Member ISSA, as well as both the majority and minority member staffs, for helping bring this resolution to the floor.

□ 1520

Mr. CHAFFETZ. Mr. Speaker, I have been very critical of a lot of resolutions that have come to the floor recognizing things like the Hollywood Walk of Fame. But there are certain people, certain things that rise to a level of excellence that are so extraordinary that they deserve the recognition of this Nation and of this body, and I find that this fits that category. So it is my honor to join in strong support of this resolution and urge my colleagues to vote for it.

Mrs. SCHMIDT. Mr. Speaker, I rise in strong support of H. Res. 1743. I was honored to join with Congressman MITCHELL to introduce this Resolution which congratulates Gerda Weissmann Klein on being selected to receive the Presidential Medal of Freedom.

Mrs. Weissmann Klein was born in 1924 in Bielsko, Poland. She is a Holocaust survivor and an amazing person with a truly inspirational story.

When Germany invaded Poland in 1939, her family was forced to live in a ghetto. She was separated from her family and spent 3 years in slave-labor and concentration camps. In 1945, she was forced to walk a 350-mile death march that ended in Volary, Czechoslovakia. Out of 2,000 women, less than 120 survived.

A true love story, she met her future husband, German-born U.S. Army Lieutenant Kurt Klein, amongst the liberators in Volary. They married, moved to the United States, and started a family.

Mrs. Weissmann Klein has led a dignified life in the United States. She is dedicated to her family and to educating others about many things, including the Holocaust and the importance of citizenship.

She is the author of five books. Among them is one the best biographies I have ever read, All But My Lift, which recounts her experiences before and after the Holocaust. The award winning documentary, One Survivor Remembers, is based upon All But My Life and won an Emmy Award and the Academy Award for documentary short subject.

The glass is always half full with Mrs. Weissmann Klein. She has personally witnessed the very worst of humanity, yet she rises above it to promote courage, compassion, forgiveness, and the meaning of freedom.

I was fortunate to meet Mrs. Weissmann Klein when she was in Ohio to speak with a school group. She has spoken with many students throughout the country, including those in my own Congressional District in Southwest Ohio.

Mrs. Weissmann Klein will receive the Presidential Medal of Freedom in early 2011. I hope that all our colleagues in the House will join us in congratulating her on this well-deserved honor.

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

Ms. CHU. Mr. Speaker, I again urge my colleagues to join me in supporting this measure, and I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentlewoman from California (Ms. CHU) that the House suspend the rules and agree to the resolution, H. Res. 1743, 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.

Ms. CHU. Mr. Speaker, I object to the vote on the ground that a quorum is not present and make the point of order that a quorum is not present.

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.

The point of no quorum is considered withdrawn.

HARRY T. AND HARRIETTE MOORE POST OFFICE

Ms. CHU. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 5446) to designate the facility of the United States Postal Service located at 600 Florida Avenue in Cocoa, Florida, as the ''Harry T. and Harriette Moore Post Office''.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 5446

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

SECTION 1. HARRY T. AND HARRIETTE MOORE POST OFFICE.

(a) DESIGNATION.—The facility of the United States Postal Service located at 600 Florida Avenue in Cocoa, Florida, shall be known and designated as the ''Harry T. and Harriette Moore 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 ''Harry T. and Harriette Moore Post Office''.

The SPEAKER pro tempore. Pursuant to the rule, the gentlewoman from California (Ms. CHU) and the gentleman from Utah (Mr. CHAFFETZ) each will control 20 minutes.

The Chair recognizes the gentlewoman from California.

GENERAL LEAVE

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

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

There was no objection.

Ms. CHU. I yield myself such time as I may consume.

Mr. Speaker, I rise in support of H.R. 5446, a bill to designate the facility of the United States Postal Service located at 600 Florida Avenue in Cocoa, Florida, as the Harry T. and Harriette Moore Post Office.

H.R. 5446 was introduced by our colleague, the gentleman from Florida, Representative BILL POSEY, on May 27, 2010.

Mr. Speaker, Harry Tyson Moore was born in Houston, Florida, on November 18, 1905. He excelled in his schooling and graduated from Bethune-Cookman College in 1936. He soon after accepted a teaching position in a segregated school in Cocoa, Florida, and later became principal of the Titusville Colored School in Brevard County. There, he met Harriette Simms. The two married on Christmas Day, 1926, and had two daughters, Annie and Juanita.

After the birth of their two daughters, Harry and Harriette Moore founded the first branch of the NAACP in Brevard County, Florida, in 1934. They also helped the Florida State Conference of the NAACP in 1941, and Harry Moore took an unpaid position as its secretary.

The Moores led a successful effort to advance civil rights. In 1937, Harry Moore filed the first lawsuit in the Deep South to equalize salaries of black teachers with white teachers in public schools. This effort failed at first, but it laid the foundation for other lawsuits that succeeded.

In 1943, Moore began reviewing every incident of lynching involving black people in the State of Florida, taking affidavits from victims' families and launching investigations. He pursued this effort for the rest of his life.

In 1944, the Supreme Court ruled in Smith v. Allwright that all-white primaries in Texas and other States were unconstitutional, a major victory for the NAACP. Moore then organized a group called the Progressive Voters League and spent 6 years registering over 116,000 black voters in the Florida Democratic Party. This activism led the Florida public school system to fire and blacklist the Moores in 1946, after which Harry Moore became a full-time paid activist for the Florida NAACP.

In July 1949, he got involved in a police brutality case in Groveland, Florida, where he uncovered evidence that four black men accused of rape had been beaten. Moore leveled brutality charges against Lake County Sheriff Willis McCall. Three of the defendants were convicted in 1949, but two of the convictions were overturned by the U.S. Supreme Court. Lake County prepared to put the two on trial again, and on November 6, 1951, while Sheriff McCall drove them back to Lake County for a pretrial hearing, he shot the two handcuffed men, killing one and critically wounding the second. Moore immediately called for Sheriff McCall to be suspended and indicted for murder.

Six weeks later, on Christmas Day, 1951, Harry Moore was killed when a bomb exploded beneath the floor joists under his bed. Harriette died of her injuries 9 days later. Harry Moore was the first NAACP official murdered in the civil rights struggle, and Harry and Harriette Moore remain the only married couple to be murdered for their activism in the era. The FBI was unable to file charges due to a lack of evidence, but it was suspected to be the work of central Florida members of the Ku Klux Klan.

Harry Moore has been called the first martyr of the 1950s civil rights movement. The Moores' murder sent a shock around the country and around the world, drawing attention to the movement.

Mr. Speaker, the extensive efforts of the Moores during the civil rights movement is worthy of our greatest praise. Let us now pay tribute to the life and work of Harry T. and Harriette Moore by designating the postal facility on Florida Avenue in Cocoa, Florida, in their honor. I urge my colleagues to vote in favor of H.R. 5446.

I reserve the balance of my time.

Mr. CHAFFETZ. Mr. Speaker, let me simply say the majority has done a wonderful and thorough job of describing the justification for this bill. I commend Mr. POSEY, our colleague from Florida, for introducing this bill and urge support of this bill.

Mr. POSEY. Mr. Speaker, I am pleased to rise today in support of legislation I introduced earlier this year (H.R. 5446) to name the U.S. Post Office in Cocoa, Florida in honor of Harry T. and Harriette Moore.

Harry T. Moore and his wife Harriette Moore served as pioneer trailblazers of the modern civil rights movement, propelling the struggle for justice and equality far beyond the borders of their home in Brevard County, Florida. Remembered for their dignity, compassion, and emphasis on education, Mr. and Mrs. Moore left a legacy that remains close to the hearts of community members; one that is sure to outlast the lengths of their lives that were so tragically cut short.

Harry began his first job as an elementary teacher at Monroe Elementary School in Cocoa, Florida in 1925. It is only fitting that the Post Office in the community where he began his service to this community bear his name. Two years later, Harry began a decade of service as a High School Principal in Titusville. Then, from 1936–1946 he served as Principal and Fifth and Sixth Grade teacher in Mims.

The couple first met in Brevard County when Harry was serving as a principal in Titusville and Harriette was an elementary school teacher. They were married on Christmas Day in 1926. They were blessed with two daughters and they committed the duration of

their lives to the pursuit of civil justice for African Americans.

In 1934, the Moores founded the Brevard County Chapter of the NAACP, which led to a Statewide NAACP Conference in 1941. Mr. Moore served as the President of the Florida State Conference of NAACP chapters, as well as the founder and Executive Director of the Progressive Voters League. It was through these channels that the Moores propelled progress on such issues as equality, education, and voter registration. Their steadfast adherence to equality was not without a price, however, as both Mr. and Mrs. Moore were fired from their teaching jobs and found it difficult to find employment due to their activism. To proclaim them pillars of the community would be an understatement.

As the couple also celebrated their 25th wedding anniversary on Christmas Eve, 1951, a bomb exploded beneath their home. Mr. Moore died on the way to the hospital, and Mrs. Moore died as a result of her injuries 9 days later. The tragic murder, which cut short the lives of this heroic couple, sparked an even more resounding outcry for civil rights.

Having recognized the profound impact the Moores made on the community, Brevard County has since honored them by designating their homesite a Florida Historical Heritage Landmark, creating the Harry T. and Harriette Moore Memorial Park and Interpretive Center, and naming its Justice Center after the trailblazing couple. Additionally, the NAACP posthumously awarded Mr. Moore the Spingarn Medal for outstanding achievement by an African American. Both of these fine citizens undoubtedly touched the lives of others with the dedication, integrity, persistence, compassion, and commitment each of them so courageously demonstrated.

Approving H.R. 5446 will further honor the achievements and sacrifices of Harry T. and Harriette Moore, the leaders and first martyrs of our Nation's modern civil rights era. By designating the United States Postal Service located at 600 Florida Avenue in Cocoa, Florida as the "Harry T. and Harriette Moore Post Office", we will commemorate the Moores' legacy in a town where Mr. Moore began his service to others. This will serve as a reminder to this community of the important and lasting contribution the Moore's made to Cocoa and the Nation. I urge my colleagues to support me on this measure.

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

Ms. CHU. Mr. Speaker, I again urge my colleagues to join me in supporting this measure, and I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentlewoman from California (Ms. CHU) that the House suspend the rules and pass the bill, H.R. 5446.

The question was taken.

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

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

The yeas and nays were ordered.

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

CENSUS OVERSIGHT EFFICIENCY AND MANAGEMENT REFORM ACT OF 2010

Mrs. MALONEY. Mr. Speaker, I move to suspend the rules and pass the bill (S. 3167) to amend title 13 of the United States Code to provide for a 5-year term of office for the Director of the Census and to provide for the authority and duties of the Director and Deputy Director of the Census, and for other purposes.

The Clerk read the title of the bill.

The text of the bill is as follows:

S. 3167

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 ''Census Oversight Efficiency and Management Reform Act of 2010''.

SEC. 2. AUTHORITY AND DUTIES OF DIRECTOR AND DEPUTY DIRECTOR OF THE CENSUS.

(a) IN GENERAL.—Section 21 of the title 13, United States Code, is amended to read as follows:

''§ 21. Director of the Census; Deputy Director of the Census; authority and duties

''(a) DEFINITIONS.—As used in this section—

''(1) 'Director' means the Director of the Census;

''(2) 'Deputy Director' means the Deputy Director of the Census; and

''(3) 'function' includes any duty, obligation, power, authority, responsibility, right, privilege, activity, or program.

''(b) DIRECTOR OF THE CENSUS.—

''(1) APPOINTMENT.—

''(A) IN GENERAL.—The Bureau shall be headed by a Director of the Census, appointed by the President, by and with the advice and consent of the Senate.

''(B) QUALIFICATIONS.—Such appointment shall be made from individuals who have a demonstrated ability in managing large organizations and experience in the collection, analysis, and use of statistical data.

''(2) GENERAL AUTHORITY AND DUTIES.—

''(A) IN GENERAL.—The Director shall report directly to the Secretary without being required to report through any other official of the Department of Commerce.

''(B) DUTIES.—The Director shall perform such duties as may be imposed upon the Director by law, regulation, or orders of the Secretary.

''(C) INDEPENDENCE OF DIRECTOR.—No officer or agency of the United States shall have any authority to require the Director to submit legislative recommendations, or testimony, or comments for review prior to the submission of such recommendations, testimony, or comments to Congress if such recommendations, testimony, or comments to Congress include a statement indicating that the views expressed therein are those of the Bureau and do not necessarily represent the views of the President.

''(3) TERM OF OFFICE.—

''(A) IN GENERAL.—The term of office of the Director shall be 5 years, and shall begin on January 1, 2012, and every fifth year thereafter. An individual may not serve more than 2 full terms as Director.

''(B) VACANCIES.—Any individual appointed to fill a vacancy in such position, occurring before the expiration of the term for which such individual's predecessor was appointed, shall be appointed for the remainder of that term. The Director may serve after the end of the Director's term until reappointed or until a successor has been appointed, but in no event longer than 1 year after the end of such term.

''(C) REMOVAL.—An individual serving as Director may be removed from office by the President. The President shall communicate in writing the reasons for any such removal to both Houses of Congress not later than 60 days before the removal.

''(4) FUNCTIONS.—The Director shall be responsible for the exercise of all powers and the discharge of all duties of the Bureau, and shall have authority and control over all personnel and activities thereof.

''(5) ORGANIZATION.—The Director may establish, alter, consolidate, or discontinue such organizational units or components within the Bureau as the Director considers necessary or appropriate, except that this paragraph shall not apply with respect to any unit or component provided for by law.

''(6) ADVISORY COMMITTEES.—

''(A) ADVISORY COMMITTEES GENERALLY.—

''(i) AUTHORITY TO ESTABLISH.—The Director may establish such advisory committees as the Director considers appropriate to provide advice with respect to any function of the Director.

''(ii) COMPENSATION AND EXPENSES.—Members of any advisory committee established under clause (i) shall serve without compensation, but shall be entitled to transportation expenses and per diem in lieu of subsistence in accordance with section 5703 of title 5.

''(B) TECHNOLOGY ADVISORY COMMITTEE.—

''(i) IN GENERAL.—Not later than 180 days after the date of the enactment of the Census Oversight Efficiency and Management Reform Act of 2010, the Director shall establish a technology advisory committee under subparagraph (A).

''(ii) MEMBERSHIP.—Members of the technology advisory committee shall be selected from the public, private, and academic sectors from among those who have experience in technologies and services relevant to the planning and execution of the census.

''(iii) DUTIES.—The technology advisory committee shall make recommendations to the Director and publish reports on the use of commercially available technologies and services to improve efficiencies and manage costs in the implementation of the census and census-related activities, including pilot projects.

''(7) REGULATIONS.—The Director may, in consultation with the Secretary, prescribe such rules and regulations as the Director considers necessary or appropriate to carry out the functions of the Director.

''(8) DELEGATIONS, ETC.—The Director may assign duties, and delegate, or authorize successive redelegations of, authority to act and to render decisions, to such officers and employees of the Bureau as the Director may find necessary. Within the limitations of such assignments, delegations, or redelegations, all official acts and decisions of such officers and employees shall have the same force and effect as though performed or rendered by the Director. An assignment, delegation, or redelegation under this paragraph may not take effect before the date on which notice of such assignment, delegation, or redelegation (as the case may be) is published in the Federal Register.

''(9) OTHER AUTHORITIES.—

''(A) PERSONNEL.—Subject to sections 23 and 24, but notwithstanding any other provision of law, the Director, in carrying out the functions of the Director or the Bureau, may use the services of officers and other personnel in other Federal agencies, including personnel of the Armed Forces, with the consent of the head of the agency concerned.

''(B) VOLUNTARY SERVICES.—Notwithstanding section 1342 of title 31, or any other provision of law, the Director may accept

and use voluntary and uncompensated services.

''(c) DEPUTY DIRECTOR.—

''(1) IN GENERAL.—There shall be in the Bureau a Deputy Director of the Census, who shall be appointed by and serve at the pleasure of the Director. The position of Deputy Director shall be a career reserved position within the meaning of section 3132(a)(8) of title 5.

''(2) FUNCTIONS.—The Deputy Director shall perform such functions as the Director shall designate.

''(3) TEMPORARY AUTHORITY TO PERFORM FUNCTIONS OF DIRECTOR.—The provisions of sections 3345 through 3349d of title 5 shall apply with respect to the office of Director. The first assistant to the office of Director is the Deputy Director for purposes of applying such provisions.''.

(b) TRANSITION RULES.—

(1) APPOINTMENT OF INITIAL DIRECTOR.—The initial Director of the Bureau of the Census shall be appointed in accordance with the provisions of section 21(b) of title 13, United States Code, as amended by subsection (a).

(2) INTERIM ROLE OF CURRENT DIRECTOR OF THE CENSUS AFTER DATE OF ENACTMENT.—If, as of January 1, 2012, the initial Director of the Bureau of the Census has not taken office, the officer serving on December 31, 2011, as Director of the Census (or Acting Director of the Census, if applicable) in the Department of Commerce—

(A) shall serve as the Director of the Bureau of the Census;

(B) shall assume the powers and duties of such Director, until the initial Director has taken office; and

(C) shall report directly to the Secretary of Commerce.

(c) CLERICAL AMENDMENT.—The item relating to section 21 in the table of sections for chapter 1 of title 13, United States Code, is amended to read as follows:

''21. Director of the Census; Deputy Director of the Census; authority and duties.''.

(d) TECHNICAL AND CONFORMING AMENDMENTS.—Not later than January 1, 2011, the Secretary of Commerce, in consultation with the Director of the Census, shall submit to each House of the Congress draft legislation containing any technical and conforming amendments to title 13, United States Code, and any other provisions which may be necessary to carry out the purposes of this Act.

SEC. 3. INTERNET RESPONSE OPTION.

Not later than 180 days after the date of the enactment of this Act, the Director of the Census, shall provide a plan to Congress on how the Bureau of the Census will test, develop, and implement an Internet response option for the 2020 Census and the American Community Survey. The plan shall include a description of how and when feasibility will be tested, the stakeholders to be consulted, when and what data will be collected, and how data will be protected.

SEC. 4. ANNUAL REPORTS.

(a) IN GENERAL.—Subchapter I of chapter 1 of title 13, United States Code, is amended by adding at the end the following new section:

''§ 17. Annual reports

''(a) Not later than the date of the submission of the President's budget request for a fiscal year under section 1105 of title 31, the Director of the Census shall submit to the appropriate congressional committees a comprehensive status report on the next decennial census, beginning with the 2020 decennial census. Each report shall include the following information:

''(1) A description of the Bureau's performance goals for each significant decennial operation, including the performance measures for each operation.

''(2) An assessment of the risks associated with each significant decennial operation, including the interrelationships between the operations and a description of relevant mitigation plans.

''(3) Detailed milestone estimates for each significant decennial operation, including estimated testing dates, and justification for any changes to milestone estimates.

''(4) Updated cost estimates for the life cycle of the decennial census, including sensitivity analysis and an explanation of significant changes in the assumptions on which such cost estimates are based.

''(5) A detailed description of all contracts over $50,000,000 entered into for each significant decennial operation, including—

''(A) any changes made to the contracts from the previous fiscal year;

''(B) justification for the changes; and

''(C) actions planned or taken to control growth in such contract costs.

''(b) For purposes of this section, the term 'significant decennial operation' includes any program or information technology related to—

''(1) the development of an accurate address list;

''(2) data collection, processing, and dissemination;

''(3) recruiting and hiring of temporary employees;

''(4) marketing, communications, and partnerships; and

''(5) coverage measurement.''.

(b) CLERICAL AMENDMENT.—The table of sections for chapter 1 of title 13, United States Code, is amended by inserting after the item relating to section 16 the following new item:

''17. Annual reports.''.

(c) EFFECTIVE DATE.—The amendments made by this section shall apply to budget requests for fiscal years beginning after September 30, 2010.

□ 1530

The SPEAKER pro tempore. Pursuant to the rule, the gentlewoman from New York (Mrs. MALONEY) and the gentleman from North Carolina (Mr. MCHENRY) each will control 20 minutes.

The Chair recognizes the gentlewoman from New York.

GENERAL LEAVE

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

The SPEAKER pro tempore. Is there objection to the request of the gentlewoman from New York?

There was no objection.

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

Mr. Speaker, I rise today in strong support of the Census Oversight Efficiency and Management Reform Act, important bipartisan legislation that I introduced with my colleague, Congressman CHARLES DENT. Senators CARPER and COBURN in a bipartisan way introduced the companion bill in the Senate that recently passed the Senate unanimously, 100 votes in favor, and is now before us today.

This is a strong bill with no cost to American taxpayers, and it will help ensure a better census for 2020 and beyond. It is bipartisan, it is good government, it is scientific independence, and it is good management. This important reform ensures consistent, professional management of this major scientific agency and minimizes political interference of its vital constitutional mission.

I am grateful to Senators CARPER and COBURN for their bipartisan leadership on this issue in the Senate. Now we in the House must commit to forward thinking to avoid problems in the run-up to the 2020 census.

Our country owes a great deal to James Madison and Thomas Jefferson for handing down the innovation of a census whose goal is to ensure fair political representation. If we want to attract future census leaders in their mold, we must give the Census Bureau the professional independence called for in this bill.

This bill is a way of saying to the American public that we honor the intent of the Framers and we acknowledge the incredible participation of the public earlier this year to make the 2010 census a success.

Madam Speaker, all seven former living census directors, who served Republican and Democratic Presidents, support this bill: Vincent P. Barabba, who worked for Presidents Nixon, Ford and Carter; John G. Keane who worked for President Reagan; Barbara Everitt Bryant who worked for the first President Bush; and Martha Farnsworth Riche and Kenneth Prewitt who worked for President Clinton; and Charles Louis Kincannon and Steven H. Murdock who worked for George W. Bush, the former directors support an advocacy on behalf of this bill; and they testified at congressional hearings, met with congressional leaders on this bill, and their participation underscores the importance of the reforms needed to ensure that the Census Bureau is able to best perform its constitutional mandate of providing a fair and accurate census count.

I worked with Senators CARPER and COBURN and my colleague, Congressman DENT, to develop this bill based on the experiences of the seven former bipartisan census directors and what they thought we need to overcome the challenges which plagued each of the last four censuses in 1980, 1990, 2000, and in the planning for the 2010 census. This bill enjoys bipartisan support across scientific, social, and political groups. They support it in a bipartisan way, from the leadership conference on civil rights representing over 200 civil rights organizations to NATEO, the National Association of Latino Elected Officials, to a host of scientific organizations, including the American Statistical Association. With Senator CARPER and Senator COBURN's leadership in the Senate, it passed unanimously.

What this bill would do is give the director the independence to report directly to the Secretary of Commerce. It would make the director of the Census Bureau a Presidential term appointment of 5 years with the 10-year census cycle split into two 5-year phases, planning and implementation.

Further, it strengthens overall transparency and oversight of census management which is a very good thing. This legislation would allow the Census director to report to Congress and the Commerce Secretary directly on the needs at Census to help prevent challenges such as the failure to develop handheld computer technology for the 2010 census, and to have the power to say to Congress when he or she disagrees with an administration position on the census.

After nearly 2 years of consideration and debate on the ideas in this bill in both the House and the Senate, and now at the 11th hour and 59th minute, after the Senate approves it unanimously, the Commerce Department last night sent over their concerns. The Secretary supports the 5-year term for the Census director, but seeks some changes to the bill's requirements that the Census director be required to respond completely to Congress in testimony and to the requirement that the highest levels of management at Commerce take responsibility for oversight of Census management.

Of course, this is precisely what we in Congress seek to change. These two provisions are about accountability and transparency. We in Congress are insisting that we finally end the musical chairs of Census management we witnessed over the past several decades and that when we ask questions, we actually get the answers. We must allow the career professionals at the Census to be able to tell us what is on their mind.

This bill will remove barriers that prevented Congress from knowing the full story and planning for 2010, which put the census at risk before Congress acted to fully fund a new design. I am confident this bill will ensure Congress will get the information we deserve, to get us a fairly and fully funded census no matter who occupies the White House in 2020.

There are some who may not like this bill or have additional ideas for reform, but I deeply believe we can build on this legislation and continue to work together in a bipartisan way to ensure a fair and accurate full census count. There is no reason we cannot move forward on this issue today and enact these commonsense reforms now.

The next census will occur during a Presidential election, which runs the risk of disrupting the operation. We must act now to ensure we can get a professional manager like Dr. Groves at Census long before 2020. We need to bring focus, transparency, and accountability to the process of planning and implementing the census. There is too much at stake for our constitutional government, for the fair description of over $400 billion in Federal funds, and for the basic trust in our statistical system to do anything less than enact this bill. With the Senate action, now is the time to get this bill to the President. We can show the American public Congress can work together in a bipartisan fashion to reform government and get results.

Madam Speaker, I reserve the balance of my time.

□ 1540

Mr. MCHENRY. Madam Speaker, today I rise in strong opposition to S. 3167. In the last 2 years, I have served as the ranking member of the Census Subcommittee here in the House. We have had no legislative hearing, no markup, no substantive discussions about the content of this legislation. And here we are at the last hour of a lame duck Congress and they are trying to pass a piece of legislation that hasn't had an honest-to-goodness legislative hearing or a markup.

Well, I guess that is what we have seen over the last 24 months out of this Congress, a disregard for the legislative process. I don't think it is responsible for us to pass a major piece of legislation like this, and it does have a major impact. I certainly appreciate my colleague submitting ideas such as this to improve the census, but I don't think this is the right approach.

To that end, I would like to submit for the RECORD a letter from the Department of Commerce signed by Secretary Gary Locke dated December 13 stating his opposition to components of this legislation.

I think it is important that we should not reward the Census Bureau for a repeated history of cost overruns and mishaps. These suggest that the Bureau needs more, not less, oversight.

S. 3167 would grant greater autonomy to the Census Director. The bill would have the director bypass the Commerce Under Secretary for Economics and Statistics Administration, ESA, in favor of a direct report to the Commerce Secretary. Each Commerce Secretary has opposed this proposal. In fact, the current Commerce Secretary has 16 direct reports, so this further puts in place a process that I don't think is sustainable for this Commerce Secretary or future Commerce Secretaries.

Yesterday, the current Commerce Secretary, Gary Locke, wrote a letter to the Congress stating, The department strongly opposes the provisions of this bill enabling the Census Bureau Director to submit legislative recommendations or testimony to Congress without supervisory review.

This letter also expresses concern about the provisions of the bill that would require the Director of the Census Bureau to report directly to the Secretary of Commerce.

With regard to these views, it is worth pointing out that it is the Commerce Secretary himself who is granted the statutory authority to carry out the decennial census. The Census Bureau will have less oversight if it reports directly to the Secretary, as I stated before, because the Secretary has 16 direct reports.

The Census Director currently reports to the Under Secretary for Economic Affairs, who heads ESA. It is the role of ESA to coordinate economic data, some of which is provided to the Census Bureau's Economic Directorate. Granting the Census Bureau autonomy from ESA will hinder the coordination of economic data, and certainly we are a world leader in terms of our regard for economic data.

The Census Bureau wants to operate as independently as possible. That certainly is understandable. But it is also important to recognize a history of cost overruns the Bureau has had under Democrat and Republican administrations, and the GAO has put the 2010 census on its high risk list due to concerns of mismanagement within the Census Bureau. Again, that was a bipartisan problem. Congress should not reward fiscal irresponsibility by granting additional autonomy.

Madam Speaker, this bill does not establish accountability. It does not require the Census Bureau to have an inspector general, which I think would be proper. It does not establish fiscal constraints. It does not even provide guidelines on the questions and surveys that it can ask the American people. And it doesn't require the Bureau to produce alternative methods of procuring statistical data, such as partnerships with universities and the private sector, which I think is necessary and proper in this time that we are in.

Madam Speaker, consideration of this bill is premature. The 2010 census results will be released one week from today. The Bureau just announced that yesterday. But crucial information concerning the statistical confidence level of the data will not be released until early next year.

Again, this bill is premature. I certainly appreciate my colleague's interest in this, but I think it is better handled in the next Congress, where we can actually have an honest-to-goodness, I don't know, legislative hearing perhaps, maybe even a markup of a bill, and actually get some input from both sides. Just because the Senate passed it doesn't mean the House should rubberstamp it, by any means. But I do think we should have serious consideration of this bill and do it under the light of day, not at the 11th hour of a dying Congress.

So, that is my view, and I think that is the view of many colleagues on my side of the aisle as well.

U.S. DEPARTMENT OF COMMERCE,
THE SECRETARY OF COMMERCE,
Washington, DC, December 13, 2010.

Hon. EDOLPHUS TOWNS,
Chairman, Committee on Oversight and Government Reform, U.S. House of Representatives, Washington, DC.

DEAR MR. CHAIRMAN: This letter provides the views of the Department of Commerce on the Senate-passed version of S. 3167, the ''Census Oversight Efficiency and Management Reform Act of 2010.'' Your continued work on behalf of the Census Bureau is appreciated, and we look forward to working with you to make it an even better agency.

The Department of Commerce's goal is to ensure that the Census Bureau functions as a transparent, cost-effective, and competent

organization that is successful in planning and implementing its programs, while maintaining its statistical integrity and freedom from political interference. Therefore, we consider it crucial that we convey the following assessment of several provisions of the legislation as passed by the Senate.

The Department supports the provision of the bill that would create a five-year fixed term for the Census Bureau Director beginning on January 1, 2012. A five-year term (limiting an individual to two full terms) for the Census Bureau Director helps avoid political interference by giving the Director more stability across election cycles. This stability conforms to well-accepted principles and practices of independence for federal statistical agencies and is the current status of the appointment of the Commissioner of the Bureau of Labor Statistics and of the National Center for Education Studies. It may mitigate the risk of having long periods after elections where there is no Senate-confirmed Director, particularly in those years leading up to a decennial census. At the close of the 2010 Census, five of the last seven decennial censuses will have been led by a Director appointed in the year ending in 9 or 0, leading to management uncertainty at critical times during the decennial census cycle.

However, the Department strongly opposes the provision of the bill that could be construed to enable the Census Bureau Director to submit legislative recommendations or testimony or comments to Congress without supervisory review, and has concerns about the provision of the bill that would require the Director of the Census Bureau to report directly to the Secretary of Commerce.

With respect to the proposal concerning the submission of the Census Bureau Director's views directly to Congress where the views include a statement indicating that they do not represent the views of the President, the Department of Justice advises us that in order to avoid infringing on the powers reserved to the President under the Recommendations Clause of the Constitution, the Executive Branch would construe the word ''officer,'' in that provision, not to include the President, thereby allowing him to direct the review of the Director's legislative recommendations, testimony and comments prior to their submission to Congress. Even as so construed, however, the proposal would overreach into Executive Branch prerogatives by bypassing normal communication and decision-making channels within the Executive Branch, and therefore we oppose it. There are always a variety of data policy issues under discussion that are often the subject of testimony or that emerge as legislative recommendations out of a broader Executive Branch decision-making process. It is a prerogative of the Executive Branch to speak with one voice on such issues. The ability to speak with one voice on policy matters does not interfere with statistical agencies' ability to provide unfiltered statistical data. A key principle of government statistical agencies worldwide is that the credibility of the information they provide depends on the public perceiving these data as independent of political intervention.

In addition to this provision, we have concerns about the provision in the bill that would require the Director of the Census Bureau to report directly to the Secretary of Commerce. This provision unnecessarily limits the Secretary's discretion to establish an organizational structure that best suits the needs of the Department.

The Director of the Census Bureau has full access and accountability to the Secretary of Commerce. However, there are sound reasons for maintaining the current reporting relationship of the Census Bureau to the Economics and Statistics Administration (ESA). The Under Secretary for Economic Affairs, who heads ESA, serves as the principal adviser to the Secretary on economic issues and also oversees the activities of the Bureau of Economic Analysis (BEA). The Under Secretary is responsible for the analysis and development of policies on economic and statistical issues. One of ESA's primary roles is to interpret the mission of statistical agencies to senior officials within the Department, ensuring that the Office of Management and Budget directives of independence and freedom from political influences are maintained.

Like you, I believe that independence from partisan political interference and effective management oversight and accountability of the Census Bureau is a top priority. I encourage you to take into consideration our concerns and accept our recommendations on this important issue. We are always looking for ways to improve the Census Bureau and look forward to continuing to work with you on this and other important matters.

The Department appreciates the opportunity to present these views on the Senate-passed version of S. 3167. The Office of Management and Budget has advised that there is no objection to the transmittal of these views from the standpoint of the Administration's program.

If you have any questions, please contact me or April Boyd, Assistant Secretary for Legislative and Intergovernmental Affairs, at (202) 482–3663.

Sincerely,

GARY LOCKE.

Madam Speaker, I reserve the balance of my time.

Mrs. MALONEY. Madam Speaker, I appreciate the gentleman's statement. As he knows, this is an issue that many of us in a bipartisan way have worked on for many years.

As you know, my original bill did create an independent Office of the Census, which by definition would have had an IG. But at the protest of some of my colleagues and some in the Commerce Department, we kept it in the Commerce Department, but with independence, so that the Census Director could speak honesty and truth. I don't think any of us want to keep someone from testifying in an honest and truthful way and having their words possibly changed by someone else.

I would like to place in the RECORD a series of editorials in support of this bill, from USA Today and many others. There have been hearings on it, including one in the Joint Economic Committee, where seven former Census Directors in a bipartisan way testified in support of this bill.

I would also like to place in the RECORD the testimony of Dr. Bryant, a Republican Census Director, and other Republican Census Directors, along with Dr. Pruitt and others, their testimony on how we can get a more reliable, transparent, usable census for accuracy for the American people.

I would now like to yield such time as she may consume to a very outstanding member of the committee, the gentlewoman from the District of Columbia (Ms. NORTON).

Ms. NORTON. Madam Speaker, I want to thank the gentlewoman from New York (Mrs. MALONEY) for her initiative in seeing a problem and seeing to it that we deal with this problem while we have got a hand on it.

Actually, her bill is very timely. The census is about to come out for the past 10 years, on December 30, and I can tell you, Madam Speaker, as a member of the subcommittee with jurisdiction over the census that the census has been controversial throughout my service in the Congress. Time and again we have seen these controversies before this committee. But the census should never be controversial. Neither should a bill that fixes much of what is wrong with the census in a systemic way, and handily passed the other body, which doesn't pass much these days.

When it comes to the constitutionally required census, there really is only one way to act, and that is preventatively. I just want to say to the House that the handwriting is on the proverbial congressional wall. We were shocked that only a couple of years ago there was a serious and very expensive design change in the upcoming census so close to when the new census was coming into operation.

Now, somebody should have seen this coming, certainly before our committee found it out and was left with no choice. Remember, this is the constitutionally required census. Thus, there was no choice but to accept the added cost. If my friends on the other side are interested in reducing costs, the way to begin is with this bill, which, it seems to me, ought to be a consensus bill right now.

Crisis has been a part of every census in modern times, yet most of what Congress does, if you think about it, is not required; our appropriations bills, the defense bills, but the census is constitutionally required. It should not be buried. The census and those who are responsible for the census should not be buried in an agency bureaucracy. Direct reporting to the Secretary, not taking the Census Bureau from the jurisdiction of the Secretary, but direct reporting to the Secretary of Commerce and complete independence with a 5-year term, is what this bill is after.

□ 1550

The bill also contains urgently needed management reforms. It should be a top priority of this Congress, as it faces a new census, to go home and be able to tell people, We have acted this time ahead of the next census to make that census less controversial than censuses since the past decennial census has been in the lifetime of all of us. The care that has gone into this bill before our subcommittee and committee should be enough to say to the Congress this afternoon, The time has come to fix the decennial census once and for all.

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

Madam Speaker, again, I rise in opposition to this legislation. I certainly appreciate the sponsor's thoughtfulness in creating it, but I think there

are a number of provisions that do cause problems. And I agree with the Democrat Secretary of Commerce, the current Secretary of Commerce, with his opposition to large provisions within it.

In order to thoughtfully legislate on the decennial census, I think we need to have a hearing and I think we need to have a markup, and I think we can hash this out. And I am willing to work with my colleague from New York to make that happen in the next Congress, because I do think she comes from a sincere place with this legislation. Unfortunately, it is a piece of flawed legislation. I'll give you one example.

The Census Director will report directly to the Secretary of Commerce. Again, that Census Director will be one of 17 individuals with a direct report to the Secretary of Commerce. However, the Secretary of Commerce is not able to fire the Census Director. So, if he or she is a direct report to the Commerce Secretary, shouldn't the Commerce Secretary have the ability to fire that person if they're incompetent or inept rather than just letting them serve a 5-year term? That's one provision within the legislation that I think is troublesome.

Additionally, as the sponsor mentioned, there is no inspector general. And, with a multibillion-dollar census, I think it is important that we have IGs that actually have the power to oversee a program, and a program that's so large and so expensive.

This census has a $3 billion cost overrun over its life cycle. Now, the individuals responsible for that weren't held accountable. But that $3 billion, rather than rewarding the Bureau for having a cost overrun of that size by giving them independence and autonomy right now, I think we need to have some thoughtful consideration of how to ensure that we don't have future cost overruns like that.

With that, I reserve the balance of my time.

Mrs. MALONEY. Madam Speaker, I yield myself such time as I may consume.

I thank the gentleman for his concern and his thoughtful statements. If the gentleman is so determined for a markup, there's one bill that the Republican leadership has told us they must have, and that's the tax bill. Yet there's been no markup on that tax bill or a hearing on that tax bill. And there have been hearings and discussions on this. I have testimony from numerous Republican Census Directors supporting it.

Now, as the gentleman knows—and we changed the bill in response to the gentleman's concerns and others. We did have it as an independent agency with an independent IG. We folded it back into Commerce, at your suggestion and others. And, as you know, the Commerce Department has an IG. They have their own IG. And if the gentleman in the next Congress would like to sponsor an amendment to add another IG at Commerce that looks totally at the Census Bureau, then I would certainly support the gentleman.

Now, the gentleman has written an op-ed which I found very interesting, and I appreciate your op-ed that appeared in Politico. You called for many things in this bill: transparency, independent voice, accountability. I repeat, because I know cost is an important factor now, this will cost no additional money to the taxpayer, not one additional cent. And I would like to join my good friend and colleague in the spirit of bipartisanship and the dedication of getting an accurate census for the American people that we pass this bill, and what the gentleman would like to add to it in the next Congress—and the gentleman's party is in charge and you will have the votes to add whatever you would like next year. And I certainly would like to work with you in a bipartisan way to add the gentleman's concerns, but there's absolutely no reason not to act on this when seven former Census Directors have come out strongly for it, including every Republican Census Director under former President Nixon, under former President Ford, under former President Reagan, and George Bush 41 and 43, G.W. and his father. So all of their Census Directors have come out in support of it.

I would also like to place into the RECORD the National Leadership Conference on Civil Rights, and they represent 200 different civil rights organizations, all in support of this bill; the National Association of Latino Elected and Appointed Officials, their letter in support of the bill; the Population Association of America and the Association of Population Centers, their letter of support for the bill; the American Association for Public Opinion Research, their statement in support of the bill; the American Planning Association, their statement in support of the bill; the American Statistical Association, who are dedicated to accurate numbers, their strong, strong support of accuracy in this bill; the Consortium of Social Science Associations, their support; the Latino Census Network, their strong support; the Mid-Region Council of Governments, their strong letter of support; and the National Institute for Latino Policy, their letter of support; the Southeast Michigan Census Council, their support of the bill; and the Southern Demographic Association, their support of the bill.

So, as my good friend and colleague knows, there is strong support for this bill. Many allege that the Commerce opposition is just a turf battle. Well, the census is too important for a turf battle. I would support the gentleman's amendment to have an independent extra IG. If he wants two IGs on the Bureau, I would support it, or three or four or five. I would support the gentleman's extra oversight of what the Census Bureau is doing. But, mainly, we want them to be given the tools to get the job done. That is what this bill does.

THE LEADERSHIP CONFERENCE,
December 13, 2010.

Hon. NANCY PELOSI,
Speaker, House of Representatives, Washington, DC.
Hon. JOHN BOEHNER,
Minority Leader, House of Representatives, Washington, DC.

DEAR SPEAKER PELOSI AND LEADER BOEHNER: On behalf of The Leadership Conference on Civil and Human Rights, a coalition charged by its diverse membership of more than 200 national organizations to promote and protect the rights of all persons in the United States, we are writing to express our strong support for the Census Oversight Efficiency and Management Reform Act (S. 3167/H.R. 4945). The bill includes needed reforms that will improve the operations of the decennial Census and other Census activities, and ensure a count that does not disproportionally miss any segment of the population. With Senate passage of the bill by unanimous consent on December 8, we urge the House to swiftly pass the Senate-approved bill so that it can reach the President's desk by the end of the year.

The Census occurs on a constitutionally mandated ten-year cycle, but Presidential administrations run in four-year cycles that do not fit well with the complex planning and preparation timetable for the decennial count. This causes inevitable development and implementation difficulties due to a lack of consistency and, often, leadership vacuums. The bill's proposal to create a five-year term appointment for the Census Bureau Director is an important change that will allow the Census Bureau to avoid disruptions caused by changes in administrations, especially around the period of the decennial census.

As organizations that work to ensure that hard-to-count communities are fully included in the Census, we welcome the greater stability for the leadership of the Census Bureau that this legislation seeks to provide, which will in turn minimize disruptions in the Census and allow the Census Bureau to benefit from improved continuity in its overall operations. We also believe that the new line of authority from the Census Director to the Secretary of Commerce will help allow the Census Bureau to more nimbly address problems and issues that inevitably arise during the decennial census and other surveys.

It is critical that the bill be enacted promptly, since planning for the 2020 decennial census is already underway. We urge swift passage of the bill.

Sincerely,

WADE HENDERSON,
President & CEO.
NANCY ZIRKIN,
Executive Vice President.

PARTNERSHIP COUNCIL MEMBERS,
December 13, 2010.

Hon. WILLIAM LACY CLAY,
Chairman, Subcommittee on Information Policy, Census, and National Archives, House of Representatives, Washington, DC.

DEAR CHAIRMAN CLAY: On behalf of the National Association of Latino Elected and Appointed Officials (NALEO) Educational Fund, I am writing to express our support for the Census Oversight Efficiency and Management Reform Act (H.R. 4945). The NALEO Educational Fund is one of the nation's leading organizations in the area of Census policy development and public education, and we are deeply committed to ensuring that the Census Bureau provides our nation with the most accurate count possible of its population.

We believe that H.R. 4945 would provide greater stability for the leadership of the Census Bureau and its operations by enhancing the continuity of the Bureau's overall operations. For example, the bill would establish a fixed five-year term of office for the Director of the Census Bureau, instead of the current practice, where the Director is generally appointed at the beginning of new Presidential Administrations.

The fixed five-year term established in H.R. 4945 is more consistent with the constitutionally mandated ten-year cycle of the Census enumeration, and would enable the Director to manage operations in a manner that would minimize the disruptions caused by leadership changes. From our experiences working with the Census Bureau on its efforts to reach and enumerate Latinos and other ''hard to count'' communities, we have learned that minor changes in the operations of the decennial Census can significantly impair the ability of the Bureau to effectively carry out its enumeration tasks. Seven former Census Directors, appointed by Presidents from both political parties, support H.R. 4945 because they believe it would enhance the ability of the agency to focus on its mission to conduct the Census in a timely and accurate manner.

We believe that H.R. 4945 takes positive steps toward providing greater stability for the decennial census and diminishing operational problems for Census 2020 and the decennial enumerations that will follow. We look forward to working on implementation of the legislation so that we achieve a solution that enables the Census Bureau to perform its essential function more effectively.

Sincerely,

ARTURO VARGAS,
Executive Director.

DECEMBER 13, 2010.

Hon. NANCY PELOSI,
Speaker, House of Representatives, Washington, DC.

Hon. EDOLPHUS TOWNS,
Chairman, Committee on Oversight and Government Reform, House of Representatives, Washington, DC.

Hon. LACY CLAY,
Chairman, Subcommittee on Information Policy, Census and National Archives, Committee on Oversight and Government Reform, House of Representatives, Washington, DC.

Hon. JOHN BOEHNER,
Minority Leader, House of Representatives, Washington, DC.

Hon. DARRELL ISSA,
Ranking Member, Committee on Oversight and Government Reform, House of Representatives, Washington, DC.

Hon. PATRICK MCHENRY,
Ranking Member, Subcommittee on Information Policy, Census and National Archives, Committee on Oversight and Government Reform, House of Representatives, Washington, DC.

DEAR SPEAKER PELOSI, LEADER BOEHNER, CHAIRMAN TOWNS, RANKING MEMBER ISSA, CHAIRMAN CLAY, AND RANKING MEMBER MCHENRY: With Senate passage of the ''Census Oversight Efficiency and Management Reform Act of 2010'' (S. 3167/H.R. 4945) by unanimous consent on December 8, we write to urge swift bipartisan passage of the Senate-approved bill in order for it to reach the President's desk by year's end. The bill represents an unprecedented opportunity to enact reasonable administrative reforms and grant the Census Bureau Director new authorities to run the agency more efficiently, openly, and authoritatively, all at no additional cost to the taxpayer.

In particular, we support the bill's proposal to create a five-year Presidential appointment for the Census Director. This important change would allow the Census Bureau to avoid disruptions caused by changes in administration, especially around the period of the decennial census. Enactment of the legislation in 2012 would mean that, under normal circumstances, a change in Directors would occur on a predictable schedule in years two and seven of each decade. We anticipate that the fixed term will translate to a higher level of continuity and professional independence in the Bureau's operations. For example, a fixed term would help avoid the circumstances in both 1999 and 2009, when the Census Bureau operated without a Senate-confirmed leader during final preparations for the decennial census.

We also support the bill's components to strengthen the director's position by establishing a direct line of reporting to the Secretary of Commerce, more latitude in communication with Congress, and generally more authority over the Census Bureau, including its personnel and operations. We believe these components will improve the Census Bureau's ability to respond to requests from Congress and the wide range of important data users in the public, private, and nonprofit sectors.

Finally, let us emphasize the importance of enacting this bill promptly, since planning for the 2020 decennial census is already underway.

We thank you for your leadership on issues important to preserving and enhancing the mission of the U.S. Census Bureau.

American Association for Public Opinion Research; American Planning Association; American Sociological Association; American Statistical Association; Arab American Institute Foundation; Asian American Justice Center; Association of Academic Survey Research Organizations; Association of Population Centers; Consortium of Social Science Associations; Council of Professional Associations on Federal Statistics; Demos; Japanese American Citizens League; Latino Census Network; Marketing Research Association; Mid-Region Council of Governments; Moving Forward Gulf Coast, Inc.; National Association of Home Builders; National Association of Latino Elected and Appointed Officials (NALEO) Educational Fund; National Education Association; National Institute for Latino Policy; Nonprofit Voter Engagement Network; OCA; Population Association of America (PAA); Population Reference Bureau; Population Resource Center; Prison Policy Initiative; Project Vote; South Asian Americans Leading Together (SAALT); Southeast Michigan Census Council; Southern Demographic Association; and The Leadership Conference on Civil and Human Rights.

Madam Speaker, I reserve the balance of my time.

Mr. MCHENRY. I again yield myself such time as I may consume.

Madam Speaker, just to address my colleague's comments about the opinion she imputed to me about this legislation and the way she changed the legislation to more meet with my opinion, those, Madam Speaker, were not my opinions. We have actually not had discussions about this legislation, my colleague and I from New York have not. So, just to be very clear, those opinions were someone else's; not mine.

Additionally, it is kind of interesting to throw in the tax debate regarding a piece of legislation about the census. I'm not going to take the bait. It's fine. We'll have a vote on that or we won't have a vote on that this Congress, depending on what the Speaker thinks. I certainly understand the concern about not having hearings and not having markups.

But I would say to my colleague from New York that it is her party that is in both the House and Senate and had every opportunity to schedule a hearing on this piece of legislation. They had every opportunity to schedule a markup on this piece of legislation, and they didn't. So, clearly, it is a problem not with my party, but it is a problem with my colleague from New York's party about getting that scheduled.

□ 1600

Madam Speaker, I do have serious concerns and, I think, legitimate concerns. I also understand how many folks operate in Congress: we take a pledge that we will fix it later, and that ''later'' never happens.

So what I would say to my colleague from New York is that, in the next Congress, I will be very happy to work with her to pass a reasonable piece of legislation which, I think, structurally will look different than this but which will take on some of the concerns that she has about the Census Bureau.

I am truly concerned about making sure that our statistical agencies are independent, independent from political influence like this President tried to have at the beginning of his term in office by having the Census Director report directly to then-Chief of Staff Rahm Emanuel. We came out opposed to that. It was my colleagues on the other side of the aisle who wanted that. We came out opposed to the statistical manipulation of the outcome of the census, which some in the other party were very much in favor of. It is true that there are political disagreements between Republicans and Democrats, but I think we all want to have a fair and accurate census.

I also want to have a census that is cheaper in the future than it has been in the past. We have had a cost overrun of $3 billion. As I would mention to my colleague from New York, the entire budget of the Department of Commerce is just shy of $9 billion annually. They had a $3 billion cost overrun within just the Census. That is an enormous sum, and I think it is worthy of having an Inspector General to make sure that this doesn't happen again. So that is my concern.

I reserve the balance of my time.

Mrs. MALONEY. I appreciate the gentleman's concerns. We should pass this bill. Then, in the new Congress, you can add your amendments or your ideas to the underlying bill. This is a strong bill with no cost to the American taxpayers, no increased cost; and it will help ensure a better census for 2010.

As I said, it has very strong bipartisan support, particularly from the seven living former Census Directors, who served Republican and Democratic Presidents. They support this bill. They testified before Congress that

this bill would make a stronger, more accountable, transparent census. The former Directors' support and advocacy on behalf of this bill, I believe, underscores the importance of the reforms needed to ensure that the Census Bureau is able to best perform its constitutional mandate of providing a fair and accurate census count.

Again, I want to underscore: How many times have we seen a bill come over with 100 Senators who are in support of it—totally unanimous? totally bipartisan?

I am confident that this bill will ensure that Congress will get the information we need and deserve in order to get us a fair and fully funded Census which is independent and will respond, no matter who occupies the White House. In other words, this is a very important bill, so I urge a strong bipartisan vote in support of it.

S. 3167 Endorsed by seven former Census Directors: Vincent P. Barabba (1973–1976; 1979–1981), John G. Keane (1984–1989), Barbara Everitt Bryant (1989–1993), Martha Farnsworth Riche (1994–1998), Kenneth Prewitt (1998–2001), Charles Louis Kincannon (2002–2008), and Steven H. Murdock (2008–2009).

S. 3167 Endorsed by: National Leadership Conference on Civil Rights (LCCR); National Association of Latino Elected and Appointed Officials (NALEO) Educational Fund; Population Association of America (PAA) and the Association of Population Centers (APC); American Association for Public Opinion Research (AAPOR); American Planning Association; American Statistical Association (ASA); Arab American Institute Foundation; Consortium of Social Science Associations (COSSA); Latino Census Network; Mid-Region Council of Governments; National Institute for Latino Policy (NILP); Population Resource Center; Prison Policy Initiative; Southeast Michigan Census Council (SEMCC) and Southern Demographic Association (SDA).

The SPEAKER pro tempore (Ms. CHU). The time of the gentlewoman has expired.

Mr. MCHENRY. Madam Speaker, I am sorry my colleague used up her time.

I am going to close by saying that anyone who wants an accountable Census Bureau will oppose this bill. Instead of saying we want an independent bureau that is not accountable, I think we are saying we want an independent bureau that is accountable. That is why I am going to oppose this bill.

I ask my colleagues—those who want fiscal sanity, those who want proper oversight of the Census, those who want reasonable legislating, which actually means we would have a hearing and a markup—to vote ''no'' on this bill.

I would also mention to my colleague from New York that her legislation we are discussing here today got just about as many votes as that tax deal that she opposes. So you can take this for all you want as to what the Senate does, but the census affects every Member of the House, all of our constituents, our statistical reporting agencies, and our economic bureaus as well. We want to make sure we get this legislation right, but it is highly flawed as it is currently constructed; and it would mean further cost overruns going forward.

With that, I urge my colleagues to vote ''no'' on this legislation.

Mr. DENT. Mr. Speaker, I rise today in strong support of S. 3167, the Census Oversight Efficiency and Management Reform Act.

S. 3167 will provide needed independence and autonomy to the U.S. Census Bureau.

This bill will ensure a census count that is fair, accurate, and free from political bias.

I am proud to have consponsored the House version of this bill, H.R. 4945 with CAROLYN MALONEY of New York.

This bipartisan, good government reform measure passed the Senate by unanimous consent last week.

Senator COBURN was the lead Senate Republican cosponsor and supported passage of the bill.

S. 3167 is endorsed by seven former census directors, appointed by and who served in Republican and Democrat administrations.

S. 3167 will allow the Director of the Census Bureau to give candid opinions and testimony to Congress and the Commerce Secretary on the needs of the Bureau.

The Census is a scientific agency, similar to the National Science Foundation or NASA. Its statistical mission should be unencumbered by increased political bias and bureaucracy.

These reforms will ensure that Congress receives the most accurate information on issues facing the census directly from the Bureau and without interference from political appointees.

S. 3167 is supported by the American Statistical Association, the American Planning Association, the Council of Professional Associations on Federal Statistics, the Association of Academic Survey Research Organizations, and other members of the scientific community.

Accurate census data is needed to properly account for congressional apportionment and a wide range of government services, including: Medicare, Social Security, veterans' health services, assistance to farmers, TANF, community development grants, federal housing assistance, and road and highway construction.

Making the Census Director a 5-year Presidential term appointment will prevent Presidential politics from interfering in selection.

The American people expect Congress to improve the efficiency and accountability of government through common sense bipartisan reforms. We can do this today through this bill with no cost to the taxpayers.

The Senate passed this legislation unanimously, and I hope the House will send this bill to the President for signature into law.

Mr. BACA. Madam Speaker, I rise in strong support of S. 3167, the Census Oversight Efficiency and Management Reform Act.

The 2010 Census is complete and results will be made public soon. However, we must think ahead now for the 2020 Census.

The bill's proposal to create a five-year term appointment for the Census Bureau Director is an important change that will allow the Census Bureau to avoid disruptions caused by changes in administrations, especially around the period of the decennial census.

The accuracy of the Census is tied to advance planning and careful design, and must be ensured to the best extent possible.

An accurate count means that proportionate amounts of federal dollars go back home to our Districts, to our schools, to our courthouses. We must remember that the Census count is not just a number; it affects the livelihood of all our communities.

Gaps in management and leadership hurt all of us, not just those at the Census Bureau.

This bill will provide greater stability for the leadership of the Census Bureau and its operations by enhancing the continuity of the Bureau's overall operations.

In fact, seven former Census Directors, appointed by Presidents from both political parties, support this bill because they believe it would enhance the ability of the agency to focus on its mission to conduct the Census in a timely and accurate manner.

I urge my colleagues to support S. 3167, because it takes positive steps toward providing greater stability for the decennial census and diminishing operational problems.

Mr. TOWNS. Madam Speaker, S. 3167 is an important, bipartisan measure that will help ensure stable, effective management at the Census Bureau for years to come. With preparations for the 2020 Census already underway, this body has the opportunity to make sure it is the most accurate and complete census in history.

The measure would protect the independence of the Census Bureau from political interference by giving its Director the independence to report directly to the Secretary of Commerce. The Department of Commerce oversees many agencies, and so giving the Census Bureau greater independence from Commerce will help keep it a priority throughout the 10-year cycle of the census. It will also help keep Congress informed on the status of the census throughout the decade, helping us to foresee and prevent problems.

The bill will also extend the term of the director of the Bureau to five years, with a limit of two terms. This will align the term of the Director more closely with the decennial census's planning and implementation phases. In addition, it will help free the director from the whims of presidential politics, keeping a new president from changing directors in the middle of a census. I think this is so important, especially since the 2020 Census will occur during a presidential election year. A fixed term sends a message that we consider the Census Bureau to be an agency with a scientific mission, like the Bureau of Labor Statistics and the National Center for Education Statistics. We must make sure that the professionals at these agencies, including the Census Bureau, are given the ability to do what they do best, insulated from politics.

We know the significance of the decennial census: an undertaking so important that the founding fathers enshrined it in the Constitution. However, GAO has deemed the last three decennial censuses ''at risk,'' which is something we in Congress cannot accept. S. 3167 will implement some of GAO's recommendations on the Census, and also has the support of leading statistical organizations and the seven living former directors of the Bureau, directors who served under Democratic and Republican presidents alike. The bill comes at no cost to taxpayers, and is the result of careful, bipartisan negotiations. I'd like to thank the gentlewoman from New York, Representative MALONEY, as well as the gentleman from Pennsylvania, Representative

DENT, for their leadership on the bill, the gentleman from Missouri, Representative CLAY, for his leadership on the Census with the Information Policy Subcommittee, and I'd also like to thank Senators CARPER and COBURN for the hard work they put into passing the legislation unanimously in the Senate.

I encourage all my colleagues on both sides to join me in voting in favor of S. 3167.

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

The SPEAKER pro tempore. The question is on the motion offered by the gentlewoman from New York (Mrs. MALONEY) that the House suspend the rules and pass the bill, S. 3167.

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. MCHENRY. 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.

COMMUNICATION FROM THE CLERK OF THE HOUSE

The SPEAKER pro tempore laid before the House the following communication from the Clerk of the House of Representatives:

OFFICE OF THE CLERK,
HOUSE OF REPRESENTATIVES,
Washington, DC, December 14, 2010.

Hon. NANCY PELOSI,
The Speaker, H–232 U.S. Capitol, House of Representatives, Washington, DC.

DEAR MADAM SPEAKER: Pursuant to the permission granted in Clause 2(h) of Rule II of the Rules of the U.S. House of Representatives, the Clerk received the following message from the Secretary of the Senate on December 14, 2010 at 1:12 p.m.:

That the Senate passed S. 2902.

That the Senate passed with an amendment H.R. 628.

That the Senate passed without amendment H.R. 6278.

That the Senate passed S. 3447.

With best wishes, I am

Sincerely,

LORRAINE C. MILLER.

MUSEUM AND LIBRARY SERVICES ACT OF 2010

Mr. GRIJALVA. Mr. Speaker, I move to suspend the rules and pass the bill (S. 3984) to amend and extend the Museum and Library Services Act, and for other purposes.

The Clerk read the title of the bill.

The text of the bill is as follows:

S. 3984

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

SECTION 1. SHORT TITLE; TABLE OF CONTENTS.

(a) SHORT TITLE.—This Act may be cited as the ''Museum and Library Services Act of 2010''.

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

Sec. 1. Short title; table of contents.
Sec. 2. References.

TITLE I—GENERAL PROVISIONS

Sec. 101. General definitions.
Sec. 102. Responsibilities of Director.
Sec. 103. Personnel.
Sec. 104. Board.
Sec. 105. Awards and medals.
Sec. 106. Research and analysis.
Sec. 107. Hearings.
Sec. 108. Administrative funds.

TITLE II—LIBRARY SERVICES AND TECHNOLOGY

Sec. 201. Purposes.
Sec. 202. Authorization of appropriations.
Sec. 203. Reservations and allotments.
Sec. 204. State plans.
Sec. 205. Grants.
Sec. 206. Grants, contracts, or cooperative agreements.
Sec. 207. Laura Bush 21st Century Librarian Program.
Sec. 208. Conforming amendments.

TITLE III—MUSEUM SERVICES

Sec. 301. Purpose.
Sec. 302. Definitions.
Sec. 303. Museum services activities.
Sec. 304. Authorization of appropriations.

TITLE IV—REPEAL OF THE NATIONAL COMMISSION ON LIBRARIES AND INFORMATION SCIENCE ACT

Sec. 401. Repeal.

SEC. 2. REFERENCES.

Except as otherwise expressly provided, wherever in this Act an amendment or repeal is expressed in terms of an amendment to, or repeal of, a section or other provision, the reference shall be considered to be made to a section or other provision of the Museum and Library Services Act (20 U.S.C. 9101 et seq.).

TITLE I—GENERAL PROVISIONS

SEC. 101. GENERAL DEFINITIONS.

Section 202 (20 U.S.C. 9101) is amended—

(1) by redesignating paragraphs (2) through (7) as paragraphs (3) through (8), respectively; and

(2) by inserting after paragraph (1) the following:

''(2) DIGITAL LITERACY SKILLS.—The term 'digital literacy skills' means the skills associated with using technology to enable users to find, evaluate, organize, create, and communicate information.''.

SEC. 102. RESPONSIBILITIES OF DIRECTOR.

Section 204 (20 U.S.C. 9103) is amended—

(1) by striking subsection (c) and inserting the following:

''(c) DUTIES AND POWERS.—

''(1) PRIMARY RESPONSIBILITY.—The Director shall have primary responsibility for the development and implementation of policy to ensure the availability of museum, library, and information services adequate to meet the essential information, education, research, economic, cultural, and civic needs of the people of the United States.

''(2) DUTIES.—In carrying out the responsibility described in paragraph (1), the Director shall—

''(A) advise the President, Congress, and other Federal agencies and offices on museum, library, and information services in order to ensure the creation, preservation, organization, and dissemination of knowledge;

''(B) engage Federal, State, and local governmental agencies and private entities in assessing the museum, library, and information services needs of the people of the United States, and coordinate the development of plans, policies, and activities to meet such needs effectively;

''(C) carry out programs of research and development, data collection, and financial assistance to extend and improve the museum, library, and information services of the people of the United States; and

''(D) ensure that museum, library, and information services are fully integrated into the information and education infrastructures of the United States.'';

(2) by redesignating subsections (f) and (g) as subsections (h) and (i), respectively; and

(3) by striking subsection (e) and inserting the following:

''(e) INTERAGENCY AGREEMENTS.—The Director may—

''(1) enter into interagency agreements to promote or assist with the museum, library, and information services-related activities of other Federal agencies, on either a reimbursable or non-reimbursable basis; and

''(2) use funds appropriated under this Act for the costs of such activities.

''(f) COORDINATION.—The Director shall ensure coordination of the policies and activities of the Institute with the policies and activities of other agencies and offices of the Federal Government having interest in and responsibilities for the improvement of museums and libraries and information services. Where appropriate, the Director shall ensure that such policies and activities are coordinated with—

''(1) activities under section 1251 of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 6383);

''(2) programs and activities under the Head Start Act (42 U.S.C. 9831 et seq.) (including programs and activities under subparagraphs (H)(vii) and (J)(iii) of section 641(d)(2) of such Act) (42 U.S.C. 9836(d)(2));

''(3) activities under the Workforce Investment Act of 1998 (29 U.S.C. 2801 et seq.) (including activities under section 134(c) of such Act) (29 U.S.C. 2864(c)); and

''(4) Federal programs and activities that increase the capacity of libraries and museums to act as partners in economic and community development, education and research, improving digital literacy skills, and disseminating health information.

''(g) INTERAGENCY COLLABORATION.—The Director shall work jointly with the individuals heading relevant Federal departments and agencies, including the Secretary of Labor, the Secretary of Education, the Administrator of the Small Business Administration, the Chairman of the Federal Communications Commission, the Director of the National Science Foundation, the Secretary of Health and Human Services, the Secretary of State, the Administrator of the Environmental Protection Agency, the Secretary of the Interior, the Secretary of Housing and Urban Development, the Chairman of the National Endowment for the Arts, the Chairman of the National Endowment of the Humanities, and the Director of the Office of Management and Budget, or the designees of such individuals, on—

''(1) initiatives, materials, or technology to support workforce development activities undertaken by libraries;

''(2) resource and policy approaches to eliminate barriers to fully leveraging the role of libraries and museums in supporting the early learning, literacy, lifelong learning, digital literacy, workforce development, and education needs of the people of the United States; and

''(3) initiatives, materials, or technology to support educational, cultural, historical, scientific, environmental, and other activities undertaken by museums.''.

SEC. 103. PERSONNEL.

Section 206 (20 U.S.C. 9105) is amended—

(1) by striking paragraph (2) of subsection (b) and inserting the following:

''(2) NUMBER AND COMPENSATION.—

''(A) IN GENERAL.—The number of employees appointed and compensated under paragraph (1) shall not exceed ⅕ of the number of full-time regular or professional employees of the Institute.

''(B) RATE OF COMPENSATION.—

''(i) IN GENERAL.—Except as provided in clause (ii), the rate of basic compensation for the employees appointed and compensated under paragraph (1) may not exceed the rate prescribed for level GS–15 of the General Schedule under section 5332 of title 5, United States Code.

''(ii) EXCEPTION.—The Director may appoint not more than 3 employees under paragraph (1) at a rate of basic compensation that exceeds the rate described in clause (i) but does not exceed the rate of basic pay in effect for positions at level IV of the Executive Schedule under section 5315 of title 5, United States Code.''; and

(2) by adding at the end the following:

''(d) EXPERTS AND CONSULTANTS.—The Director may use experts and consultants, including panels of experts, who may be employed as authorized under section 3109 of title 5, United States Code.''.

SEC. 104. BOARD.

Section 207 (20 U.S.C. 9105a) is amended—

(1) in subsection (b)—

(A) in paragraph (1)—

(i) by striking subparagraph (D); and

(ii) by redesignating subparagraphs (E) and (F) as subparagraphs (D) and (E), respectively;

(B) in paragraph (2)—

(i) in the matter preceding clause (i) of subparagraph (A), by striking ''(1)(E)'' and inserting ''(1)(D)''; and

(ii) in the matter preceding clause (i) of subparagraph (B), by striking ''(1)(F)'' and inserting ''(1)(E)''; and

(C) in paragraph (4)—

(i) by inserting ''and'' after ''Library Services,''; and

(ii) by striking '', and the Chairman of the National Commission on Library and Information Science'';

(2) in subsection (c)—

(A) in paragraph (1)—

(i) by striking ''Except as otherwise provided in this subsection, each'' and inserting ''Each''; and

(ii) by striking ''(E) or (F)'' and inserting ''(D) or (E)''; and

(B) in paragraph (2), by striking ''INITIAL BOARD APPOINTMENTS.—'' and all that follows through ''The terms of the first members'' and inserting the following: ''AUTHORITY TO ADJUST TERMS.—The terms of the members'';

(3) in subsection (d)—

(A) in paragraph (1), by striking ''relating to museum and library services, including financial assistance awarded under this title'' and inserting ''relating to museum, library, and information services''; and

(B) by striking paragraph (2) and inserting the following:

''(2) NATIONAL AWARDS AND MEDALS.—The Museum and Library Services Board shall advise the Director in awarding national awards and medals under section 209.''; and

(4) in subsection (i), by striking ''take steps to ensure that the policies and activities of the Institute are coordinated with other activities of the Federal Government'' and inserting ''coordinate the development and implementation of policies and activities as described in subsections (f) and (g) of section 204''.

SEC. 105. AWARDS AND MEDALS.

Section 209 (20 U.S.C. 9107) is amended to read as follows:

''SEC. 209. AWARDS AND MEDALS.

''The Director, with the advice of the Museum and Library Services Board, may annually award national awards and medals for library and museum services to outstanding libraries and museums that have made significant contributions in service to their communities.''.

SEC. 106. RESEARCH AND ANALYSIS.

Section 210 (20 U.S.C. 9108) is amended to read as follows:

''SEC. 210. POLICY RESEARCH, ANALYSIS, DATA COLLECTION, AND DISSEMINATION.

''(a) IN GENERAL.—The Director shall annually conduct policy research, analysis, and data collection to extend and improve the Nation's museum, library, and information services.

''(b) REQUIREMENTS.—The policy research, analysis, and data collection shall be conducted in ongoing collaboration (as determined appropriate by the Director), and in consultation, with—

''(1) State library administrative agencies;

''(2) national, State, and regional library and museum organizations; and

''(3) other relevant agencies and organizations.

''(c) OBJECTIVES.—The policy research, analysis, and data collection shall be used to—

''(1) identify national needs for and trends in museum, library, and information services;

''(2) measure and report on the impact and effectiveness of museum, library, and information services throughout the United States, including the impact of Federal programs authorized under this Act;

''(3) identify best practices; and

''(4) develop plans to improve museum, library, and information services of the United States and to strengthen national, State, local, regional, and international communications and cooperative networks.

''(d) DISSEMINATION.—Each year, the Director shall widely disseminate, as appropriate to accomplish the objectives under subsection (c), the results of the policy research, analysis, and data collection carried out under this section.

''(e) AUTHORITY TO CONTRACT.—The Director is authorized—

''(1) to enter into contracts, grants, cooperative agreements, and other arrangements with Federal agencies and other public and private organizations to carry out the objectives under subsection (c); and

''(2) to publish and disseminate, in a form determined appropriate by the Director, the reports, findings, studies, and other materials prepared under paragraph (1).

''(f) AUTHORIZATION OF APPROPRIATIONS.—

''(1) IN GENERAL.—There are authorized to be appropriated to carry out this section $3,500,000 for fiscal year 2011 and such sums as may be necessary for each of the fiscal years 2012 through 2016.

''(2) AVAILABILITY OF FUNDS.—Sums appropriated under paragraph (1) for any fiscal year shall remain available for obligation until expended.''.

SEC. 107. HEARINGS.

Subtitle A (20 U.S.C. 9101 et seq.) is amended by adding at the end the following:

''SEC. 210B. HEARINGS.

''The Director is authorized to conduct hearings at such times and places as the Director determines appropriate for carrying out the purposes of this subtitle.''.

SEC. 108. ADMINISTRATIVE FUNDS.

Subtitle A (20 U.S.C. 9101 et seq.), as amended by section 107, is further amended by adding at the end the following:

''SEC. 210C. ADMINISTRATIVE FUNDS.

''Notwithstanding any other provision of this Act, the Director shall establish one account to be used to pay the Federal administrative costs of carrying out this Act, and not more than a total of 7 percent of the funds appropriated under sections 210(f), 214, and 275 shall be placed in such account.''.

TITLE II—LIBRARY SERVICES AND TECHNOLOGY

SEC. 201. PURPOSES.

Section 212 (20 U.S.C. 9121) is amended—

(1) by striking paragraph (1) and inserting the following:

''(1) to enhance coordination among Federal programs that relate to library and information services;'';

(2) in paragraph (2), by inserting ''continuous'' after ''promote'';

(3) in paragraph (3), by striking ''and'' after the semicolon;

(4) in paragraph (4), by striking the period at the end and inserting a semicolon; and

(5) by adding at the end the following:

''(5) to promote literacy, education, and lifelong learning and to enhance and expand the services and resources provided by libraries, including those services and resources relating to workforce development, 21st century skills, and digital literacy skills;

''(6) to enhance the skills of the current library workforce and to recruit future professionals to the field of library and information services;

''(7) to ensure the preservation of knowledge and library collections in all formats and to enable libraries to serve their communities during disasters;

''(8) to enhance the role of libraries within the information infrastructure of the United States in order to support research, education, and innovation; and

''(9) to promote library services that provide users with access to information through national, State, local, regional, and international collaborations and networks.''.

SEC. 202. AUTHORIZATION OF APPROPRIATIONS.

Section 214 (20 U.S.C. 9123) is amended—

(a) by striking subsection (a) and inserting the following:

''(a) IN GENERAL.—There are authorized to be appropriated—

''(1) to carry out chapters 1, 2, and 3, $232,000,000 for fiscal year 2011 and such sums as may be necessary for each of the fiscal years 2012 through 2016; and

''(2) to carry out chapter 4, $24,500,000 for fiscal year 2011 and such sums as may be necessary for each of the fiscal years 2012 through 2016.''; and

(b) by striking subsection (c).

SEC. 203. RESERVATIONS AND ALLOTMENTS.

Section 221(b)(3) (20 U.S.C. 9131(b)(3)) is amended—

(1) in subparagraph (A)—

(A) by striking ''$340,000'' and inserting ''$680,000''; and

(B) by striking ''$40,000'' and inserting ''$60,000'';

(2) by striking subparagraph (C); and

(3) by redesignating subparagraph (D) as subparagraph (C).

SEC. 204. STATE PLANS.

Section 224 (20 U.S.C. 9134) is amended—

(1) in subsection (b)—

(A) by redesignating paragraphs (6) and (7) as paragraphs (7) and (8), respectively; and

(B) after paragraph (5), by inserting the following:

''(6) describe how the State library administrative agency will work with other State agencies and offices where appropriate to coordinate resources, programs, and activities and leverage, but not replace, the Federal and State investment in—

''(A) elementary and secondary education, including coordination with the activities within the State that are supported by a grant under section 1251 of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 6383);

''(B) early childhood education, including coordination with—

''(i) the State's activities carried out under subsections (b)(4) and (e)(1) of section 642 of the Head Start Act (42 U.S.C. 9837); and

''(ii) the activities described in the State's strategic plan in accordance with section 642B(a)(4)(B)(i) of such Act (42 U.S.C. 9837b(a)(4)(B)(i));

''(C) workforce development, including coordination with—

''(i) the activities carried out by the State workforce investment board under section 111(d) of the Workforce Investment Act of 1998 (29 U.S.C. 2821(d)); and

''(ii) the State's one-stop delivery system established under section 134(c) of such Act (29 U.S.C. 2864(c)); and

''(D) other Federal programs and activities that relate to library services, including economic and community development and health information;''; and

(2) in subsection (e)(2), by inserting '', including through electronic means'' before the period at the end.

SEC. 205. GRANTS.

Section 231 (20 U.S.C. 9141) is amended—

(1) in subsection (a)—

(A) in paragraph (1), by inserting before the semicolon the following: ''in order to support such individuals' needs for education, lifelong learning, workforce development, and digital literacy skills'';

(B) in paragraph (2), by striking ''electronic networks;'' and inserting ''collaborations and networks; and'';

(C) by redesignating paragraph (2) (as amended by subparagraph (B)) as paragraph (7), and by moving such paragraph so as to appear after paragraph (6);

(D) by striking paragraph (3);

(E) by inserting after paragraph (1) the following:

''(2) establishing or enhancing electronic and other linkages and improved coordination among and between libraries and entities, as described in section 224(b)(6), for the purpose of improving the quality of and access to library and information services;

''(3)(A) providing training and professional development, including continuing education, to enhance the skills of the current library workforce and leadership, and advance the delivery of library and information services; and

''(B) enhancing efforts to recruit future professionals to the field of library and information services;'';

(F) in paragraph (5), by striking ''and'' after the semicolon;

(G) in paragraph (6), by striking the period and inserting a semicolon; and

(H) by adding at the end the following:

''(8) carrying out other activities consistent with the purposes set forth in section 212, as described in the State library administrative agency's plan.''; and

(2) by striking subsection (b) and inserting the following:

''(b) SPECIAL RULE.—Each State library administrative agency receiving funds under this chapter may apportion the funds available for the priorities described in subsection (a) as appropriate to meet the needs of the individual State.''.

SEC. 206. GRANTS, CONTRACTS, OR COOPERATIVE AGREEMENTS.

Section 262(a) (20 U.S.C. 9162(a)) is amended—

(1) by striking paragraphs (1) and (2) and inserting the following:

''(1) building workforce and institutional capacity for managing the national information infrastructure and serving the information and education needs of the public;

''(2)(A) research and demonstration projects related to the improvement of libraries or the enhancement of library and information services through effective and efficient use of new technologies, including projects that enable library users to acquire digital literacy skills and that make information resources more accessible and available; and

''(B) dissemination of information derived from such projects;''; and

(2) in paragraph (3)—

(A) by striking ''digitization'' and inserting ''digitizing''; and

(B) by inserting '', including the development of national, regional, statewide, or local emergency plans that would ensure the preservation of knowledge and library collections in the event of a disaster'' before ''; and''.

SEC. 207. LAURA BUSH 21ST CENTURY LIBRARIAN PROGRAM.

Subtitle B (20 U.S.C. 9121 et seq.) is amended by adding at the end the following:

''CHAPTER 4—LAURA BUSH 21ST CENTURY LIBRARIANS

''SEC. 264. LAURA BUSH 21ST CENTURY LIBRARIAN PROGRAM.

''(a) PURPOSE.—It is the purpose of this chapter to develop a diverse workforce of librarians by—

''(1) recruiting and educating the next generation of librarians, including by encouraging middle or high school students and postsecondary students to pursue careers in library and information science;

''(2) developing faculty and library leaders, including by increasing the institutional capacity of graduate schools of library and information science; and

''(3) enhancing the training and professional development of librarians and the library workforce to meet the needs of their communities, including those needs relating to literacy and education, workforce development, lifelong learning, and digital literacy.

''(b) ACTIVITIES.—From the amounts provided under section 214(a)(2), the Director may enter into arrangements, including grants, contracts, cooperative agreements, and other forms of assistance, with libraries, library consortia and associations, institutions of higher education (as defined in section 101 of the Higher Education Act of 1965 (20 U.S.C. 1001)), and other entities that the Director determines appropriate, for projects that further the purpose of this chapter, such as projects that—

''(1) increase the number of students enrolled in nationally accredited graduate library and information science programs and preparing for careers of service in libraries;

''(2) recruit future professionals, including efforts to attract promising middle school, high school, or postsecondary students to consider careers in library and information science;

''(3) develop or enhance professional development programs for librarians and the library workforce;

''(4) enhance curricula within nationally accredited graduate library and information science programs;

''(5) enhance doctoral education in order to develop faculty to educate the future generation of library professionals and develop the future generation of library leaders; and

''(6) conduct research, including research to support the successful recruitment and education of the next generation of librarians.

''(c) EVALUATION.—The Director shall establish procedures for reviewing and evaluating projects supported under this chapter.''.

SEC. 208. CONFORMING AMENDMENTS.

The National Foundation on the Arts and the Humanities Act of 1965 (20 U.S.C. 951 et seq.) is amended—

(1) in section 4(a) (20 U.S.C. 953(a)), by striking ''Institute of Museum Services'' and inserting ''Institute of Museum and Library Services''; and

(2) in section 9 (20 U.S.C. 958), by striking ''Institute of Museum Services'' each place the term appears and inserting ''Institute of Museum and Library Services''.

TITLE III—MUSEUM SERVICES

SEC. 301. PURPOSE.

Section 272 (20 U.S.C. 9171) is amended—

(1) in paragraph (3), by inserting ''through international, national, regional, State, and local networks and partnerships'' after ''services'';

(2) in paragraph (5), by striking ''and'' after the semicolon;

(3) in paragraph (6), by striking the period and inserting a semicolon; and

(4) by adding at the end the following:

''(7) to encourage and support museums as a part of economic development and revitalization in communities;

''(8) to ensure museums of various types and sizes in diverse geographic regions of the United States are afforded attention and support; and

''(9) to support efforts at the State level to leverage museum resources and maximize museum services.''.

SEC. 302. DEFINITIONS.

Section 273(1) (20 U.S.C. 9172(1)) is amended by inserting ''includes museums that have tangible and digital collections and'' after ''Such term''.

SEC. 303. MUSEUM SERVICES ACTIVITIES.

Section 274 (20 U.S.C. 9173) is amended—

(1) in subsection (a)—

(A) in the matter preceding paragraph (1), by inserting '', States, local governments,'' after ''with museums'';

(B) by redesignating paragraphs (5) through (10) as paragraphs (6) through (11), respectively;

(C) by striking paragraphs (3) and (4) and inserting the following:

''(3) supporting the conservation and preservation of museum collections, including efforts to—

''(A) provide optimal conditions for storage, exhibition, and use;

''(B) prepare for and respond to disasters and emergency situations;

''(C) establish endowments for conservation; and

''(D) train museum staff in collections care;

''(4) supporting efforts at the State level to leverage museum resources, including statewide assessments of museum services and needs and development of State plans to improve and maximize museum services through the State;

''(5) stimulating greater collaboration, in order to share resources and strengthen communities, among museums and—

''(A) libraries;

''(B) schools;

''(C) international, Federal, State, regional, and local agencies or organizations;

''(D) nongovernmental organizations; and

''(E) other community organizations;'';

(D) in paragraph (6) (as redesignated by subparagraph (B)), by striking ''broadcast media'' and inserting ''media, including new ways to disseminate information,''; and

(E) in paragraph (9) (as redesignated by subparagraph (B)), by striking ''at all levels,'' and inserting '', and the skills of museum staff, at all levels, and to support the development of the next generation of museum leaders and professionals,''; and

(2) in subsection (c)—

(A) by redesignating paragraph (2) as paragraph (3);

(B) by inserting after paragraph (1) the following:

''(2) GRANT DISTRIBUTION.—In awarding grants, the Director shall take into consideration the equitable distribution of grants to museums of various types and sizes and to different geographic areas of the United States''; and

(C) in paragraph (2)—

(i) in subparagraph (A), by striking ''awards''; and

(ii) in subparagraph (B), by striking ''. but subsequent'' and inserting ''. Subsequent''.

SEC. 304. AUTHORIZATION OF APPROPRIATIONS.

Section 275 (20 U.S.C. 9176) is amended—

(1) by striking subsection (a) and inserting the following:

''(a) GRANTS.—For the purpose of carrying out this subtitle, there are authorized to be appropriated to the Director $38,600,000 for fiscal year 2011 and such sums as may be necessary for each of the fiscal years 2012 through 2016.'';

(2) by striking subsection (b);

(3) by redesignating subsection (c) as subsection (b); and

(4) by adding at the end the following:

''(c) FUNDING RULES.—Notwithstanding any other provision of this subtitle, if the amount appropriated under subsection (a) for a fiscal year is greater than the amount appropriated under such subsection for fiscal year 2011 by more than $10,000,000, then an amount of not less than 30 percent but not more than 50 percent of the increase in appropriated funds shall be available, from the funds appropriated under such subsection for the fiscal year, to enter into arrangements under section 274 to carry out the State assessments described in section 274(a)(4) and to assist States in the implementation of such plans.''.

TITLE IV—REPEAL OF THE NATIONAL COMMISSION ON LIBRARIES AND INFORMATION SCIENCE ACT

SEC. 401. REPEAL.

(a) IN GENERAL.—The National Commission on Libraries and Information Science Act (20 U.S.C. 1501 et seq.) is repealed.

(b) TRANSFER OF FUNCTIONS.—The functions that the National Commission on Libraries and Information Science exercised before the date of enactment of this Act shall be transferred to the Institute of Museum and Library Services established under section 203 of the Museum and Library Services Act (20 U.S.C. 9102).

(c) TRANSFER AND ALLOCATION OF APPROPRIATIONS AND PERSONNEL.—The personnel and the assets, contracts, property, records, and unexpended balance of appropriations, authorizations, allocations, and other funds employed, held, used, arising from, available to, or to be made available for the functions and activities vested by law in the National Commission on Libraries and Information Science shall be transferred to the Institute of Museum and Library Services upon the date of enactment of this Act.

(d) REFERENCES.—Any reference to the National Commission on Libraries and Information Science in any Federal law, Executive Order, rule, delegation of authority, or document shall be construed to refer to the Institute of Museum and Library Services when the reference regards functions transferred under subsection (b).

The SPEAKER pro tempore (Mr. ALTMIRE). Pursuant to the rule, the gentleman from Arizona (Mr. GRIJALVA) and the gentleman from Wisconsin (Mr. PETRI) each will control 20 minutes.

The Chair recognizes the gentleman from Arizona.

GENERAL LEAVE

Mr. GRIJALVA. Mr. Speaker, I request 5 legislative days during which Members may revise and extend and insert extraneous material on S. 3984 into the RECORD.

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

There was no objection.

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

Mr. Speaker, I rise today in support of Senate Bill 3984, which reauthorizes the Museum and Library Services Act. This bipartisan bill updates the MLSA to better reflect the role that libraries and museums play in our Nation's communities, and it ensures the preservation of collections for future generations.

Our Nation's libraries serve an important role in providing our communities with free access to all types of information and telecommunications services. During these difficult economic times, libraries are a lifeline to many without home access to computers or to the Internet in order to search for employment, to conduct research, or to access training resources. According to the American Library Association, two-thirds of our Nation's libraries report that they provide the only free access to computers and the Internet in their communities.

Within the last 2 years, libraries have experienced significant increases in demands for services, including helping patrons complete online job applications, creating resumes, and accessing job databases. This bill will enable libraries to continue offering these critical services to the American people.

The Senate bill will also help the Institute of Museum and Library Services to encourage more collaboration between agencies and programs to promote family literacy, technology education, and workforce development. These efforts will help libraries fully leverage their role as resource facilities and community centers. Additionally, this reauthorization enhances current training opportunities for professionals, and it supports the development of a diverse workforce, capable of meeting the 21st-century information needs of our communities.

□ 1610

Our Nation's museums are also a critical part of our country's educational and economic infrastructure, stimulating tourism and partnering with schools to support the local curriculum. According to the American Association of Museums, these centers of discovery and learning employ as many as half a million Americans nationwide and contribute approximately $20.7 billion to the American economy each year.

Museums attract nearly 850 million visits per year and an additional 542 million via the Internet. Museums also include aquariums, botanical gardens, nature centers, and zoos. Over 175 million people visit accredited zoos and aquariums annually, and these institutions generate $8.4 billion in annual U.S. economic activity. Zoos and aquariums provide millions of children with their only firsthand experiences with wildlife.

This bill also acts to strengthen capacity for conservation and preservation of museum collections and requires that museums and diverse geographic regions of various types and sizes be supported.

Mr. Speaker, I want to thank the original Senate sponsors of this bill, Senators REED, ENZI, HARKIN, and BURR, as well as chairman of the House Education and Labor Committee, Mr. GEORGE MILLER, and Ranking Member KLINE for their leadership in bringing this important bipartisan legislation to the floor.

I urge my colleagues to join me in supporting this legislation to reauthorize the Museum and Library Services Act to help us preserve and enhance the critical role which libraries and museums play in our Nation's communities.

I reserve the balance of my time.

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

Mr. Speaker, the bill before us, the Museum and Library Services Act, reauthorizes the Institute for Museum and Library Services, the Federal agency that oversees Federal funds going to libraries and museums nationwide, and generally updates the law.

The Museum and Library Services Act authorizes funding for the Library Services and Technology Act and for Museum Services. The library program funding is distributed to States through a formula, and the funds are spent on a wide variety of libraries across our Nation. Through this bill, the Library Services and Technology Act is updated to require greater coordination and better leveraging of Federal and State investment in our Nation's libraries.

The museum funds are distributed through five competitive grant programs and two cooperative agreements. In this section of the bill, the Museum Services Act is updated to encourage greater collaboration between museums and other organizations to leverage resources and improve local communities. It also tries to strengthen capacity for the conservation and preservation of museum collections and helps support State efforts to leverage museum funds.

I yield back the balance of my time.

Mr. GRIJALVA. Mr. Speaker, this is a good piece of legislation. It enhances the quality of life for the American people. I urge its support, and I yield back the remainder of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Arizona (Mr. GRIJALVA) that the House suspend the rules and pass the bill, S. 3984.

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 FOUNDATION ON FITNESS, SPORTS, AND NUTRITION ESTABLISHMENT ACT

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

(S. 1275) to establish a National Foundation on Physical Fitness and Sports to carry out activities to support and supplement the mission of the President's Council on Physical Fitness and Sports.

The Clerk read the title of the bill.

The text of the bill is as follows:

S. 1275

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 ''National Foundation on Fitness, Sports, and Nutrition Establishment Act''.

SEC. 2. ESTABLISHMENT AND PURPOSE OF FOUNDATION.

(a) ESTABLISHMENT.—There is established the National Foundation on Fitness, Sports, and Nutrition (hereinafter in this Act referred to as the ''Foundation''). The Foundation is a charitable and nonprofit corporation and is not an agency or establishment of the United States.

(b) PURPOSES.—The purposes of the Foundation are—

(1) in conjunction with the Office of the President's Council on Fitness, Sports and Nutrition, to develop a list and description of programs, events and other activities which would further the purposes and functions outlined in Executive Order 13265, as amended, and with respect to which combined private and governmental efforts would be beneficial;

(2) to encourage and promote the participation by private organizations in the activities referred to in subsection (b)(1) and to encourage and promote private gifts of money and other property to support those activities; and

(3) in consultation with such Office, to undertake and support activities to further the purposes and functions of such Executive Order.

(c) PROHIBITION ON FEDERAL FUNDING.—The Foundation may not accept any Federal funds.

SEC. 3. BOARD OF DIRECTORS OF THE FOUNDATION.

(a) ESTABLISHMENT AND MEMBERSHIP.—The Foundation shall have a governing Board of Directors (hereinafter referred to in this Act as the ''Board''), which shall consist of 9 members each of whom shall be a United States citizen and—

(1) 3 of whom should be knowledgeable or experienced in one or more fields directly connected with physical fitness, sports, nutrition, or the relationship between health status and physical exercise; and

(2) 6 of whom should be leaders in the private sector with a strong interest in physical fitness, sports, nutrition, or the relationship between health status and physical exercise.

The membership of the Board, to the extent practicable, should represent diverse professional specialties relating to the achievement of physical fitness through regular participation in programs of exercise, sports, and similar activities, or to nutrition. The Assistant Secretary for Health, the Executive Director of the President's Council on Fitness, Sports and Nutrition, the Director for the National Center for Chronic Disease Prevention and Health Promotion, the Director of the National Heart, Lung, and Blood Institute, and the Director for the Centers for Disease Control and Prevention shall be ex officio, nonvoting members of the Board. Appointment to the Board or its staff shall not constitute employment by, or the holding of an office of, the United States for the purposes of laws relating to Federal employment.

(b) APPOINTMENTS.—Within 90 days from the date of enactment of this Act, the members of the Board shall be appointed by the Secretary in accordance with this subsection. In selecting individuals for appointments to the Board, the Secretary should consult with—

(1) the Speaker of the House of Representatives concerning the appointment of one member;

(2) the Majority Leader of the House of Representatives concerning the appointment of one member;

(3) the Majority Leader of the Senate concerning the appointment of one member;

(4) the President Pro Tempore concerning the appointment of one member;

(5) the Minority Leader of the House of Representatives concerning the appointment of one member; and

(6) the Minority Leader of the Senate concerning the appointment of one member.

(c) TERMS.—The members of the Board shall serve for a term of 6 years, except that the original members of the Board shall be appointed for staggered terms as determined appropriate by the Secretary. A vacancy on the Board shall be filled within 60 days of the vacancy in the same manner in which the original appointment was made and shall be for the balance of the term of the individual who was replaced. No individual may serve more than 2 consecutive terms as a member.

(d) CHAIRMAN.—The Chairman shall be elected by the Board from its members for a 2-year term and shall not be limited in terms or service, other than as provided in subsection (c).

(e) QUORUM.—A majority of the current membership of the Board shall constitute a quorum for the transaction of business.

(f) MEETINGS.—The Board shall meet at the call of the Chairman at least once a year. If a member misses 3 consecutive regularly scheduled meetings, that member may be removed from the Board and the vacancy filled in accordance with subsection (c).

(g) REIMBURSEMENT OF EXPENSES.—Members of the Board shall serve without pay, but may be reimbursed for the actual and necessary traveling and subsistence expenses incurred by them in the performance of the duties of the Foundation, subject to the same limitations on reimbursement that are imposed upon employees of Federal agencies.

(h) LIMITATIONS.—The following limitations apply with respect to the appointment of employees of the Foundation:

(1) Employees may not be appointed until the Foundation has sufficient funds to pay them for their service. No individual so appointed may receive a salary in excess of the annual rate of basic pay in effect for Executive Level V in the Federal service. A member of the Board may not receive compensation for serving as an employee of the Foundation.

(2) The first employee appointed by the Board shall be the Secretary of the Board who shall serve, at the direction of the Board, as its chief operating officer and shall be knowledgeable and experienced in matters relating to physical fitness, sports, and nutrition.

(3) No Public Health Service employee nor the spouse or dependent relative of such an employee may serve as a member of the Board of Directors or as an employee of the Foundation.

(4) Any individual who is an employee or member of the Board of the Foundation may not (in accordance with the policies developed under subsection (i)) personally or substantially participate in the consideration or determination by the Foundation of any matter that would directly or predictably affect any financial interest of—

(A) the individual or a relative (as such term is defined in section 109(16) of the Ethics in Government Act, 1978) of the individual; or

(B) any business organization, or other entity, of which the individual is an officer or employee, is negotiating for employment, or in which the individual has any other financial interest.

(i) GENERAL POWERS.—The Board may complete the organization of the Foundation by—

(1) appointing employees;

(2) adopting a constitution and bylaws consistent with the purposes of the Foundation and the provision of this Act; and

(3) undertaking such other acts as may be necessary to carry out the provisions of this Act.

In establishing bylaws under this subsection, the Board shall provide for policies with regard to financial conflicts of interest and ethical standards for the acceptance, solicitation and disposition of donations and grants to the Foundation.

SEC. 4. POWERS AND DUTIES OF THE FOUNDATION.

(a) IN GENERAL.—The Foundation—

(1) shall have perpetual succession;

(2) may conduct business throughout the several States, territories, and possessions of the United States;

(3) shall have its principal offices in or near the District of Columbia; and

(4) shall at all times maintain a designated agent authorized to accept service of process for the Foundation.

The serving of notice to, or service of process upon, the agent required under paragraph (4), or mailed to the business address of such agent, shall be deemed as service upon or notice to the Foundation.

(b) SEAL.—The Foundation shall have an official seal selected by the Board which may be used as provided for in section 5.

(c) INCORPORATION; NONPROFIT STATUS.—To carry out the purposes of the Foundation under section 2, the Board shall—

(1) incorporate the Foundation in the District of Columbia; and

(2) establish such policies and bylaws as may be necessary to ensure that the Foundation maintains status as an organization that is described in section 501(c)(3) of the Internal Revenue Code of 1986.

(d) POWERS.—Subject to the specific provisions of section 2, the Foundation, in consultation with the Office of the President's Council on Fitness, Sports, and Nutrition, shall have the power, directly or by the awarding of contracts or grants, to carry out or support activities for the purposes described in such section.

(e) TREATMENT OF PROPERTY.—For purposes of this Act, an interest in real property shall be treated as including easements or other rights for preservation, conservation, protection, or enhancement by and for the public of natural, scenic, historic, scientific, educational inspirational or recreational resources. A gift, devise, or bequest may be accepted by the Foundation even though it is encumbered, restricted, or subject to beneficial interests of private persons if any current or future interest therein is for the benefit of the Foundation.

SEC. 5. PROTECTION AND USES OF TRADEMARKS AND TRADE NAMES.

(a) TRADEMARKS OF THE FOUNDATION.—Authorization for a contributor, or a supplier of goods or services, to use, in advertising regarding the contribution, goods, or services, the trade name of the Foundation, or any trademark, seal, symbol, insignia, or emblem of the Foundation may be provided only by the Foundation with the concurrence of the Secretary or the Secretary's designee.

(b) TRADEMARKS OF THE COUNCIL.—Authorization for a contributor or supplier described in subsection (a) to use, in such advertising, the trade name of the President's Council on Fitness, Sports, and Nutrition, or any trademark, seal, symbol, insignia, or emblem of such Council, may be provided—

(1) by the Secretary or the Secretary's designee; or

(2) by the Foundation with the concurrence of the Secretary or the Secretary's designee.

SEC. 6. AUDIT, REPORT REQUIREMENTS, AND PETITION OF ATTORNEY GENERAL FOR EQUITABLE RELIEF.

(a) AUDITS.—For purposes of the Act entitled ''An Act for audit of accounts of private corporations established under Federal law'', approved August 30, 1964 (Public Law 88–504, 36 U.S.C. 1101–1103), the Foundation shall be treated as a private corporation under Federal law. The Inspector General of the Department of Health and Human Services and the Comptroller General of the United States shall have access to the financial and other records of the Foundation, upon reasonable notice.

(b) REPORT.—The Foundation shall, not later than 60 days after the end of each fiscal year, transmit to the Secretary and to Congress a report of its proceedings and activities during such year, including a full and complete statement of its receipts, expenditures, and investments.

(c) RELIEF WITH RESPECT TO CERTAIN FOUNDATION ACTS OR FAILURE TO ACT.—If the Foundation—

(1) engages in, or threatens to engage in, any act, practice or policy that is inconsistent with its purposes set forth in section 2(b); or

(2) refuses, fails, or neglects to discharge its obligations under this Act, or threaten to do so;

the Attorney General of the United States may petition in the United States District Court for the District of Columbia for such equitable relief as may be necessary or appropriate.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Arizona (Mr. GRIJALVA) and the gentleman from Wisconsin (Mr. PETRI) each will control 20 minutes.

The Chair recognizes the gentleman from Arizona.

GENERAL LEAVE

Mr. GRIJALVA. Mr. Speaker, I request 5 legislative days during which Members may revise, extend and insert extraneous material on S. 1275 into the RECORD.

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

There was no objection.

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

Mr. Speaker, today I rise in support of S. 1275, which establishes a National Foundation on Fitness, Sports, and Nutrition to carry out activities to support and supplement the mission of the President's Council on Physical Fitness and Sports.

According to a 2009 study by the Centers for Disease Control and Prevention, 33 States currently have an obesity prevalence rate of 25 percent or greater, and roughly 25 million children, one in three kids, over the age of six are obese or overweight. These numbers represent a dramatic and concerning increase in obesity in the United States over the past 20 years.

These growing rates require that we take some action. The creation of this foundation is a move in that direction.

According to the Department of Health and Human Services, adults 18 and older need 30 minutes of physical activity. Unfortunately, 25 percent of American children do not participate in any free-time physical activity, and 92 percent of our youth have no year-round daily physical education or activity. It is vital that we encourage our children to be healthy and active individuals.

The President's Council on Fitness, Sports and Nutrition is a volunteer advisory committee created by President Eisenhower in 1956. The council collaborates with Federal, State, and local agencies, the private sector, and nonprofit organizations to promote physical fitness in sports. However, despite its critically important mission, the council's budget has been reduced over time and is now approximately just $1.2 million per year.

This legislation would establish a foundation to work in conjunction with the council to bring much-needed private resources to the fight against youth inactivity and obesity. Not only will this foundation increase the reach and impact of the council in promoting physical fitness, sports, and nutrition programs across the country; it will not use any taxpayer resources.

With the support of private funds, the foundation will make strategic grants and increase public awareness of Federal policies and programs to improve physical fitness and nutrition. To oversee such activities, the foundation will be governed by a bipartisan, 11-member board of directors.

Establishing this independent foundation will contribute to our national efforts to end childhood obesity and improve child nutrition. Yesterday, the President signed the Healthy, Hunger-Free Kids Act to dramatically improve children's access to nutritious meals and enhance the quality of meals they eat in and out of school.

Additionally, the First Lady's Let's Move campaign has set a goal of ending childhood obesity in a generation. The Let's Move campaign is a collaborative and community-oriented initiative which engages every sector of our society that impacts the health of children. It seeks to provide schools, families, and communities the simple tools they need to help kids be more active, eat better, and get healthy. The bill adds to these efforts by enhancing the tools available to improve the health and well-being of our children.

Mr. Speaker, I want to thank the sponsor of the Senate bill, Senator MARK WARNER of Virginia, and the sponsor of its companion legislation in the House, Representative JOHN SARBANES of Maryland, for their leadership in bringing this important legislation to the floor.

I also want to thank Chairman WAXMAN of the Energy and Commerce Committee for working with the Education and Labor Committee to allow this bill to move quickly to the floor.

I urge my colleagues to join me in supporting this legislation to establish a National Foundation on Fitness, Sports, and Nutrition.

HOUSE OF REPRESENTATIVES,
COMMITTEE ON ENERGY AND COMMERCE,
Washington, DC, December 14, 2010.

Hon. GEORGE MILLER,
Chairman, Committee on Education and Labor, Rayburn House Office Building, Washington, DC.

DEAR CHAIRMAN MILLER: I am writing to confirm our understanding regarding S. 1275, the ''National Foundation on Fitness, Sports, and Nutrition Establishment Act.'' The Committee on Energy and Commerce has jurisdictional interest in the bill. In light of the interest in moving this bill forward promptly, I am not exercising the jurisdiction of the Committee on Energy and Commerce regarding S. 1275, with the understanding that taking this course does not prejudice the Committee's jurisdictional interests and prerogatives on this or similar legislation in the future.

I would appreciate your including this letter during consideration of the bill on the House floor. Thank you for your cooperation on this matter.

Sincerely,

HENRY A. WAXMAN,
Chairman.

HOUSE OF REPRESENTATIVES,
COMMITTEE ON EDUCATION AND LABOR,
Washington, DC, December 14, 2010.

Hon. HENRY A. WAXMAN,
Chairman, Committee on Energy and Commerce, Rayburn House Office Building, Washington, DC.

DEAR CHAIRMAN WAXMAN: Thank you for your December 14, 2010, letter regarding the jurisdictional interest of the Committee on Energy and Commerce in S. 1275, the National Foundation on Fitness, Sports, and Nutrition Establishment Act. I appreciate your assistance in ensuring its timely consideration and in refraining from exercising any such jurisdiction at this time. I acknowledge that, by not taking such action, the Committee on Energy and Commerce does not prejudice any jurisdictional interest or other prerogative it may have.

I value your cooperation and look forward to working with you as we move ahead with this important legislation.

Sincerely,

GEORGE MILLER,
Chairman.

I reserve the balance of my time.

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

Today, we consider S. 1275, the National Foundation on Physical Fitness and Sports Establishment Act. This legislation would establish a charitable and nonprofit foundation to raise private funds to carry out new initiatives by the President's Council on Fitness, Sports and Nutrition. The bill establishes a board of directors to govern the activities of the foundation appointed by the Speaker, the majority leaders of the House and Senate, and the minority leaders of the House and Senate.

First established in 1965, the President's Council on Fitness, Sports and Nutrition has been renewed by every President for the last 45 years. The council is made up of 25 volunteer citizens, including New Orleans Saints

quarterback and Super Bowl XLIV MVP Drew Brees, three-time Olympic gymnast Dominique Dawes, Billie Jean King, Grant Hill, and Michelle Kwan.

□ 1620

The council advises the President and the Secretary of Health and Human Services on opportunities to develop accessible, affordable, and sustainable physical activity, fitness, sports, and nutrition programs for all Americans regardless of age, background, or ability.

The council has played an important role over the years in raising the awareness of Americans about the need to become physically active. It sponsors an array of programs, events, and initiatives, including the establishment of May as National Physical Fitness and Sports Month; runs the Presidential Physical Fitness Award; recognizes national and local contributions to physical activities; and has played an instrumental role in the development of physical activity guidelines, dietary guidelines, and the National Physical Activity Plan.

Currently, the President's Council on Fitness, Sports and Nutrition lacks any grant making or regulatory authority, which has limited its activities to providing consultation and technical assistance, general publications, a Web site, and guidance to schools, government agencies, and other interested parties on how to improve physical activity.

The bill before us, S. 1275, would establish a charitable and nonprofit foundation to raise private funds so that the council can award grants to carry out and support its activities. The foundation is similar to those established for the National Institutes of Health and the Centers for Disease Control. Foundations created by Congress allow these programs to create partnerships with the private sector, leverage funds, and expand their work without increasing Federal expenditures. Consistent with this belief, the bill prohibits the foundation from accepting or competing for any Federal funds.

As has been stated on this floor in the past, childhood and adult obesity is an issue that has now reached epidemic proportions in the United States. In 2008, 17 percent of children between the ages of 2 and 19 were obese, and approximately 70 to 80 percent of overweight or obese children remain obese in adulthood. These children are more likely to develop diseases such as high blood pressure and type 2 diabetes. In order to reverse these dangerous trends, Americans need information and support to improve their diet and promote exercise in their daily lives. The bill will establish the President's Council on Fitness, Sports and Nutrition and will ensure that it continues to play an important role in attacking the obesity crisis that is negatively impacting the health of all Americans.

I would also like to mention at this point the contributions of our former colleague from Maryland, Tom McMillen, in urging that we attempt this important matter before the end of this Congress, and I urge my colleagues to join me in doing so.

I yield back the balance of my time.

Mr. GRIJALVA. Mr. Speaker, I am pleased to yield 5 minutes to the gentleman from Maryland (Mr. SARBANES), the sponsor of the companion legislation in the House.

Mr. SARBANES. Mr. Speaker, I thank the gentleman for yielding.

I rise in strong support. It's a privilege to rise today in support of S. 1275 and its companion, H.R. 4322, which is an act to create the National Foundation on Fitness, Sports and Nutrition, which is designed to support the President's Council on Fitness, Sports and Nutrition.

I want to thank the many cosponsors of this legislation. It's a bipartisan bill. We have strong support from both Republicans and Democrats and have done so all the way through this process. I want to thank Congressman GEORGE MILLER for his efforts in moving this from the Education and Labor Committee, and I want to salute his staff for working so closely with us. And of course Senator MARK WARNER, who is the sponsor on the Senate side of this legislation. I, too, want to salute former Congressman Tom McMillen who has been just a tireless advocate for establishing this foundation which can support the mission of the President's Council on Fitness, Sports and Nutrition. This council was first established, as has been indicated a couple of times, by President Eisenhower back in 1956, who understood that we needed to create a focus here at the Federal level on the issue of healthy lifestyles, on fitness, on physical activity, and getting people outside into regular activity. And today we have the council with the same mission, a very important mission, more important I think than ever before.

You have heard the discussion about the increasing incidence of obesity among the next generation, the importance of encouraging regular physical activity, of paying attention to nutrition. I, myself, am very focused on research that shows that the average young person today spends about 7½ hours a day on television, video games, Internet, and handheld electronic devices, and about 4 minutes a day—that's minutes a day—outside in unstructured physical recreation. That's a real changeover from the way things used to be, and it means that we really have to focus our young people on engaging in regular physical activity. And there is a lot of attention on that, and that's what the President's Council on Fitness, Sports and Nutrition is all about.

Now, as was mentioned, the Federal dollars that are available to support the President's council are relatively limited, and I think we can expect that that is going to be the case going forward. Luckily, though, there are many people in the private sector, private citizens, others, who are ready to step forward and contribute to this effort because they understand how critically important the mission of the President's council is. So they are ready to do that. They are, in fact, very excited about the newly appointed commissioner to the President's council and I think the outpouring of support that that is going to generate. And they are ready to step forward and help.

Unfortunately, up until now, up until the creation of this act, of this foundation, there hasn't really been a mechanism by which private parties could step forward and support the mission of the council. And that's exactly what this legislation is designed to do. The foundation that is created by this bill makes it possible for the foundation, upon behalf of the President's council, to solicit, receive, and administer private contributions. So this is going to give people a chance to step forward and say, This mission is a critical one, and we want to support it with our private dollars.

This is a very accepted model. We have seen it work with the National Park Service, with the National Institutes of Health, with the Centers for Disease Control. And I think it's a wonderful opportunity to strengthen the council's mission going forward. For that reason, I urge support of this bill.

Mr. GRIJALVA. 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 Arizona (Mr. GRIJALVA) that the House suspend the rules and pass the bill, S. 1275.

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.

SUPPORTING DESIGNATION OF ED ROBERTS DAY

Mr. GRIJALVA. Mr. Speaker, I move to suspend the rules and agree to the resolution (H. Res. 1759) expressing support for designation of January 23rd as ''Ed Roberts Day''.

The Clerk read the title of the resolution.

The text of the resolution is as follows:

H. RES. 1759

Whereas Edward Verne Roberts was born January 23, 1939;

Whereas Roberts acquired polio as an adolescent in 1953 and had to spend vast expanses of time in an iron lung;

Whereas Roberts' career as an advocate began when a high school administrator threatened to deny him a diploma because he had not completed driver's education and physical education;

Whereas in 1962 Roberts was admitted to the University of California at Berkeley (UC Berkeley) where he became the first severely disabled student to attend UC Berkeley;

Whereas when his search for housing at the university met resistance, the director of the campus hospital offered Roberts a room in an empty wing, which Roberts accepted on the condition that it was considered a dormitory space;

Whereas other significantly disabled students joined Roberts in the empty wing over the next few years and called themselves the ''Rolling Quads'';

Whereas at UC Berkeley the Rolling Quads began advocating for curb cuts, opening access to the wider community and creating the first student-led disability services program at a university in the Nation;

Whereas the student program led to the creation of the Nation's first center for independent living;

Whereas Roberts assumed leadership of the Center for Independent Living, Berkeley and guided its development as a model for disability advocacy and self-help services across the Nation and around the world;

Whereas in 1975 Roberts was appointed the Director of the California Department of Rehabilitation;

Whereas in 1983 Roberts co-founded the World Institute on Disability, an organization committed to eliminating barriers to full social integration for persons with disabilities;

Whereas Ed Roberts died from natural causes on March 14, 1995; and

Whereas Ed Roberts was a leader and champion in the disability rights movement: Now, therefore, be it

Resolved, That the House of Representatives—

(1) supports the designation of an ''Ed Roberts Day''; and

(2) acknowledges the accomplishments of Ed Roberts in helping reduce barriers, increase access, and improve lives for persons with disabilities.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Arizona (Mr. GRIJALVA) and the gentleman from Wisconsin (Mr. PETRI) each will control 20 minutes.

The Chair recognizes the gentleman from Arizona.

GENERAL LEAVE

Mr. GRIJALVA. Mr. Speaker, I request 5 legislative days during which Members may revise and extend and insert extraneous material on House Resolution 1759 into the RECORD.

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

There was no objection.

□ 1630

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

Mr. Speaker, I rise today in support of House Resolution 1759, which supports the establishment of ''Ed Roberts Day.'' Mr. Edward Verne Roberts was a pioneering leader and a champion in the disability rights movement.

Mr. Roberts was born January 23, 1939, in San Mateo, California. Mr. Roberts acquired polio at the age of 14 in 1953, 2 years before the Salk vaccine put an end to that epidemic. After 18 months in the hospital, he returned home paralyzed from the neck down except for a few fingers and toes.

Roberts continued his high school education while spending vast amounts of time resting and sleeping in the iron lung. When a high school administrator threatened to deny him a diploma because he had not completed drivers and physical education requirements, he protested and began an early career of activism. Later, Roberts became the first student with severe disabilities to attend the University of California at Berkeley.

At UC Berkeley, other students with significant disabilities joined Roberts in an empty wing in which the university had placed him and, over the next few years, began to call themselves the ''Rolling Quads.'' The Rolling Quads began advocating for curb cuts, opening access to the wider community, and creating the first student-led disabilities service program at any university in the Nation. That student program led to the creation of the Nation's first Center for Independent Living, and Roberts assumed leadership of the center and guided its development as a model for disability advocacy and self-help service.

After earning a bachelor's degree and a master's degree in political science at UC Berkeley, in 1975, Roberts was appointed the Director of the California Department of Rehabilitation. In 1983, he cofounded the World Institute on Disability, an organization committed to eliminating the barriers to full social integration for persons with disabilities.

Mr. Edward Verne Roberts died from natural causes on March 14, 1995, leaving behind a legacy as the modern father of the disability rights movement. Roberts' efforts helped to reduce barriers, increase access, and improve the lives for persons with disabilities across this Nation and world. It is with these contributions in mind that this resolution calls for the establishment of ''Ed Roberts Day.''

Mr. Speaker, I want to thank the sponsor of the resolution and chairman of the House Education and Labor Committee, Mr. GEORGE MILLER, for his leadership in bringing this important resolution to the floor. I urge my colleagues to join me in support of House Resolution 1759, which supports the designation of an ''Ed Roberts Day.''

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

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

I rise in support of House Resolution 1759, which supports the designation of an ''Ed Roberts Day'' for his tireless work as a leader and champion in the disability rights community.

Born January 23, 1939, Edward Verne Roberts contracted polio at the age of 14 in 1953. Despite spending most of his adolescence in an iron lung, he graduated high school and was admitted into the University of California at Berkeley, where he became the first severely disabled person to attend that university.

This feat is all the more amazing when you consider the obstacles that were thrown in Ed's way. A high school administrator threatened to deny him a diploma because he had not completed driver's education and physical education requirements. College administrators told him they had tried to educate students with disabilities before and it did not work. The director of campus housing was afraid that they could not accommodate his needs, offering him a room in the empty wing of the campus hospital. Ed accepted only on the condition that it was considered dormitory space.

During his time at UC Berkeley and after he left college, Ed worked with other students with disabilities to push for curb cuts so that parts of the university could be accessible to disabled persons. He formed the Physical Disabled Student Program to help facilitate and ease the transition for other students with disabilities to attend college.

In 1972, he established the first Center for Independent Living in order to support and assist disabled persons in gaining independence. The center's philosophy was, and it continues to be, based on three main points:

First, comprehensive programs with a wide variety of services, such as employment and assistive technology, are the most effective at meeting the needs of persons with disabilities;

Second, people with disabilities know best how to meet the needs of others with disabilities; and

Third, the strongest and most vibrant communities are those that include and embrace all people, including disabled persons.

Today, most independent living centers across the country use this model as a basis for their work with individuals with disabilities. To celebrate this fact, Ed is known as the ''Father of the Independent Living Movement.''

Mr. Speaker, Ed Roberts was a pioneer in the disability community until his death in 1995. Today, we honor him and acknowledge his work to reduce barriers, increase access, and improve the lives of all persons with disabilities. So I rise in support of House Resolution 1759, which supports the designation of an ''Ed Roberts Day.''

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

Mr. GRIJALVA. Mr. Speaker, I yield back the remainder of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Arizona (Mr. GRIJALVA) that the House suspend the rules and agree to the resolution, H. Res. 1759.

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

The yeas and nays were ordered.

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

HOUSTON, TEXAS, PROPERTY CONVEYANCE

Ms. NORTON. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 6510) to direct the Administrator of General Services to convey a parcel of real property in Houston, Texas, to the Military Museum of Texas, and for other purposes.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 6510

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

SECTION 1. CONVEYANCE OF REAL PROPERTY IN HOUSTON, TEXAS.

(a) AUTHORITY TO CONVEY.—The Administrator of General Services shall convey, at the market value determined under subsection (b), to the Military Museum of Texas all right, title, and interest of the United States in and to the parcel of real property located at 8611 Wallisville Road in Houston, Texas, as described in subsection (c).

(b) DETERMINATION OF MARKET VALUE.—For purposes of subsection (a), the market value of the real property shall be determined by an independent appraisal based on the current use of the property. The appraisal shall be commissioned by the Administrator and paid for by the Military Museum of Texas.

(c) PROPERTY DESCRIPTION.—The real property to be conveyed is the 3.673 acres of land in Lot 3 of Moers Subdivision in the W.M. Black Survey, Abstract 114, Harris County, Texas, more particularly described as follows:

(1) Beginning at an iron rod located at the intersection of the north line of Wallisville Road presently being 100′ wide with the southeast line of U.S. Highway 90 presently being 150′ in width.

(2) Thence north 38°13′ east 1068.61′ along the southeast line of U.S. Highway 90 to an iron rod for the point of beginning.

(3) Thence south 01°15′43″ east 713.5′ along a fence to a galvanized iron fence corner in the north line of Wallisville Road.

(4) Thence south 79°26′ west, 408′ more or less parallel to the east boundary line to a point in the southeast line of U.S. Highway 90.

(5) Thence north 38°13′ east 460′ more or less along the southeast line of U.S. Highway 90 to the point of beginning.

(d) STRUCTURES AND IMPROVEMENTS.—The conveyance shall include the improvements, structures, and fixtures located on the real property conveyed and related personal property.

(e) USE RESTRICTION.—

(1) IN GENERAL.—As a condition of the conveyance, the Military Museum of Texas shall use and maintain the real property conveyed, for a minimum period of 30 years, in a manner consistent with the use of the property at the time of the conveyance.

(2) USE RESTRICTION.—Except as provided by paragraph (3), if the real property conveyed ceases to be used or maintained as required by paragraph (1), all or any portion of the property shall, in its then existing condition and at the option of the Administrator, revert to the United States.

(3) ABROGATION OF USE RESTRICTION.—

(A) IN GENERAL.—The Military Museum of Texas may seek abrogation of the use restriction set forth in paragraph (2) by obtaining the advance written consent of the Administrator, and by payment to the United States of the fair market value of the real property to be released from the restriction.

(B) DETERMINATION OF FAIR MARKET VALUE.—For purposes of subparagraph (A), the fair market value of the real property shall be determined by an independent appraisal based on the highest and best use of the property as of the effective date of the abrogation. The appraisal shall be commissioned by the Administrator and paid for by the Military Museum of Texas.

(f) COMPLIANCE.—

(1) REPORTS.—As a condition of the conveyance, the Military Museum of Texas shall submit to the Administrator, not later than one year after the date of the conveyance and annually thereafter for a period of 30 years, a report on the Military Museum's use and maintenance of the real property conveyed, and any other reports required by the Administrator to evidence the Military Museum's continuous use of the property in accordance with subsection (d).

(2) INSPECTIONS.—Not later than one year after the date of conveyance and every 5 years thereafter for a period of 30 years, the Administrator shall conduct inspections of the real property conveyed to confirm information provided in the reports submitted under paragraph (1).

(g) ADDITIONAL TERMS AND CONDITIONS.—The Administrator may require the conveyance to be subject to such additional terms and conditions as the Administrator considers appropriate and necessary to protect the interests of the United States.

(h) COSTS OF CONVEYANCE.—The Military Museum of Texas shall be responsible for all reasonable and necessary costs associated with the conveyance, including real estate transaction and environmental documentation costs.

(i) RELATIONSHIP TO ENVIRONMENTAL LAW.—Nothing in this section may be construed to affect or limit the application of or obligation to comply with any environmental law, including section 120(h) of the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 (42 U.S.C. 9620(h)).

The SPEAKER pro tempore. Pursuant to the rule, the gentlewoman from the District of Columbia (Ms. NORTON) and the gentleman from Florida (Mr. MARIO DIAZ-BALART) each will control 20 minutes.

The Chair recognizes the gentlewoman from the District of Columbia.

GENERAL LEAVE

Ms. NORTON. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks and include extraneous material on H.R. 6510.

The SPEAKER pro tempore. Is there objection to the request of the gentlewoman from the District of Columbia?

There was no objection.

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

H.R. 6510 directs the Administrator of General Services to convey a parcel of real property in Houston, Texas, to the Military Museum of Texas. The Military Museum of Texas is a nonprofit 501(c)(3) based in Harris County, Texas, that was created to honor the contributions of the citizens of Texas to the armed services of the United States.

The museum was founded in 1992 as a charitable organization and has an all-volunteer staff with an annual operating budget. The Military Museum of Texas' main activities include educating citizens on Texas' military history and preserving military memorabilia. The memorabilia include artillery field pieces, field equipment, et cetera, but primarily military vehicles for display that are shared with the public. Its income is derived directly from the sale of items to the general public, membership dues, event fees, and contributions of private individuals and corporations.

□ 1640

The museum devotes a significant portion of its funds to its military vehicle restoration program, and these vehicles are often shared with the public on site and at local parades. The Military Museum of Texas estimates the value of its military vehicles and military memorabilia collection in its inventory at $10 million.

The museum is currently housed in approximately 20,000 square feet owned by the General Services Administration. Originally, GSA leased the facility to the State of Texas starting in the early 1970s, before the museum took control of the facility in late 2004 under lease with the State of Texas for nominal rent plus utilities and minor repairs.

Since its initial occupancy, the Military Museum has worked with a private consultant to put together a 5-year capital improvement plan for fiscal years 2010 through 2015, to improve the facility and address storm damage to make the museum more of a world-class museum.

The General Services Administration declared the property excess on December 16, 2009, and the Military Museum of Texas has expressed an interest in purchasing the property at its full market value with a museum use restriction. The government interest in this property is protected because if the site is used for anything except for a museum during the next 30 years, the owners will be required to pay the market value of the parcel at the highest and best use.

Given that the GSA has declared this property excess and the Military Museum of Texas is willing to purchase at market value, we find this transfer to be in the best interest of the government, and I urge my colleagues to support the bill.

I reserve the balance of my time.

Mr. MARIO DIAZ-BALART of Florida. Mr. Speaker, I yield myself such time as I may consume.

Let me add my words to the gentlewoman from the District of Columbia. This bill would direct the GSA to transfer property in Houston to the Military Museum, as the gentlewoman just said.

I want to thank the gentlewoman from Texas, SHEILA JACKSON LEE, for bringing up this bill. This would, as well as what the chairwoman just talked about, also solve an issue that is really an unfortunate symptom of poor management of real Federal property.

In 2004, the museum leased this property, as we just heard, in good faith from the State of Texas, which had

used the property since 1972; and the State had actually even made improvements on it. Now, at the time GSA didn't even know that it owned this property. So it was only after due diligence from the folks at the museum when they started researching the property and the tax records, that is when it was discovered that GSA actually owned or, let me say, likely owned the property. GSA didn't even have a record of its ownership interest, but subsequently confirmed its interest in the property.

Now, the chairwoman and Ranking Member JOHN MICA of the Transportation and Infrastructure Committee and I have been working to cut wasteful management of Federal real estate property and to save taxpayers money. Unfortunately, this is yet another example, Mr. Speaker, of the type of poor management that has plagued Federal real property. This case raises serious questions as to whether Federal agencies frankly even have accurate data about which properties they even own, the taxpayer even owns, let alone how to manage those properties. But now we are where we are. That is why I thank the gentlewoman from Texas.

The Military Museum of Texas, which is a nonprofit organization founded in 1992 by military veterans, operates with a voluntary staff and displays military vehicles, as we have heard; and they draw a significant amount of visitors each year.

So the GSA, after finally realizing that they did own the property, that the taxpayers own the property, has determined that there is no Federal use for this property. So this bill would provide an opportunity, I think a very good opportunity, for the Military Museum of Texas to continue using the property as a museum; and it will ensure that the taxpayers will be compensated appropriately.

I am pleased to be a cosponsor with the gentlewoman from Texas. I want to thank her again for her leadership on this issue. I clearly support the bill. I just wanted to make sure that everybody understood the issue that we are dealing with here at the Federal level. When you have an agency that doesn't even know that it owns a piece of property, it tells you that we have issues up here that we need to deal with.

I reserve the balance of my time.

Ms. NORTON. Mr. Speaker, I yield to the gentlewoman from Texas (Ms. JACKSON LEE), the sponsor of this bill, such time as she may consume.

(Ms. JACKSON LEE of Texas asked and was given permission to revise and extend her remarks.)

Ms. JACKSON LEE of Texas. Mr. Speaker, let me thank the chairwoman of the subcommittee, first of all, for her kind generosity and the excellent staff of the chairperson, and as well my friend and my good friend from Florida, Congressman MARIO DIAZ-BALART, who is the ranking member of this committee, for the wisdom and for their staff's excellent work that has generated relief for hardworking veterans.

In one sense, the Texas Military Museum, it speaks to individuals who have found themselves now living in the State of Texas. But these are heroes that served the Nation, proudly so, and they welcome the Nation to come and to celebrate the idea of a military museum. I don't think we can have enough of these facilities. And so I am very grateful that this nonprofit institution, in the wisdom of my bipartisan cosponsors, of which I want to express deep and abiding appreciation as I indicated to the ranking member for his sponsorship and to the chairwoman for her leadership, because it is preserving the honor and the memory of citizens who served defending the United States' freedom and liberty, and, as well, we emphasize, serving the entire country.

This will include all branches of the Armed Forces, including the Reserves and the National Guard. This will allow these individuals who have nurtured and cared for military vehicles and other equipment for display since the beginning of their operations, critical components of the military history. These individuals, these soldiers have restored and preserved this military equipment and memorabilia with enduring kindness, volunteerism; and they have stood fast just like they stood fast on the battlefield on behalf of the Nation.

The museum has had to turn down historic military equipment for display and restoration given their space limitations, so this museum will in essence be an asset for the American people.

What will it do? In addition to saying thank you to veterans, to those who have served, it will be a benefit to the community, schools, as well as veterans and military-related groups. It will teach the children to value a soldier, both old and young, both active and nonactive. It will teach them to understand what sacrifice is all about. It will explain to them, these tough vehicles that children rarely see, what they mean to their freedom. The Military Museum provides educational programs. You can't imagine the different schools that are eager to see them. Live reenactments from military personnel, interactive exhibits, provide internships to military history and preservation, as well as research databases available for educational and historical institutions and the public.

I might deviate just for a moment. A fallen hero that all of us admired, Ambassador Richard Holbrooke, took his arms of peace. He was of course the envoy to Pakistan and Afghanistan, where a war is raging in Afghanistan. What I would say to you is that he understood the partnership and the work that has to be done with the military.

That is why this museum is so important. They work together for peace, diplomacy and peace. It is enormously important that we provide an opportunity for these to be recognized.

Now, we are grateful that the General Services Administration has a light bulb on, and we thank those who have recognized the fact, how important it is to be able to fix this, if you will. That is what we are doing.

□ 1650

But we are fixing it for the right reasons. This will be conveyed for market value, the title and interest to the benefit of the United States of America. Therefore, this particular land will not go unused or misused. It, in actuality, will be for the Military Museum of Texas that can really be called the Military Museum—one of them—of the United States of America. We support honoring our soldiers.

So let me thank Ron Kendall, Elliot Doomes, Ward McCarragher, Johanna Hardy, Major Keithen Washington of my office, who was a Department of Defense detailee. We thank him for his fine work, and my deputy chief of staff for her untiring efforts to keep moving this bill.

Certainly we want to acknowledge all of the original cosponsors: MARIO DIAZ-BALART, TED POE, ILEANA ROS-LEHTINEN, CHARLIE GONZALEZ, HENRY ''HANK'' JOHNSON, and RALPH HALL, and the many others who have rallied around to be supportive.

Let me close at this time and indicate that we often speak of making sure that our veterans have all their benefits. We want to help the wounded warriors. Many of us visit the front lines from Iraq to Afghanistan to Bosnia to Albania and places beyond, but we want them to know that we cherish what they have done, and a military museum is a way of doing that. It gives them great joy to teach and educate adults and children, alike, what it is to serve. Our freedom is intertwined with the sacrifices of our servicemen and -women whose devotion to freedom is unparalleled. I am privileged to honor their sacrifices and the role each plays in our freedom by championing and supporting this legislation.

This bill is yet another reminder to all Americans of the risk that our servicemembers take on our behalf daily. Moreover, H.R. 6510 is an expression of gratitude for their service.

The Military Museum of Texas houses wonderful memorabilia and artifacts, and I can say that the relics remind us to be grateful and thankful for the reasons owed to military servicemen and -women for the sacrifices they made for our enjoyment of freedom. So I ask my colleagues to help us make it right, and I ask my colleagues to support H.R. 6510, a bipartisan bill recognizing the history of our great military men and women.

Mr. MARIO DIAZ-BALART of Florida. Mr. Speaker, let me once again thank the gentlelady from Texas for bringing up this bill. As I mentioned before, not only is it going to help solve a problem where you have a Federal agency that didn't even know it had a piece of property that it owned,

but as she eloquently stated, it is solving that problem and replacing it with a very meritorious thing, which is a museum for our fighting men and women who have kept us free for over 200 years.

She very generously mentioned lots of names that she thanked, but I would be remiss if I didn't thank the gentlewoman from Texas for her leadership on this issue. It may have been a frustrating issue at times, but she has brought it to the finish line here in the House.

Also, I want to thank the chairwoman of the subcommittee I have had the privilege of being the ranking member of for 2 years; first for working so closely with me and for, once again, bringing this bill, and also just for being a great partner for the last 2 years, working together on a number of issues, always with great generosity and a spirit of cooperation with me. And that is something I will never forget.

This may or may not be the last time I am on the floor as a member of this committee because I am moving on to the Appropriations Committee, but I wanted to thank the chairwoman for her many courtesies to me. I have really enjoyed, and it has been a privilege, working with you, Madam Chairwoman.

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

Ms. NORTON. First, I want to thank the ranking member, the gentleman from Florida (Mr. MARIO DIAZ-BALART), with whom I have worked so well and so closely, to thank him for the collegiality he and I have had on the subcommittee. It is a model, it seems to me, that the Congress might want to follow.

I must say, when my good friend tells me that he probably will be leaving the committee altogether, it is a sad note for me, given the way we have tried to reach agreement whenever there has been disagreement. And, frankly, on most matters he and I have found little upon which to disagree.

I can only wish him well on the Appropriations Committee. That must be his preference. Therefore, I wish the best for him, and I certainly hope to have the opportunity to work with him again in connection with that committee or otherwise on this floor or in this Congress.

I want to congratulate my good friend from Texas for her strong leadership on this bill and in wanting to make sure that this bill got on the floor before the end of the session and for her devotion to a bill that should be received, I'm sure, by all because of the recognition she so wisely understands all members of the Armed Forces are due.

Mr. OBERSTAR. Mr. Speaker, I rise in support of H.R. 6510, to direct the Administrator of General Services to convey a property in Houston, Texas, to the Military Museum of Texas.

The Military Museum of Texas is a non-profit organization with an all-volunteer staff that operates a small museum in Houston, Texas, on land owned by the United States Government. The Museum has been operating on this property since 2004, paying a very nominal rent under an agreement with the State of Texas, which in turn had a use agreement with the General Services Administration, GSA.

In 2009, GSA determined that it did not have a need for the property, and, following normal federal procedures, reported the property as excess to its needs. The GSA Office of Property Utilization and Disposal then screened the property with other federal agencies for possible use, and determined in January 2010, that the property was surplus to federal needs. In June 2010, the State of Texas formally notified GSA that it, too, had no need for the property.

H.R. 6510 directs the GSA Administrator to convey this property to the tenant who has been in occupancy for the last 6 years, the Military Museum of Texas, for the fair market value of the property in its current use as a museum. The conveyance, by a provision in this bill, will include a covenant restricting the use of the property to its current use as a museum. If the Museum wants to abrogate the restrictive covenant, the Museum must pay GSA the fair market value of the property in its highest and best use.

The provisions of the bill are fair and reasonable, and protect the interests of the U.S. Government, while affording the Military Museum of Texas the opportunity to end its tenant status and take ownership of this property.

I urge my colleagues to join me in supporting H.R. 6510.

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

The SPEAKER pro tempore. The question is on the motion offered by the gentlewoman from the District of Columbia (Ms. NORTON) that the House suspend the rules and pass the bill, H.R. 6510.

The question was taken.

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

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

The yeas and nays were ordered.

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

FURTHER MESSAGE FROM THE SENATE

A further message from the Senate by Ms. Curtis, one of its clerks, announced that the Senate has passed with an amendment in which the concurrence of the House is requested, a bill of the House of the following title:

H.R. 2941. An act to reauthorize and enhance Johanna's Law to increase public awareness and knowledge with respect to gynecologic cancers.

MAKING TECHNICAL CORRECTIONS TO COAST GUARD AUTHORIZATION ACT

Mr. CUMMINGS. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 6516) to make technical corrections to provisions of law enacted by the Coast Guard Authorization Act of 2010.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 6516

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

SECTION 1. TECHNICAL CORRECTIONS.

Effective with the enactment of the Coast Guard Authorization Act of 2010 (Public Law 111–281), such Act is amended as follows:

(1) Section 208(c) is amended by striking ''such chapter'' and inserting ''chapter 5 of title 14, United States Code,''.

(2) Section 221(a)(6)(B) is amended by inserting open quotation marks before ''(1) In such amounts''.

(3) Section 401(d)(1) is amended by striking ''part'' and inserting ''section''.

(4) Section 402(a) is amended by striking ''Coast Guard Authorization Act for Fiscal Years 2010 and 2011'' each place it appears and inserting ''Coast Guard Authorization Act of 2010''.

(5) Section 511(a) is amended—

(A) in the matter preceding the quoted material, by striking ''of such title'' and inserting ''of title 14, United States Code,''; and

(B) in the quoted material, in section 50(a)(3)(B), by striking ''stewrdship'' and inserting ''stewardship''.

(6) Section 524(a) is amended—

(A) in subsection (a), in the quoted matter, by redesignating section 102 as section 101; and

(B) in subsection (b), by striking the matter that is inside the quotation marks and inserting the following:

''101. Appeals and waivers.''.

(7) Section 525 is amended—

(A) in subsection (a)—

(i) in the matter preceding the quoted material, by striking ''further''; and

(ii) in the quoted material, by redesignating section 200 as section 199; and

(B) in subsection (b), by striking the matter that is inside the quotation marks and inserting the following:

''199. Marine Safety curriculum.''.

(8) Section 617(f)(3)(C) is amended by striking ''402(c)'' and inserting ''11.402(c)''.

(9) Section 618 is amended by striking ''Great Lake'' and inserting ''Great Lakes''.

(10) Section 702(a) is amended by inserting ''of the department in which the Coast Guard is operating'' after ''Secretary''.

(11) Section 703(a) is amended by inserting ''of the department in which the Coast Guard is operating'' after ''Secretary''.

(12) Section 806(c)(2)(A)(i) is amended—

(A) by striking ''**OR FACILITIES**'' and inserting ''**or facilities**''; and

(B) by striking ''**PORTS**'' and inserting ''**ports**''.

(13) Section 819 is amended in the quoted matter by striking ''(6)'' and inserting ''(3)''.

(14) Section 821(a) is amended in the quoted matter in section 70125(d) by striking ''[46 U.S.C. 70101 note]'' and inserting ''(46 U.S.C. 70101 note)''.

(15) Section 821(b) is amended by striking ''is repealed'' and inserting '', and the item relating to such section in the table of contents in section 1(b) of such Act, are repealed''.

(16) Section 828(a) is amended—

(A) by striking ''Section 701'' and inserting ''Chapter 701''; and

(B) by striking ''is amended'' and inserting ''is further amended''.

(17) Section 828(c) is amended—

(A) in paragraph (1) by striking ''is amended'' and inserting ''is further amended'';

(B) in paragraph (2) by striking ''is amended'' and inserting ''is further amended'';

(C) by redesignating paragraphs (3) and (4) as subparagraphs (A) and (B) of paragraph (2), and moving such subparagraphs 2 ems to the right; and

(D) in subparagraph (A) of paragraph (2), as so redesignated, by striking the matter that is inside the quotation marks and inserting the following:

''Subchapter I—General''.

(18) Section 901(a) is amended by inserting ''and 12132'' after ''12112''.

(19) Section 1011(9)(B) is amended by striking ''3(b)(2)'' and inserting ''1012(b)(2)''.

(20) Section 1043 is amended by striking ''section 18,'' and inserting ''title 18,''.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Maryland (Mr. CUMMINGS) and the gentleman from Alaska (Mr. YOUNG) each will control 20 minutes.

The Chair recognizes the gentleman from Maryland.

GENERAL LEAVE

Mr. CUMMINGS. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks and to include extraneous material on H.R. 6516.

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

There was no objection.

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

Mr. Speaker, I rise today in support of H.R. 6516, to make technical corrections to provisions of law enacted by the Coast Guard Authorization Act of 2010.

The Coast Guard Authorization Act of 2010 is the first Coast Guard authorizing legislation to become law since 2006. This law represents years of hard work toward improving the service's capabilities by addressing the following issues: oil pollution prevention, acquisition reform, port security, marine safety, and the Coast Guard's organizational structure.

□ 1700

This law also protects the public and our environment by prohibiting the sale, distribution, and use of toxic antifouling systems for hulls of ships and marine structures.

I am very proud of the work of so many who contributed to this important piece of maritime legislation. However, after the bill was enacted, we identified a small number of technical drafting errors. H.R. 6516 corrects those minor errors.

I urge my colleagues to join me in supporting H.R. 6516.

I reserve the balance of my time.

Mr. YOUNG of Alaska. Mr. Speaker, I yield myself such time as I may consume.

I rise in strong support of H.R. 6516. This bill does make several very minor technical changes to the recently enacted Coast Guard Authorization Act of 2010. This legislation was put together with the cooperation of Mr. CUMMINGS, Mr. OBERSTAR, and with the assistance of the Office of Legislative Counsel. I urge all Members to support H.R. 6516.

I yield back the balance of my time.

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

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Maryland (Mr. CUMMINGS) that the House suspend the rules and pass the bill, H.R. 6516.

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 5 o'clock and 1 minute p.m.), the House stood in recess subject to the call of the Chair.

□ 1800

AFTER RECESS

The recess having expired, the House was called to order by the Speaker pro tempore (Mr. WEINER) at 6 p.m.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

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

Votes will be taken in the following order:

S. 1405, by the yeas and nays;

S. 3167, by the yeas and nays;

H.R. 6510, by the yeas and nays.

The first electronic vote will be conducted as a 15-minute vote. Remaining electronic votes will be conducted as 5-minute votes.

LONGFELLOW HOUSE-WASHINGTON'S HEADQUARTERS NATIONAL HISTORIC SITE DESIGNATION ACT

The SPEAKER pro tempore. The unfinished business is the vote on the motion to suspend the rules and pass the bill (S. 1405) to redesignate the Longfellow National Historic Site, Massachusetts, as the ''Longfellow House-Washington's Headquarters National Historic Site,'' 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 West Virginia (Mr. RAHALL) that the House suspend the rules and pass the bill.

The vote was taken by electronic device, and there were—yeas 364, nays 0, not voting 69, as follows:

[Roll No. 628]

YEAS—364

Ackerman
Aderholt
Akin
Alexander
Altmire
Andrews
Austria
Baca
Bachmann
Bachus
Baldwin
Barrow
Bartlett
Barton (TX)
Bean
Becerra
Berkley
Berman
Biggert
Bilbray
Bilirakis
Bishop (GA)
Bishop (NY)
Bishop (UT)
Blackburn
Blumenauer
Boccieri
Boehner
Bono Mack
Boozman
Boren
Boswell
Boustany
Boyd
Brady (PA)
Brady (TX)
Braley (IA)
Bright
Broun (GA)
Brown (SC)
Brown, Corrine
Buchanan
Burgess
Butterfield
Calvert
Camp
Campbell
Cantor
Cao
Capito
Capuano
Carnahan
Carson (IN)
Carter
Cassidy
Castle
Castor (FL)
Chaffetz
Chu
Clarke
Clay
Cleaver
Clyburn
Coble
Coffman (CO)
Cohen
Cole
Conaway
Connolly (VA)
Conyers
Cooper
Costa
Courtney
Crenshaw
Critz
Crowley
Cuellar
Culberson
Cummings
Davis (CA)
Davis (KY)
Davis (TN)
DeFazio
DeGette
DeLauro
Dent
Deutch
Diaz-Balart, M.
Dicks
Dingell
Djou
Doggett
Donnelly (IN)
Doyle
Dreier
Driehaus
Duncan
Edwards (MD)
Edwards (TX)
Ehlers
Ellison
Ellsworth
Emerson
Eshoo
Farr
Fattah
Filner
Flake
Fleming
Forbes
Fortenberry
Foster
Foxx
Frank (MA)
Franks (AZ)
Frelinghuysen
Fudge
Gallegly
Garamendi
Garrett (NJ)
Gerlach
Giffords
Gingrey (GA)
Gohmert
Gonzalez
Goodlatte
Gordon (TN)
Graves (GA)
Grayson
Green, Al
Grijalva
Guthrie
Hall (TX)
Halvorson
Hare
Harman
Harper
Hastings (FL)
Heinrich
Heller
Hensarling
Herger
Herseth Sandlin
Higgins
Hill
Himes
Hinchey
Hirono
Hodes
Hoekstra
Holden
Holt
Hoyer
Hunter
Inglis
Inslee
Israel
Jackson (IL)
Jackson Lee (TX)
Jenkins
Johnson (GA)
Johnson (IL)
Johnson, E. B.
Johnson, Sam
Jones
Jordan (OH)
Kagen
Kanjorski
Kaptur
Kildee
Kilpatrick (MI)
Kilroy
Kind
King (IA)
King (NY)
Kingston
Kissell
Klein (FL)
Kline (MN)
Kosmas
Kratovil
Kucinich
Lamborn
Lance
Larsen (WA)
Larson (CT)
Latham
LaTourette
Latta
Lee (CA)
Lee (NY)
Levin
Lewis (CA)
Lewis (GA)
Linder
Lipinski
LoBiondo
Loebsack
Lofgren, Zoe
Lucas
Luetkemeyer
Luján
Lummis
Lungren, Daniel E.
Mack
Maffei
Maloney
Manzullo
Markey (MA)
Marshall
Matheson
Matsui
McCarthy (CA)
McCaul
McClintock
McCollum
McCotter
McDermott
McGovern
McHenry
McIntyre
McKeon
McMahon
McNerney
Meek (FL)
Meeks (NY)
Melancon
Mica
Michaud
Miller (FL)
Miller (MI)
Miller (NC)
Miller, Gary
Miller, George
Minnick
Mitchell
Mollohan
Moore (KS)
Moore (WI)
Moran (VA)
Murphy (CT)
Murphy (NY)
Murphy, Tim
Myrick
Nadler (NY)
Napolitano
Neal (MA)
Neugebauer
Nunes
Nye
Oberstar
Obey
Olson
Olver
Pallone
Pascrell
Pastor (AZ)
Paul
Paulsen
Payne
Perriello
Peters
Peterson
Petri
Pingree (ME)
Pitts
Platts
Polis (CO)
Pomeroy
Posey
Price (GA)
Price (NC)
Quigley
Rahall
Rangel
Reed
Rehberg
Reichert
Reyes
Richardson
Roe (TN)
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rooney
Ros-Lehtinen

Roskam
Ross
Rothman (NJ)
Roybal-Allard
Royce
Ruppersberger
Rush
Ryan (OH)
Ryan (WI)
Sánchez, Linda T.
Sanchez, Loretta
Sarbanes
Scalise
Schakowsky
Schauer
Schiff
Schmidt
Schock
Schrader
Schwartz
Scott (GA)
Scott (VA)
Sensenbrenner
Serrano
Sessions
Shea-Porter
Sherman
Shimkus
Shuler
Shuster
Sires
Skelton
Slaughter
Smith (NE)
Smith (NJ)
Smith (TX)
Smith (WA)
Snyder
Space
Spratt
Stark
Stearns
Stupak
Sullivan
Taylor
Teague
Terry
Thompson (CA)
Thompson (MS)
Thompson (PA)
Thornberry
Tiahrt
Tierney
Titus
Tonko
Tsongas
Turner
Upton
Van Hollen
Velázquez
Visclosky
Walden
Walz
Wasserman Schultz
Watt
Waxman
Weiner
Welch
Westmoreland
Whitfield
Wilson (OH)
Wilson (SC)
Wittman
Wolf
Wu
Yarmuth
Young (AK)
Young (FL)

NOT VOTING—69

Adler (NJ)
Arcuri
Baird
Barrett (SC)
Berry
Blunt
Bonner
Boucher
Brown-Waite, Ginny
Burton (IN)
Buyer
Capps
Cardoza
Carney
Chandler
Childers
Costello
Dahlkemper
Davis (AL)
Davis (IL)
Delahunt
Diaz-Balart, L.
Engel
Etheridge
Fallin
Granger
Graves (MO)
Green, Gene
Griffith
Gutierrez
Hall (NY)
Hastings (WA)
Hinojosa
Honda
Issa
Kennedy
Kirkpatrick (AZ)
Langevin
Lowey
Lynch
Marchant
Markey (CO)
McCarthy (NY)
McMorris Rodgers
Moran (KS)
Murphy, Patrick
Ortiz
Owens
Pence
Perlmutter
Poe (TX)
Putnam
Radanovich
Rodriguez
Rohrabacher
Salazar
Sestak
Shadegg
Simpson
Speier
Stutzman
Sutton
Tanner
Tiberi
Towns
Wamp
Waters
Watson
Woolsey

□ 1832

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. POE of Texas. Mr. Speaker, on rollcall No. 628 I was unavoidably detained. Had I been present, I would have voted "yes."

CENSUS OVERSIGHT EFFICIENCY AND MANAGEMENT REFORM ACT OF 2010

The SPEAKER pro tempore. The unfinished business is the vote on the motion to suspend the rules and pass the bill (S. 3167) to amend title 13 of the United States Code to provide for a 5-year term of office for the Director of the Census and to provide for the authority and duties of the Director and Deputy Director of the Census, and for other purposes, 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 gentlewoman from New York (Mrs. MALONEY) that the House suspend the rules and pass the bill.

This will be a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 201, nays 167, not voting 65, as follows:

[Roll No. 629]

YEAS—201

Ackerman
Andrews
Baca
Baldwin
Barrow
Bean
Becerra
Berkley
Berman
Bishop (GA)
Bishop (NY)
Blumenauer
Boccieri
Boswell
Boyd
Brady (PA)
Braley (IA)
Bright
Brown, Corrine
Butterfield
Capuano
Carnahan
Carson (IN)
Castor (FL)
Chandler
Chu
Clarke
Cleaver
Clyburn
Cohen
Connolly (VA)
Conyers
Cooper
Costa
Courtney
Critz
Crowley
Cuellar
Cummings
Davis (CA)
Davis (TN)
DeFazio
DeGette
DeLauro
Dent
Deutch
Dicks
Dingell
Doggett
Donnelly (IN)
Doyle
Driehaus
Edwards (TX)
Ellison
Ellsworth
Eshoo
Farr
Fattah
Filner
Foster
Frank (MA)
Fudge
Garamendi
Giffords
Gonzalez
Gordon (TN)
Grayson
Green, Al
Grijalva
Halvorson
Hare
Harman
Hastings (FL)
Heinrich
Herseth Sandlin
Higgins
Hill
Himes
Hinchey
Hirono
Hodes
Holden
Holt
Hoyer
Inslee
Israel
Jackson (IL)
Jackson Lee (TX)
Johnson (GA)
Johnson, E. B.
Kagen
Kanjorski
Kaptur
Kildee
Kilpatrick (MI)
Kilroy
Kind
Kissell
Klein (FL)
Kosmas
Kucinich
Larsen (WA)
Larson (CT)
Lee (CA)
Levin
Lewis (GA)
Lipinski
Loebsack
Lofgren, Zoe
Luján
Maffei
Maloney
Markey (MA)
Marshall
Matsui
McCollum
McDermott
McGovern
McIntyre
McMahon
McNerney
Meek (FL)
Meeks (NY)
Michaud
Miller (NC)
Miller, George
Mitchell
Mollohan
Moore (KS)
Moore (WI)
Moran (VA)
Murphy (CT)
Nadler (NY)
Napolitano
Neal (MA)
Oberstar
Obey
Olver
Pallone
Pascrell
Pastor (AZ)
Payne
Perlmutter
Perriello
Peters
Peterson
Pingree (ME)
Polis (CO)
Pomeroy
Price (NC)
Quigley
Rahall
Reyes
Richardson
Rothman (NJ)
Roybal-Allard
Ruppersberger
Rush
Ryan (OH)
Sánchez, Linda T.
Sanchez, Loretta
Sarbanes
Schakowsky
Schauer
Schiff
Schrader
Schwartz
Scott (GA)
Scott (VA)
Serrano
Shea-Porter
Sires
Skelton
Slaughter
Smith (WA)
Snyder
Space
Spratt
Stark
Stupak
Taylor
Teague
Thompson (CA)
Thompson (MS)
Tierney
Titus
Tonko
Tsongas
Van Hollen
Velázquez
Visclosky
Walz
Wasserman Schultz
Watson
Watt
Waxman
Weiner
Welch
Wilson (OH)
Wu
Yarmuth

NAYS—167

Aderholt
Akin
Alexander
Altmire
Austria
Bachmann
Bachus
Bartlett
Barton (TX)
Biggert
Bilbray
Bilirakis
Bishop (UT)
Blackburn
Boehner
Bono Mack
Boozman
Boren
Boustany
Brady (TX)
Broun (GA)
Brown (SC)
Buchanan
Burgess
Buyer
Calvert
Camp
Campbell
Cantor
Cao
Capito
Carter
Cassidy
Castle
Chaffetz
Clay
Coble
Coffman (CO)
Cole
Conaway
Crenshaw
Culberson
Davis (KY)
Diaz-Balart, M.
Djou
Dreier
Duncan
Edwards (MD)
Ehlers
Emerson
Flake
Fleming
Forbes
Fortenberry
Foxx
Franks (AZ)
Frelinghuysen
Gallegly
Garrett (NJ)
Gerlach
Gingrey (GA)
Gohmert
Goodlatte
Graves (GA)
Guthrie
Hall (TX)
Harper
Heller
Hensarling
Herger
Hoekstra
Hunter
Inglis
Jenkins
Johnson (IL)
Johnson, Sam
Jones
Jordan (OH)
King (IA)
King (NY)
Kingston
Kline (MN)
Kratovil
Lamborn
Lance
Latham
LaTourette
Latta
Lee (NY)
Lewis (CA)
Linder
LoBiondo
Lucas
Luetkemeyer
Lummis
Lungren, Daniel E.
Mack
Manzullo
Matheson
McCarthy (CA)
McCaul
McClintock
McCotter
McHenry
McKeon
Melancon
Mica
Miller (FL)
Miller (MI)
Miller, Gary
Minnick
Murphy (NY)
Murphy, Tim
Myrick
Neugebauer
Nunes
Nye
Olson
Paul
Paulsen
Petri
Pitts
Platts
Poe (TX)
Posey
Price (GA)
Reed
Rehberg
Reichert
Roe (TN)
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rooney
Ros-Lehtinen
Roskam
Ross
Royce
Ryan (WI)
Scalise
Schmidt
Schock
Sensenbrenner
Sessions
Sherman
Shimkus
Shuler
Shuster
Smith (NE)
Smith (NJ)
Smith (TX)
Stearns
Sullivan
Terry
Thompson (PA)
Thornberry
Tiahrt
Turner
Upton
Walden
Westmoreland
Whitfield
Wilson (SC)
Wittman
Wolf
Young (AK)
Young (FL)

NOT VOTING—65

Adler (NJ)
Arcuri
Baird
Barrett (SC)
Berry
Blunt
Bonner
Boucher
Brown-Waite, Ginny
Burton (IN)
Capps
Cardoza
Carney
Childers
Costello
Dahlkemper
Davis (AL)
Davis (IL)
Delahunt
Diaz-Balart, L.
Engel
Etheridge
Fallin
Granger
Graves (MO)
Green, Gene
Griffith
Gutierrez
Hall (NY)
Hastings (WA)
Hinojosa
Honda
Issa
Kennedy
Kirkpatrick (AZ)
Langevin
Lowey
Lynch
Marchant
Markey (CO)
McCarthy (NY)
McMorris Rodgers
Moran (KS)
Murphy, Patrick
Ortiz
Owens
Pence
Putnam
Radanovich
Rangel
Rodriguez
Rohrabacher
Salazar
Sestak
Shadegg
Simpson
Speier
Stutzman
Sutton
Tanner
Tiberi
Towns
Wamp
Waters
Woolsey

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (during the vote). Members are reminded they have less than 1 minute remaining.

□ 1840

So (two-thirds not being in the affirmative) the motion was rejected.

The result of the vote was announced as above recorded.

HOUSTON, TEXAS, PROPERTY CONVEYANCE

The SPEAKER pro tempore. The unfinished business is the vote on the motion to suspend the rules and pass the bill (H.R. 6510) to direct the Administrator of General Services to convey a parcel of real property in Houston, Texas, to the Military Museum of Texas, and for other purposes, 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 gentlewoman from the District of Columbia (Ms. NORTON) that the House suspend the rules and pass the bill.

This will be a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 363, nays 0, not voting 70, as follows:

[Roll No. 630]

YEAS—363

Ackerman
Aderholt
Akin
Alexander
Altmire
Andrews
Austria
Baca
Bachmann
Bachus
Baldwin
Barrow
Bartlett
Barton (TX)
Bean
Becerra
Berkley
Berman
Biggert
Bilbray
Bilirakis
Bishop (GA)
Bishop (NY)
Bishop (UT)
Blackburn
Blumenauer
Boccieri
Boehner
Bono Mack
Boozman
Boren
Boswell
Boustany
Boyd
Brady (PA)
Brady (TX)
Braley (IA)
Bright
Broun (GA)
Brown (SC)
Brown, Corrine
Burgess
Butterfield
Buyer
Calvert
Camp
Campbell
Cantor
Cao
Capito
Capuano
Carnahan
Carson (IN)
Carter
Cassidy
Castle
Castor (FL)
Chaffetz
Chandler
Chu
Clarke
Clay
Cleaver
Clyburn
Coble
Coffman (CO)
Cohen
Cole
Conaway
Connolly (VA)
Conyers
Cooper
Costa
Courtney
Crenshaw
Critz
Crowley
Cuellar
Culberson
Cummings
Davis (CA)
Davis (KY)
Davis (TN)
DeFazio
DeGette
DeLauro
Dent
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Hall (TX)
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Johnson, E. B.
Johnson, Sam
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Kilpatrick (MI)
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Lofgren, Zoe
Lucas
Luetkemeyer
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Lummis
Lungren, Daniel E.
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Miller (NC)
Miller, Gary
Miller, George
Minnick
Mitchell
Mollohan
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Murphy, Tim
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Neal (MA)
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Ros-Lehtinen
Roskam
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Rothman (NJ)
Roybal-Allard
Royce
Ruppersberger
Rush
Ryan (OH)
Ryan (WI)
Sánchez, Linda T.
Sanchez, Loretta
Sarbanes
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Scott (GA)
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Serrano
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NOT VOTING—70

Adler (NJ)
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Barrett (SC)
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Boucher
Brown-Waite, Ginny
Buchanan
Burton (IN)
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Granger
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McMorris Rodgers
Moran (KS)
Murphy, Patrick
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□ 1849

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.

CELEBRATING PENNSYLVANIA'S 223RD YEAR OF STATEHOOD

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

Mr. THOMPSON of Pennsylvania. Madam Speaker, this past weekend the Commonwealth of Pennsylvania celebrated its 223rd year as the second State to be admitted to the new United States of America. Its history is varied, from the Algonquin and Iroquois natives who met Dutch explorers in 1609 to the Quaker named William Penn who founded Philadelphia in 1682. That fair city served as the Nation's Capital from 1790 to 1800. Both the First and Second Continental Congress met in Philadelphia, and General George Washington and his Continental Army survived a harsh winter at Valley Forge during the Revolution. In 1787, the Constitutional Convention met in Philadelphia, and Pennsylvania became the second State admitted.

As we became a Nation, the State grew and produced iron and milled grain, plied the steamboat on its rivers, and drilled the first commercially successful oil well near Titusville. More recently, we have gone from the production of oil and steel to the new boom of the Marcellus natural gas play. I congratulate the State on its milestone of its 223rd year and celebrate the freedom that allows the Commonwealth to pursue prosperity with natural gas development and help the Nation with its energy needs.

CONGRATULATING TEXAS SOUTHERN UNIVERSITY FOR THE 2010 SOUTHWESTERN ATLANTIC CONFERENCE CHAMPIONSHIP

(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. Madam Speaker, it's my pleasure to rise on the floor of the House and congratulate the Texas Southern University Fighting Tigers, who won the SWAC competition in Birmingham, Alabama, against Alabama State. Congratulations to Coach Cole, the athletic director, President John Rudley, the Board of Regents, but most of all, our outstanding football players, who are vested in character and integrity and doing the right thing. Let me thank all the students, the band, all of those who came to cheer.

I had the great privilege of being there in Birmingham, Alabama, to support this great team. They celebrated today at city hall with the mayor and the community, and we look forward to a greater understanding of who Texas Southern University is, a great institution, vested in the history of this country, educating young people. And now we can call them the Fighting Tigers, the 2010 winners of the SWAC championship. Fighting Tigers, congratulations to all of you.

Madam Speaker, I stand before you today to recognize and to congratulate the Texas Southern University, TSU, Tigers for bringing home the Southwestern Atlantic Conference, SWAC, Championship to my district in Houston, Texas. In a display of great sportsmanship and great endurance, the Tigers defeated the Alabama State Hornets on December 11, and became conference champions for the first time in 42 years. I would like to congratulate the Tigers' athletic association, their football team, and, of course, Coach Johnnie Cole on a momentous finale to a tremendous season.

As a member of the Congressional Black Caucus, it is truly an honor to recognize Texas Southern University not only for their conference championship, but also for their academic successes as one of the nation's largest Historically Black Colleges and Universities, HBCU. Additionally, TSU contributes to the multiculturalism that makes Houston the

diverse city it is today, by hosting a number of international students. Texas Southern University, which is located in the heart of metropolitan Houston, proudly serves students of diverse socioeconomic, cultural, racial and ethnic backgrounds. Moreover, Texas Southern University is poised towards a greater tomorrow—its academic programs are designed to encourage and develop America's future model citizens.

The fighting Tigers of TSU dominated defensively throughout the December 11th game against the Alabama State Hornets at Legion Field. With the final and, winning score of 11–6, the Tigers were able to rejoice in the reclamation of the SWAC Championship, the team's first since 1968—but this time it is theirs alone. Guided by Coach Cole, and led by Dejuan Fulghum, Defensive MVP of the Championship game, and Riko Smalls, Offensive MVP of the Championship game, the fighting Tigers were able to bring home the SWAC championship.

Coach Johnnie Cole achieved many successes in his tenure at Texas Southern University. By transforming and revitalizing the Tigers' football team, he truly has brought football back to TSU. Coach Cole has had a long history with TSU, ever since he played on losing TSU football teams in the 1980s. Though, this year, Coach Cole turned a new leaf for TSU, by coaching an astoundingly successful and triumphant football team all the way to the SWAC championship. Since joining the football leadership team in 2008, Coach Cole has ignored the defeatist mentality and has a renewed focus on reigniting the school spirit for the TSU Fighting Tigers. This year, they finished the season on an eight game winning streak, and Cole bringing TSU the first Conference Championship since 1968 was "icing on the cake." I would like to congratulate Coach Johnnie Cole on his recent award for the Southwestern Atlantic Conference's Coach of the Year; his success represents the future of TSU. It truly was a great combination—with Coach Johnnie Cole, athletic director Charles McClelland, a supportive and spirited student body, and finally a hardworking and motivated football team—that led the fighting Tigers to a great year of dignity, sportsmanship, and success.

Madam Speaker, I would like to take a few moments to recognize the Most Valuable Players from the 2010 Southwestern Atlantic Conference Championship game. I believe that they exhibited the great athleticism and leadership that paved the way for the Tigers' Championship on December 11. Firstly, I would like to acknowledge Dejuan Fulghum, the SWAC's Defensive Player of the Year, and the Championship Game's Most Valuable Defensive Player. Dejuan Fulghum is a senior linebacker, who has had a tremendous career with the TSU Tigers. He led the Southwestern Atlantic Conference in sacks, with nine this year, and was third in tackles, with 91. Furthermore, he recorded an interception and two forced fumbles that led to the Football Championship Subdivision designating TSU as the number two defensive team. The Championship Game's Most Valuable Offensive Player, Riko Smalls, a sophomore quarterback, was called to the field on last Saturday, when senior quarterback Arvell Nelson was unable to play. Riko Smalls helped place TSU in the best position for winning the Championship, and rose to his role as a leader on the field. Riko Smalls' first start with the TSU Tigers, in arguably their most important game, demonstrates the growing capabilities of the Texas Southern Tigers and of the TSU coaching staff. The entire team was well prepared to succeed that day and I congratulate all the Texas Southern Tigers; and, I would like to commemorate the success of their football team, which can now claim the title of the best college football team in Houston.

In representing the eighteenth district of Texas, I am proud to commemorate the fighting Tigers of TSU for their athletic success, and moreover, to commemorate the greater TSU community for their scholastic drive and dedication to becoming champions on and off the field.

CONGRATULATIONS TO CHILDREN'S HOSPITAL AND CLINICS

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

Mr. PAULSEN. Madam Speaker, I am proud to congratulate Minnesota's Children's Hospital and Clinics for being named a "top hospital" by the Leapfrog Hospital Survey. Not long ago, I had a chance to visit Children's, and I saw firsthand how their commitment to improve patient safety is second to none. Their many safety initiatives have helped patients achieve one of the lowest rates of hospital-acquired infection in the Nation, and their use of electronic medical records has helped further reduce complications and improve patient care.

Minnesota has long been ahead of the curve when it comes to health care. From life-saving technologies and medical technologies to continually striving to create the most effective and efficient health care system, our hospitals have earned a reputation for excellence and innovation in health care. Congratulations to Minnesota's Children's Hospital and Clinics, and thanks for your tireless efforts to provide your patients with the best possible care.

SPECIAL ORDERS

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

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

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

AFGHANISTAN'S HEAVY COST

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. Madam Speaker, the war in Afghanistan continues to prove to be an impossible task. Enough is enough. America is spending $7 billion a month on the war. To break it down further, that is approximately $233 million a day on the war, with no end to it at all. Madam Speaker, to reset our equipment alone will cost in excess of $13 billion, just to bring it back to the same position it was prior to going into Iraq and Afghanistan. It is impossible to absorb this amount of money, particularly with the debt this country has and the fact that we can't even pay our own bills without borrowing money from China, Japan, and the UAE.

Yesterday in an article in The Washington Post, Afghan President Karzai stated that he "now had three enemies: the Taliban, the United States, the international community." He also said in The Washington Post article that if he had to choose sides, he would choose the Taliban. This is what our young men and women are dying for.

Madam Speaker, I have on the floor with me today a photograph taken of the Air Force Honor Guard at Dover Air Force Base, escorting the remains of an American hero off the plane. Madam Speaker, this is just not worth the cost of our young men and women dying, and it's not worth the cost that it is costing the taxpayers.

In addition, I read another article that I would like to quote from. It was an AP article entitled, "No Decisive Victory One Year Into Afghan Surge." It really gathered my attention. In the article, a citizen of Afghanistan stated, "Every day that passes, the security situation is getting worse. The government is not in a position to bring peace. Every day, the Taliban are getting more powerful than the government."

Madam Speaker, again, today I have this poster on the floor because, in my mind, since we don't draft young men and women anymore to fight wars, and it is a volunteer service, and they are doing a magnificent job, but with four, five, and six deployments, they are wearing down. They're wearing out. Their suicides are up, and divorces are up as well.

□ 1900

Last week, we had six Americans killed in a bombing in Afghanistan. We continue to repeat history. This case of Afghanistan history will show that no nation has ever conquered Afghanistan. It will always be a vast country of 1,400 different tribes. What are we trying to do? Why are we continuing this war effort?

I join my friend JIM MCGOVERN. I join my friends in both parties that are saying to the President, please, Mr. President, rethink. Don't stay there four more years because it's not going to be worth it. It's not worth it now. And, Madam Speaker, after 10 years, going on 10 years of being in Afghanistan, we continue to see no end to this commitment that, in my humble opinion, is not worth one American life.

So, Madam Speaker, as I do frequently on this floor, I'd like to close

by asking God to please bless our men and women in uniform. I ask God to please bless the families of our men and women in uniform. I ask God in his loving arms to hold the families who've given a child dying for freedom in Afghanistan and Iraq. And God, please bless the House and Senate that we will do what is right in Your eyes for Your people. And God, please give wisdom, strength, and courage to President Obama that he will do what is right for Your people in this country.

And, Madam Speaker, three times, God, please, God, please, God, please, continue to bless America.

Mr. CONYERS. Will the distinguished gentleman yield?

Mr. JONES. I yield to the gentleman from Michigan.

Mr. CONYERS. I want to thank the gentleman for his contribution tonight and associate myself with his excellent statement and remarks.

Mr. JONES. I thank the gentleman, Mr. CONYERS. Thank you so much for joining me.

GIVING THE GIFT OF WATER TO THE NEEDIEST THIS HOLIDAY SEASON

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

Mr. CONYERS. Madam Speaker and Members of the House, I rise to point out that a very important consideration is about to take place in the next 3 days dealing with the Senator Paul Simon Water for the World Act. Its main sponsor is the gentleman from Oregon (Mr. BLUMENAUER). It has 97 cosponsors. And I want to commend the bipartisan spirit in which this bill has been put forward, because we have no less than one, two, three, four, five, six, seven, eight, nine, ten Members of the House that belong to the minority that are cosponsors. And in the other body, we have one, two, three, four, five, six, seven, eight Members of that distinguished body who are in the minority there, plus two Independent Senators that have joined us.

And why? Because we've been working on this question of water for the continent of Africa and the states and the millions of people there suffering there and in Haiti. And we have a very rare opportunity in these next several days. The other body has passed the measure, and I stand before the House tonight to urge that it be taken up here as soon as possible.

As we gather for the holiday season, we are giving thanks for family and friends, but what may be unconsidered and unmentioned is appreciation for access to the water and adequate sanitation, something that's taken for granted in our great country.

And so I rise to remind us that there are 884 million people across the planet who went without access to clean water this year, and 2.5 billion men, women, and many, many children who went without adequate sanitation. Without access to these basic building blocks, many of the people of undeveloped nations will likely have been left without the ability to work because of health problems that hamper productivity and discourage economic investment.

The countries of the world, including our great Nation, have come together to say that we can do better. And so a set of shared goals, entitled the Millennium Development Goals, have set specific targets relating to increasing access to water and sanitation by 2015. With these goals, we and the international community have pledged to halve, by 2015, to cut in half, the proportion of people who are unable to reach or afford or come into possession of safe drinking water. Think of it. And many of these are children. That's the worst part of it all.

And as this Congress draws to a close, we have a sensitive opportunity to make good on that promise. Important legislation, entitled the Water for the World Act, H.R. 2035, has already passed in the other body. We need it here. And, if enacted, this bill could help 50 million people over the next 6 years.

Please join me in helping move this legislation across the finish line and provide millions of our fellow world citizens with the gift of water.

IN HISTORIC VOTE, UN DECLARES WATER A FUNDAMENTAL HUMAN RIGHT

Juan Gonzalez: The United Nations General Assembly has declared for the first time that access to clean water and sanitation is a fundamental human right. In an historic vote Wednesday, 122 countries supported the resolution, and over forty countries abstained from voting, including the United States, Canada and several European and other industrialized countries. There were no votes against the resolution.

Nearly one billion people lack clean drinking water, and over two-and-a-half billion do not have basic sanitation.

Bolivia's Permanent Representative to the United Nations, Pablo Solon, introduced the resolution at the General Assembly Wednesday.

Pablo Solon: [translated] At the global level, approximately one out of every eight people do not have drinking water. In just one day, more than 200 million hours of the time used by women is spent collecting and transporting water for their homes. The lack of sanitation is even worse, because it affects 2.6 billion people, which represents 40 percent of the global population. According to the report of the World Health Organization and of UNICEF of 2009, which is titled ''Diarrhoea: Why Children Are [Still] Dying and What We Can Do,'' every day 24,000 children die in developing countries due to causes that can be prevented, such as diarrhea, which is caused by contaminated water. This means that a child dies every three-and-a-half seconds. One, two, three. As they say in my village, the time is now.

Amy Goodman: Bolivia's ambassador to the United Nations, Pablo Solon, urging support for the resolution Bolivia introduced recognizing access to clean water and sanitation as a fundamental human right.

For more on this historic vote, we're joined now here in New York by longtime water justice advocate Maude Barlow. She's the chair of the Council of Canadians, co-founder of the Blue Planet Project and board chair of Food and Water Watch. Last year she served as senior adviser on water to the President of the United Nations General Assembly.

Welcome to Democracy Now!

Maude Barlow: So glad to be here.

Amy Goodman: Talk about the significance of this. If you asked people in this country, they would have no idea this has passed.

Maude Barlow: I know, I know, which is why you matter, I just have to say. This is very, very distressing to know something this important happened and it's been blanketed. There's no media here; it's just like it didn't happen. It's had media in other places.

There's no human—there has been on human right to water. It wasn't included in the 1948 Declaration of Human Rights. And then, more recently, when people have realized that it needed to happen, there were very powerful forces against it—powerful countries, powerful corporate interests and so on. But Ambassador Solon and a number of developing countries decided that they were going to move this, countries from the Global South, that they were going to move this through, and they just tabled it a month ago, and yesterday, at the vote at the United Nations, they won. Not one country had the guts to stand against them, even though lots of them wanted to do it.

And basically, for the first time, the United Nations General Assembly debated the right to water and sanitation—it's very important both were included—and acknowledged and recognized the right of every human being on earth to water and sanitation. And this matters because—as you know, because we've talked so many times—we are running—a planet running out of water. Brand new World Bank study says that the demand is going to exceed supply by 40 percent in twenty years. It's just a phenomenal statement. And the human suffering behind that is just unbelievable. And what this did as basically say that the United Nations has decided it's not going to let huge populations leave them behind as this crisis unfolds, that the new priority is to be given to these populations without water and sanitation.

Juan Gonzalez: And the countries that abstained, could you talk about—did any of them talk about why they were not voting ''yes,'' or did they just remain quiet?

Maude Barlow: Oh, it was the usual gang. It was the United States and Canada, the European—not the European Union—the United Kingdom some of the European countries voted to abstain; some were wonderful—Australia, New Zealand. So it was all of the Anglophone, neoliberal, you know, bought into this whole agenda that everything is to be commodified, countries who are able to continue to supply clean water to their citizens, which makes it doubly appalling that they would deny the right to water to the billions of people who are suffering right now.

They used procedural language about this and that. There's another process in Geneva with the Human Rights Council, which we support, and they used the excuse that we have to wait for that. But that's a long-term process, and it could or could not end in something very specific. So they just cut through it. A bunch of brave countries from the Global South said, ''We can't wait. We need this now.'' And it's not a surprise that it came from Bolivia, because, remember, Bolivia is suffering double whammy with a, you know, dearth of water, dearth of clean water, but also melting glaciers from climate change.

Amy Goodman: Well, let's go back to Bolivia. I want to go back to Bolivia's UN representative, Ambassador Pablo Solon, at a

speech he gave in Toronto, the event that you organized, Maude, last month, shortly before the G20 meetings. He outlined the need to support a UN declaration on the human right to water, referencing the long struggle for water rights in Bolivia, which successfully fought against Bechtel's water privatization efforts ten years ago.

Pablo Solon: In those days, I was a water warrior. Now I'm a water warrior ambassador. We have to have water declared as a human right in the UN. It is not possible to see that we have declared in the UN food, the right to food, the right to health, the right to education, the right to shelter, the right to development, but not the right to water. And we all know that without water, we can't live. So nobody can argue that it's not a basic and fundamental and universal human right. But even though, until now, it's not recognized as a human right. So, we have presented, two weeks ago, a draft resolution so that this coming month, in July, we expect to have a vote in the General Assembly of the United Nations. And we want to see which countries are going to vote against that resolution. We want to go to vote to see which governments are going to say to the humanity that water is not a human right.

Amy Goodman: That was Bolivia's ambassador to the United Nations, Pablo Solon, speaking in Toronto. Which nations are not going to say that water is a human right? Well, you said the United States didn't vote for this. Canada didn't, though they didn't vote against. What is their rationale?

Maude Barlow: Well, it depends on the country. The United Kingdom says they ''don't want to pay for the toilets in Africa.'' That's a direct quote from somebody who wouldn't be quoted, from a senior diplomat in the government of Great Britain, that was in—quoted in a Canadian paper.

Canada hides behind the false statement that we might have to share our water, sell our water to the United States, which is nonsense. We're in way more danger from NAFTA, which declares water to be a commodity.

The United States, as you know, has not been supporting rights regimes for decades now, so this is just a continuation. And I have to tell you, listening to the statement from the United States yesterday at the United Nations, I wouldn't have thought there was any difference between George Bush and Barack Obama's administrations. It was haughty language. They scolded Bolivia. Bolivia came under a lot of heat, a lot of insults yesterday from these countries.

New Zealand and Australia are both going private. Australia has privatized its water totally, and basically it's now for sale. And there's a big American investment firm that's actually buying up water rights. It was supposed to be, originally, just to get the farmers of the big farm conglomerates to share, to trade, but now it's all gone private and international, so they're hardly going to support something that says that water, you know, is a human right, when they've commodified it and said it's a market commodity.

So, really, what you're seeing is a split between those countries that see water as a public trust, although that wasn't in the language of the legislation, but that see water as a public trust and a human right and that should belong to all, as opposed to those who are going to move to a market model. And I think that's the truth behind what happened.

And it's very important for you to know that they did not allow the inclusion of the words ''access to,'' and that was one of the demands. I think some of those countries would have said yes to something that said ''access to.'' And it's very important. It's not semantic, because if you say you have access to it, then all the country—all the government has to do is provide you access. Then they can charge you, or they can have a private company come in and deliver it and charge you. And if you can't afford it, they provided you access, it's not their fault if you can't pay it. So it's very important that Bolivia and the other sponsoring countries held on to the language of the human right to drinking water and sanitation. They wouldn't drop sanitation. They wouldn't add the words ''access to.'' And those were the sticking points.

Juan Gonzalez: And in practical terms, what will be the impact of this resolution on those efforts to continue to commodify or privatize water supplies in countries around the world, especially in the third world?

Maude Barlow: It's a fight we're in. You know, I'm not going to say that suddenly everything is going to be fine tomorrow or today, today being the day after the vote, that anybody woke up in a different situation today, anybody had more water today than they did yesterday, or more access to sanitation.

What it is is a moral statement, a guiding principle, of the countries of the world—and basically the UN is the closest thing we have to a global parliament—that they have taken a step in a direction of saying that water is a human right and a public trust and that no one should be dying for lack of water, and they shouldn't have to watch their children die a horrible death for lack of water because they cannot pay. And that was a statement that has taken us years and years to get the UN—they hadn't even debated the water issue. They hadn't even debated it in the past. They've done all this work on climate and absolutely no work on water. So it was a huge step forward to establishing some principles that we need if we are to avoid the crisis that I honestly see coming, that I think is going to be worse than anybody can imagine, in terms of the suffering.

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

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

THANKING LINCOLN DIAZ-BALART FOR HIS SERVICE IN CONGRESS

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

Ms. ROS-LEHTINEN. Madam Speaker, I would like to honor a great public servant and a dear friend, Congressman LINCOLN DIAZ-BALART, who, after 17 years of distinguished service to our south Florida community here in Congress, is retiring. The House of Representatives is indeed losing a great man and a dedicated leader.

LINCOLN DIAZ-BALART has left a legacy that is extensive and worthy of praise. He has led a life guided by his principles, and he has not wavered in his convictions; convictions based on his love for this great country and the freedom that it embodies.

LINCOLN's story is truly an American story. Having fled the Castro regime with his family, he became a fierce and staunch defender for human rights and the rule of law throughout the world. He became a voice for those whose own voices are silenced by repressive governments.

His commitment to public service is a testament to not only his character, but to the valuable lessons that he learned from his father, Rafael Diaz-Balart. The courage that Rafael demonstrated as he fought against Castro's totalitarian tactics left a profound impact on his son LINCOLN. It instilled in LINCOLN a sense of duty and a fierce urgency to help others.

From the beginning of his life in public service, LINCOLN devoted himself to aiding those less fortunate. Early in his career, he used his expertise as an attorney to assist south Florida's most vulnerable by providing free legal services to the poor. He also served as an assistant State attorney in Miami-Dade County.

LINCOLN began his career in politics by being elected to the Florida House of Representatives in 1986 and later to the Florida Senate in 1989. And then, in 1992, he was elected to our body, the U.S. House of Representatives.

I have enjoyed working with LINCOLN as we have tackled the issues that have been of vital importance to our south Florida communities.

And two of his proudest moments, Madam Speaker, were the passage of the Helms-Burton Act and the Nicaraguan Adjustment and Central American Relief Act, both of which he helped author. The Helms-Burton Act strengthened and codified into law the embargo against the Castro dictatorship. And the Nicaraguan Adjustment and Central American Relief Act granted temporary protected status to hundreds and hundreds of refugees who were fleeing repressive governments in Central America.

Another proud moment came in 1997, when LINCOLN helped secure legislation that extended SSI benefits to so many legal immigrant families.

□ 1910

LINCOLN has also been a tireless advocate for providing Hispanic youth the resources necessary to compete in a global economy.

Recognizing that the Hispanic community has and will continue to contribute much to our great Nation, LINCOLN helped create the Congressional Hispanic Leadership Institute, CHLI, a nonprofit, nonpartisan organization that provides Hispanic youth with the opportunities to interact with leaders in the public and private sectors. Its Global Leaders Congressional Internship Program has helped hundreds of Hispanic students expand their professional horizons and enhance their understanding of governments and businesses.

LINCOLN will be missed in Congress, but I know that south Florida will continue to count him as a leader. He will soon begin to work closely with the

group Rosa Blanca, or White Rose. This organization was formed by his father, Rafael, in order to counter the totalitarian and collectivism objectives of the Castro regime.

As LINCOLN begins this new stage in his professional and personal life, I know that our entire south Florida community, as well as my esteemed colleagues in the Congress, wish him and his family, his dear wife Cristina, and his sons, Danny and L.G., nothing but the best. Godspeed, my friend.

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

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

AFFORDABLE CARE ACT

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

Mr. COURTNEY. Madam Speaker, yesterday Virginia District Court Judge Henry Hudson's decision striking down one provision of the Affordable Care Act has generated a lot of noise in the last 24 hours.

Opponents of health care reform are celebrating as if the whole law was struck down, even though Judge Hudson refused the Commonwealth of Virginia's request to strike down the entire law and Judge Hudson refused the Commonwealth of Virginia's request to stop implementation of the health care bill which has been proceeding since last March.

Thank goodness the judge had enough common sense not to stop the health care bill's important protections for families and patients that have been implemented since last March, such as age 26 dependent coverage which employers all across America have been implementing since last July, giving families the opportunity to keep children covered on their family's health insurance plan up to age 26; such as protections like the elimination of insurance company rescissions of coverage, the practice of denying claims after the fact, many times after patients have had surgery or have had treatment; such as the $250 payments, which seniors who fell into the part D doughnut hole received in 2010; such as the 50 percent discount for brand-name medications, which seniors in the doughnut hole will start to receive starting on January 1; such as the new Medicare coverage for annual checkups, cancer screenings, smoking cessation, vaccinations for flu, which the new health care bill will provide starting on January 1; such as the early retiree reinsurance program, which employers all across the country, private employers as well as public employers, are using to stabilize age 55 and up retirement health benefits, including 96 plans just in the Commonwealth of Virginia alone.

For all the crowing and boasting by opponents of health care reform, there was less there than meets the eye. But there is no doubt that the judge did strike down an important part of the bill, namely, the shared responsibility provision, the requirement that nearly all Americans carry health insurance, a provision which two other district court judges, one in Virginia and one in Michigan, upheld as a proper exercise of Congress' power to regulate interstate commerce.

Judge Hudson ruled that this provision doesn't ''fit within the letter or spirit of the Constitution.'' Well, Madam Speaker, there is a long, long history of Supreme Court cases which have held exactly the opposite of what Judge Hudson wrote.

Indeed, Antonin Scalia, the leader of conservative forces on the U.S. Supreme Court, himself, wrote that Congress has the authority to enact a regulation of interstate commerce, and it possesses every power needed to make that regulation effective.

Using Justice Scalia's interpretation of the commerce clause, it is clear that this bill's provision to eliminate preexisting condition exclusion, the practice by insurance companies for denying coverage for people with cancer, high blood pressure, diabetes, chronic conditions, which require a pooling mechanism which the shared responsibility requirement was designed to accomplish, clearly fits within Justice Scalia's definition of the commerce clause. In fact, we know this from real-life experience.

Seven States tried to enact a guaranteed issuance law requiring insurance companies to insure all people regardless of preexisting conditions, and what happened was that rates went through the roof. Only one State was able to implement a prohibition on preexisting condition exclusions, that was the State of Massachusetts, which was coupled with a shared responsibility mechanism. And, as a result, insurance premiums fell in the individual market by 42 percent.

The impact on interstate commerce in terms of what is happening in the health insurance market could not be clearer. In fact, the trade organization representing America's health insurance industry back in 2008, after the election, made it clear that a shared responsibility mandate requirement is essential to actually executing and performing real reform in the insurance market. Allowing people to enter the market and exit the market when they get sick and when they get better is like insuring a burning building. And the fact of the matter is that the judge's decision, despite the fact that conservative judges like Antonin Scalia have recognized Congress' ability to regulate interstate commerce, which the health insurance industry clearly falls under, would allow for the Congress to set up the real mechanism to make sure that its goal of eliminating preexisting conditions can actually take place. And the health insurance industry knows over the last 5 years the collapse that has been occurring within the marketplace because of rising premiums.

I come from the State of Connecticut. We have Aetna, we have CIGNA, we have United Health Care. These are the largest plans in the country that are selling to employers, and they have seen the percentage of their coverage across America decline, not since the passage of the health care bill, but going back to 2005. And this measure is designed, in fact, really just to stabilize that private health insurance market.

Madam Speaker, in a few short weeks, new Members of Congress are going to be sworn into office. They are going to be given a PIN that gets them into the building, they are going to be given a voting card, and they are also going to be given an opportunity to enroll in the Federal Employee Health Benefit plan, a purchasing exchange which Members of Congress can participate in, get a nice comprehensive package of benefits, taxpayer subsidies, affordable rates. And on page 29 of this booklet, it makes it very clear that preexisting conditions will not be imposed against them.

The people of this country deserve the same type of coverage. And it is my hope, as the appellate courts review that decision yesterday, that they will uphold the Affordable Care Act's provision to stabilize the private health insurance market.

[Press Release, Nov. 19, 2008]

HEALTH PLANS PROPOSE GUARANTEED COVERAGE FOR PRE-EXISTING CONDITIONS AND INDIVIDUAL COVERAGE MANDATE

WASHINGTON, DC.—Health plans today proposed guaranteed coverage for people with pre-existing medical conditions in conjunction with an enforceable individual coverage mandate.

Under the new proposal, health plans participating in the individual health insurance market would be required to offer coverage to all applicants as part of a universal participation plan in which all individuals were required to maintain health insurance.

Health plans also said that premium support for moderate-income individuals and broad spreading of risk was necessary to promote affordability and maintain premium stability in the individual health insurance market.

To ensure that all Americans can access coverage, health plans also reiterated their long-standing support for making eligible for Medicaid every uninsured American living in poverty and strengthening the Children's Health Insurance Program.

''No one should fall through the cracks of our health care system,'' said Karen Ignagni, President and CEO of America's Health Insurance Plans (AHIP). ''Universal coverage is within reach and can be achieved by building on the current system.''

The announcement follows a nationwide listening tour conducted by AHIP as part of its Campaign for an American Solution. Concerns about coverage for pre-existing conditions, continuity of coverage for those between jobs and maintaining affordability for those with insurance were raised repeatedly across the country.

''AHIP's Board of Directors is responding to the concerns of the American people by offering a workable solution to ensure that no one is left out of the health care system because of their health, age, income or employment status,'' said Ignagni.

The new proposal builds on the series of comprehensive reform plans that AHIP's Board of Directors began releasing in November 2006. Further reform proposals addressing the affordability, accessibility and quality of health care are anticipated in the weeks ahead.

SUMMARY OF AHIP'S PROPOSAL TO GUARANTEE COVERAGE FOR PRE-EXISTING CONDITIONS AND PROMOTE AFFORDABILITY IN THE INDIVIDUAL INSURANCE MARKET:

Guarantee-issue coverage with no pre-existing condition exclusions;

Establish an individual coverage requirement with an insurance coverage verification system, an automatic enrollment process and effective enforcement of the requirement that all individuals purchase and maintain coverage;

Promote affordability by: providing refundable, advanceable tax credits for moderate-income individuals and working families; and promoting tax equity whether coverage is obtained through an employer or the individual market; and

Ensure premium stability for those with existing coverage through a broadly funded reimbursement mechanism that spreads costs for the highest-risk individuals.

BACKGROUND ON THE INDIVIDUAL MARKET AND GUARANTEE ISSUE

AHIP's survey of the individual market shows that individually purchased health insurance is far more affordable and accessible than is widely known. The survey found that 9 out of 10 applicants undergoing medical underwriting were offered coverage. The plans commonly purchased by consumers provided substantial financial protection and a wide range of benefits, including coverage for behavioral health, prescription drugs and preventive services.

Some individuals are unable to purchase individual health insurance coverage in the private market because of their health status. One approach taken by states to address this issue has been the enactment of guarantee issue legislation requiring health plans to offer coverage to all applicants. These well-intentioned reforms have often resulted in severe unintended consequences, including significantly higher costs for all policyholders.

A report by Milliman, Inc. found that enactment of guarantee issue laws in the absence of requirement that individuals purchase coverage may incentivize people to defer seeking coverage until they have health problems—a situation which unfairly penalizes those who are currently insured. According to the report, states that implemented these laws saw a rise in insurance premiums, a reduction of individual insurance enrollment and no significant decrease in the number of uninsured. To learn more about the individual market survey and the Milliman report, please visit www.ahip.org.

IN MEMORY OF PRIVATE SEAN SILVA

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

Mr. MCCLINTOCK. Madam Speaker, in the aftermath of the attack of September 11, a young man from Roseville, California, answered his country's call to duty and volunteered to take the war against radical Islam from our shores to theirs. His name was Sean Anthony Silva.

This Nation survives today and Americans remain safe today because of the idealism, the patriotism, the heroism, and the sacrifice of young Americans like Sean Silva who volunteer to defend us.

Today, they are the first line of defense between the tyranny and terrorism that have arisen in the Middle East and enlightened civilization around the world.

We in the House defend the principles of liberty and justice in this Chamber every day with our words. Men like Sean Silva defend them with their lives.

And on the night of October 9, 2003, Private Sean Silva defended these principles with his life. To understand the character of this young man, you need to understand what led up to that night.

Sean was a young person who saw his country attacked and instinctively rose to defend her. He saw his countrymen threatened and instinctively rose to shield them.

When Sean told his parents, Richard and Donna, that he wanted to enlist, they were obviously quite concerned. His mother worried that Sean would be dispatched to the Middle East within weeks of boot camp. Sean's reply was simple: Mom, I'm ready.

□ 1920

He wanted to be an Army Scout, always leading, always in motion, always protecting the path of his comrades. Sergeant Timothy Sloan of the Army's Roseville, California, recruiting office remembered that Sean ''wanted to be out doing things. He didn't want to be sitting behind a desk.'' Ultimately, he was assigned to the Second Armored Cavalry Regiment based in Fort Polk, Louisiana; and from there, he shipped out to Iraq.

The night of October 9, 2003, he had already returned from one treacherous patrol and was scheduled for another the next day. A night patrol was unexpectedly ordered, and Sean volunteered to go right back out on to the deadly streets of Sadr City, even though it wasn't his turn. His commander reminded him that he had already done much more than duty required, and Sean simply smiled and said, I just want to learn to do my job.

A few hours later, Sean's patrol was ambushed; and in the fierce fighting that followed, he gave what Lincoln called ''the last full measure of devotion.''

At Normandy, the chapel bears a tribute to those who ''endured all, and gave all, that justice among nations might prevail and that mankind might enjoy freedom and inherit peace.'' At the age of 23, Sean Silva did exactly that.

Sean would have turned 30 this year. No doubt he would be married with children now, with a promising career, getting ready for the holidays with his friends and family. Instead, his chair remains empty at the family table, and friends still leave messages for Sean at the Fallen Heroes Web site.

There is one in particular that stands out in this season. It comes from a little girl in Fort Jackson, South Carolina, whose father survived that terrible night. It reads: ''Thank you Silva for protecting my daddy. He is here today because of direct actions that you have done. Thank you soo much.''

Sadr City is no longer besieged. Its streets now bustle with commerce and enterprise, and young people look forward to raising their own families and starting their own careers. They do so solely because of the sacrifice made by men like Sean Silva.

That sacrifice is ongoing for Sean's family every single day. I met Sean's father at a Memorial Day event this year. He speaks of his son's death as if it were yesterday.

Time does not heal the wounds borne by our Gold Star families. For them, every day is the day that the casualty officer came to call.

We owe it to these families to honor what Lincoln called ''the cherished memory of the loved and the lost.'' We owe it to these fallen heroes, as Shakespeare said, to see that their ''story shall the good man teach his son.'' And we owe it to ourselves, to our children and to our Nation to remember how precious is the freedom and peace that their sacrifice has purchased.

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

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

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

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

TRIBUTE TO JAMES L. OBERSTAR

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

Mr. DUNCAN. Madam Speaker, several years ago, they sent us to a civility conference because they didn't think that Democrats and Republicans were getting along well enough in the Congress, and I have never forgotten something our first speaker said.

David McCullough, the great historian, told a story about a Russian visitor who came up into the House gallery in 1948 and watched for a while, and then he went out and shook his head and he said, ''The House is a

strange place.'' He said, ''A man stands up and says absolutely nothing, no one pays any attention, and then everyone disagrees.''

They say there is a little bit of truth in the best humor, and I guess there is some truth in that humor. But David McCullough was kind enough to go on from there and say, but if he had a chance to live his life over again and he could choose what he wanted to do, he would choose to be a member of that wild and raucous bunch known as the United States House of Representatives.

I think today, because of some of the television talk shows, that many people around the country think that we all dislike each other or that we hate each other at times, or that Democrats and Republicans just don't get along at all. But that is not true at all, and I think for the great, great majority of Members, all of us get along really well with everyone, regardless of party, and all of us consider it a great privilege and honor to serve in the United States House of Representatives.

We are losing many, many good Members from both sides of the aisle this year because of retirements, running for other offices, or for all sorts of reasons, and there are many other Members, both Democrat and Republican, who are good friends of mine who are leaving to whom I should pay tribute. But I rise tonight to pay special tribute to a very special man, and that is Congressman JAMES OBERSTAR from Minnesota.

In my entire 22 years in this Congress, I have served on the Transportation and Infrastructure Committee. I had a couple of chances in my early years to move to other committees, and I think people were surprised that I didn't take either one of those offers. But I enjoyed serving on the Transportation and Infrastructure Committee, originally called the Public Works and Transportation Committee, in part because it was considered to be the most bipartisan, or nonpartisan, committee probably in the Congress. It was often said that there is no such thing as a Republican highway or a Democratic highway; and on many, many things people on both sides of the aisle on that committee worked together to help build America.

Certainly, Congressman OBERSTAR was one of the great leaders of that committee through his entire time in the Congress. JIM OBERSTAR served for 11 years on the committee staff, rising to the position of staff director. He then began his service in the House and continued to serve for the past 36 years.

It is an astounding figure to think that a man worked on this one committee for 47 years of his life, but he has done so with great honor and distinction. In fact, I think almost everybody knows that there is no one in the Congress and probably never has been anyone in the history of the Congress who has known transportation issues and understood them and worked on them longer and harder and with more effectiveness than JIM OBERSTAR has.

At one point, he was chairman of the Aviation Subcommittee. In 1994, after the election, the Republicans took control and I had the honor of becoming the chairman of the Aviation Subcommittee, and I served for 6 years in that position, which was the maximum allowable on our side.

When I took over as chairman of the Aviation Subcommittee, I had frequently heard JIM OBERSTAR referred to as ''Mr. Aviation.'' So I went to him and asked for his help, and he helped me and guided me and gave me advice that to this day I appreciate very much, and he did that in a very kind and humble way.

Then, of course, in the last 4 years, he reached the pinnacle and became chairman of that committee, a committee that he loves. He has been a great chairman, and I think he has tried to help everyone on both sides of the aisle.

So I just wanted to rise and pay tribute to a man that I consider to be a great American and a great Member of Congress, Congressman JAMES OBERSTAR.

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

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

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

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

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

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

PEAK OIL—ARE WE THERE YET?

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

Mr. BARTLETT. Madam Speaker, let me first note some press clippings today that caught my eye, kind of signs of the time. One of them talks about a 1,900-page omnibus appropriations bill that is being prepared. You know, there will be no one person in the country that has read all of that bill, and I think the American people are not supportive of bringing these huge bills to the floor that nobody has had a chance to read.

But that wasn't what caught my eye so much as the subheading: ''Earmarkers feast on pork one last time before diet.'' And then in brackets it says it includes the Joint Strike Fighter second engine.

□ 1930

I would like to make a couple of comments on earmarks. I know that they are symbolic of frivolous, wasteful, out-of-control spending in Congress. Even though the total amount of money in earmarks is pretty small, they still are symbolically a very big and important issue.

I can live without earmarks. I've had earmarks. I publish them all on my Web site. None of them have sought to aggrandize me.

When I first came to Congress, I thought that robotics ought to be of increasing importance to the military, and so I supported what is called earmarks. We call them, in Armed Services, plus-ups. I supported a little company in Carroll County. They now are owned by General Dynamics, and they are now the largest military robotics manufacturing company in the United States; that probably means the largest in the world. And they will tell you that, if it weren't for my earmarks, they might not be here.

I would note that the unmanned aircraft were earmarks. I would also note that the Pentagon fought the aircraft carrier when it was first suggested, and it was Congress who pushed the aircraft carrier.

I would like to reflect for a moment on the plus-ups in the military, which are really fundamentally different from earmarks other places. You see, if you do an earmark on alternative energy—and everybody wants to look green, and so just about everybody who does earmarks will have an earmark or two on alternative energy. And that money all comes out of the program money for a little alternative energy lab in Golden, Colorado. They never know how much money they're going to have. They never can really adequately plan or execute a program because their money gets taken with these little green earmarks that so many of our Members like to have.

That's not what happens in Armed Services and Defense. Defense is a bit more than 50 percent of all of our discretionary spending—$600 or $700 billion. Whenever you have that many programs with that much money involved, there are bound to be some of them that don't go as planned and the money doesn't get spent. And so, near the end of the year, that money is gathered together and we have, in the past, gone to the chairmen of the services and asked them, If you had more money, what would you buy? And they respond, Gee, we would like to have this and that. We call these ''unfunded priorities.''

Then, the Members turn in their lists of requests, and these are all judged

against some standards that everybody has agreed on. You don't get all your earmarks. I publish all of mine on my Web site. You certainly don't get them all. I can live without earmarks. But I would just like to note that the President's budget is one long series of earmarks—spend money for this, spend money for that, spend money for the other thing—put together by people that you have never seen, that you will never see, that are not accountable.

Now, I understand the psychology of earmarks, and I'm very supportive of doing away with earmarks. But I would like to make a point about plus-ups in Defense. You see, the President's budget is at least a year old. It takes a long time to put together that big budget—some parts of it are a couple of years old—which means that all the new technology of the last year can't be in the President's budget. Traditionally, we have used plus-ups in Defense to make sure that we don't fall behind our potential enemies. So if you would like to make sure that we're always potentially 1 year behind the Chinese and the Russians, then just don't have any plus-ups in Defense.

I am a big supporter of doing away with earmarks because I think that symbolically they have become poison and they tell the American people that we are out of control and irresponsible. But, at the same time, I would like to note that we have got to have something to permit us to introduce the latest technology to our military, because it can't be in the President's budget. So let's call them plus-ups or something and ban earmarks elsewhere, but make sure that we don't fall behind in Defense.

Another thing that was in the news was the leadership is not going to bring a separate Defense authorization bill, but they have taken one small part of that bill out—the Don't Ask, Don't Tell. One may wonder at the priorities. For the first time in many, many years, we're probably not going to have an authorization bill. And if we have an appropriations bill, it will be a part of this big 1,900-page omnibus. One might wonder a little bit about priorities when we're engaged in two wars and we face a resurgent Russia and a booming China that it is maybe not important to pass the Defense authorization bill, but it is really important to bring to a separate vote Don't Ask, Don't Tell.

Then there are a couple of articles that I was really pleased to see—and we'll talk a little bit more about those later—from the National Defense Magazine: ''Navy Takes Biofuels Campaign Into Uncharted Waters''; and the second headline is that the ''Air Force Tells Biofuels Industry to 'Bring It.' '' They want to buy these alternative fuels. There were two articles; one by Beidel and one by Grace Jean. And a little bit later, we'll have an opportunity to look at biofuels and their role and why the military is focusing so much on these.

And then an interesting article in the L.A. Times, ''Pressure builds in the House to pass tax-cut package.'' A little bit later, we'll have an opportunity to look at taxes and should we cut them. We really have a huge debt, getting bigger every day. Getting money from our people to bring down this debt is important.

So what are the arguments for cutting taxes? Benjamin Franklin, in 1787, came out of the Constitutional Convention, and he was asked—and one of the stories has it that it was a lady who asked him that. I like that story—Mr. Franklin, what have you given us? What have you wrought? And his answer was: A Republic, madam, if you can keep it. A very short response: A Republic.

But I thought we lived in a democracy. At events we do that Pledge of Allegiance to the flag, and you come to that part that says, ''the Republic for which it stands,'' and then we get up and talk about this great democracy that we live in. What is the difference between a republic and a democracy?

Before reflecting on that and why it is important to understand that difference, I would like to spend just a moment looking at Benjamin Franklin's hope: ''if you can keep it.'' I wonder what he thought the biggest threat to this Republic, this Constitution would be. I kind of think he wasn't all that concerned about foreign powers that got here across a big ocean in sailboats. I'm sure he had some concern about threats from outside the country. But I kind of think that he might have been more concerned about threats from within: A Republic, madam, if you can keep it.

□ 1940

What is the difference between a republic and a democracy?

I'd like to use a couple of examples of a democracy to help us understand that two wolves and a lamb voting on what they are going to have for dinner would be a democratic process; the majority wins in a democracy.

So what do you think is going to happen if the body is made up of two wolves and a lamb, and they are voting on what they are going to have for dinner?

If it is a democracy, there will be lamb for dinner because the majority wants that. If it is a republic and the constitution, or whatever they call the body of laws that they live by, says you can't have lamb for dinner, you won't have lamb for dinner, no matter whether the majority wants it or not, because, you see, it is against the law. In our country, we would say it's unconstitutional.

I really kind of hesitate to use this next example of a democracy, but I hope you will understand.

A lynch mob is really an example of a democracy. Isn't the will of the majority being expressed in a lynch mob? Aren't you glad you live in a republic where it is not the will or the whim of the majority that controls but the law that controls?

I remember back a number of years ago when, I believe it was, Harry Truman nationalized the steel mills. They were going to strike. Back then, it mattered that we wouldn't have any steel made as we had some manufacturing in those days. It wouldn't matter a whole lot now, would it? The economy was already in trouble, and it was going to be in even bigger trouble if they did that, so Harry Truman nationalized the steel mills. That was a very popular action. A huge majority of the American people applauded that because that made them, you see, Federal employees, and as Federal employees, you can't strike. That was a hugely popular action—an executive order. The Supreme Court met in emergency session. In effect, what they said was, Mr. President, no matter how popular that is, you can't do it, because it's unconstitutional.

Now, why is this important?

Congress is doing a lot of things that are not specifically permitted by the Constitution. Four years after the Constitution was ratified, there was the Bill of Rights. They started with 12 amendments, and 10 of them made it through the process: two-thirds of the House, two-thirds of the Senate and three-fourths of the State legislatures. We call them the Bill of Rights. There was a lot of argument that they really didn't need to do that, because every one of those rights so explicitly enumerated in the Bill of Rights was implicit in the Constitution, itself.

We in the Congress today involve ourselves in almost everything that affects citizens of the country. We use two different things in the Constitution to justify doing that. One of them is ''promote the general welfare.'' That's in the Preamble to the Constitution, itself. It is also repeated in the preamble to section 8, which specifies what the Congress can do. The Preamble of the Constitution simply says: ''promote the general welfare.'' But in the first paragraph of article I, section 8, it says to promote the ''general welfare of the United States.''

What they were talking about was the responsibility of making sure we had a strong country. Words change their meanings, and their use of the word ''welfare'' didn't even come close to our use of the word ''welfare'' because, when we think of welfare, we think of a big organization that handles a lot of money and that takes care of people who are in need.

Then, in the Bill of Rights, there are the last two amendments, which are seldom referred to. The Ninth Amendment simply says that essentially all the rights belong to the people, and the people have chosen to give a few of those rights to the government.

A few days ago, I was privileged to spend an hour or so with one of the Justices on our Supreme Court, and he gave a very interesting example. He had a piece of paper like this, and he tore off a little corner of it:

These are all the rights that we have—and he tore off a little corner of

it—and we're going to give this much to the Federal Government.

Just a little.

So the Ninth Amendment reiterates that. It says that essentially all the rights belong to the people except for those few that they give to the government.

Then there is the 10th Amendment. This is the most violated amendment and the least referred to amendment in the Constitution. The 10th Amendment in everyday English—it's written in Old English and legalese—you've got to kind of interpret. What it really says is, if you can't find it in article I, section 8, you can't do it.

Now, we do a whole lot of things that you can't find in article I, section 8. We use two things to justify that. One is the ''promote the general welfare.'' If it helps people, if it makes things better, we can do it. The second thing we use is called the commerce clause, which says that Congress has the responsibility and the authority to regulate commerce between the States. Now, there is nothing that doesn't pass over a State line, so you can argue that, therefore, we can concern ourselves with anything and everything—and we do.

But then I asked myself the question: If that were how they wanted us to interpret the Constitution, why did they put all that detail in article I, section 8—like duties and imposts and excises, and borrowing money and regulating commerce?

Well, that's the one they use.

Establish uniform rules of naturalization, laws for bankruptcy, coining money.

Somehow we gave that away to the Fed without amending the Constitution. I'm not sure how.

Provide for the punishment of counterfeiting, to establish post offices and post roads, to promote the progress of science and useful arts, this is, copyrights and patents to constitute tribunals inferior to the Supreme Court.

That's our lower Federal courts.

To define and punish piracies and felonies committed on the high seas and offenses against the law of nations.

Then all the rest of it deals with just two things—to declare war, grant letters of marque and reprisal, and then the military.

The last paragraph, of course, relates to the seat of government, what we call the District of Columbia.

Then it ends with a paragraph that is used to justify doing anything and everything we want to do: ''to make all laws which shall be necessary and proper for carrying into execution the foregoing powers, and all other powers vested by this Constitution in the Government of the United States.''

But the 10th Amendment says, if you can't find it in article I, section 8, you can't do it. Now, there are three big things that we do—more than three, really, but there are three big things we do that I can't find there. One is our involvement in education. Another is our involvement in health care, except for our military, and the third one is philanthropy.

By the way, Madam Speaker, if you will do a Google search for Davy Crockett—he was a Congressman from Tennessee and a farmer—you will find a very fascinating discussion of philanthropy. We don't have time here today to go through it, but you will be fascinated by it. Then he gave a speech on the floor, talking about philanthropy.

Now, these are good things. We support the National Institutes of Health. We support the National Academy of Sciences. None of these things are in the Constitution, and we do them all without amending the Constitution.

Since these are good things and they help us, why should I be concerned?

□ 1950

They're not explicitly permitted by the Constitution, and we haven't amended the Constitution so that we can legitimately do it. Let me tell you why I am concerned.

This little country—and we're little, one person out of 22 in the world—and we have a fourth of all the good things in the world. And I ask myself the question, why? What is so special about us that just one person in 22 has a fourth of all the good things in the world? We no longer are conspicuously the hardest working people in the world. We no longer have the highest respect for technical education. This year, the Chinese will graduate seven times as many engineers as we graduate. About half of our engineering students are Chinese students. And we no longer have the most respect for the nuclear family. This year, almost 50 percent of all of our children will be born out of wedlock.

Why then are we so darn fortunate, that just one person out of 22 has a fourth of all the good things in the world? You may have other reasons, Madam Speaker, but I think that our enormous respect for our civil liberties established a climate and milieu in which creativity and entrepreneurship can flourish, and I think that if we put at risk these civil liberties, we put at risk who we are.

If we can rationalize that because it's a good thing to support the National Institutes of Health or provide health care or have a Department of Education, that you can then just kind of ignore the Constitution, that sets, I think, a very dangerous precedent because, in the future, it may be that a majority of our people will feel that a minority of our people should be denied some of their civil liberties. And if we can just rationalize that we don't have to pay any attention to the specifics of the Constitution and these other things, why couldn't that happen to our civil liberties? And because I am so convinced that these civil liberties are such a huge reason that we are such a favored country, I'm very concerned that we shouldn't just ignore the Constitution because what you're going to do seems okay and popular and going to help.

I remember back when we were congratulating ourselves because we had a budget surplus. We had to raise the debt limit ceiling. Kind of jokingly I asked our leadership, what are you going to tell the American people—all these months you've been telling them we have a budget surplus and now we're voting to raise the debt limit ceiling? Why would we have to raise the debt limit ceiling if we've had a budget surplus? We did have a budget surplus, and we did pay down a debt, but it wasn't the national debt. It was the public debt.

I suspect, Madam Speaker, that there are not a large percentage of the American people that know the difference between the public debt and the national debt. The public debt is the Wall Street debt, the debt we owe to people who have bought our securities, who have loaned us money. The national debt is the sum of the public debt and the trust fund debt.

You see, we have about fifty trust funds. Two of the biggest ones are Medicare and Social Security, and we have been running surpluses in those fortunately because when the baby boomers all come on line, we're going to really need those surpluses, but there's no money there.

You see, this budget surplus was in what we called the unified budget, when we put the trust funds on budget, and then we made the perfectly irrational statement that the Social Security surplus offset the deficit. Well, if you have taken the money that you have taken out of the paychecks of our citizens for Medicare and Social Security and you spend it, which is exactly what we've done, you have incurred another debt.

So what we did when we had this surplus, we paid down the national debt; for every dollar of national debt we paid down, there was another dollar increase in the trust fund debt. The sum of those two debts is the national debt. And if we kept our books on the accrual method, which we require of every business with more than something like a million dollars in transfers of money during the year, there never was a moment in time, I'm told, that the national debt really went down.

Now I talk about this tonight because we're going to talk about taxes and what we haven't done and what we should do, and I just wanted to point out that when Congress tells you what the deficit is, add several hundred billion dollars to that, now less this year than other years because this year for the first time there was no surplus in Social Security, but there was a whole lot of surpluses in other areas.

So, remember, it's the unified budget and the public debt that they're talking about, but it's the national debt that we need to fund, and that's the debt that determines how much money we owe and what the interest on that money will be.

Madam Speaker, I've thought a lot about taxes. If we had a zero percent tax rate, we'd collect no money. And then if we had a 100 percent tax rate, we'd collect no taxes because nobody would work if you're going to take all their money. So I thought a lot about what's that magic number: somewhere between zero percent where you collect no taxes and 100 percent taxation where obviously you'll collect no taxes because nobody's going to work. Somewhere in there is the magic number where you're going to collect the most taxes.

Now obviously if taxes are too high, 100 percent, nobody's going to work; and if you come down from 100 percent, people are going to drop out. It's not worth working; the government takes so much money. So what is that magic number where we will not depress the economy and, therefore, have the biggest revenue from our taxes?

I submit that it is probably less than where we are now, because Tax Freedom Day, I think, is sometime in April. I haven't seen the number for this last year. But Government Freedom Day—that's when you can work the first day so that you can have money to buy your car and pay your mortgage and send your kids to college—that's sometime in July. For a year or two, it was just about July 4th, and I thought, How nice. That's the second freedom that we now have. We have the freedom to use the money that we've made for ourselves; government's not going to take it.

Tax Freedom Day is sometime in April; Government Freedom Day is in July. You may have a different perspective, but I think that that's kind of a pretty big burden. As a matter of fact, we may be collecting less revenues from taxes because the taxes are that high.

I want to spend the time remaining in talking about these last two articles that I mentioned, biofuels and our defense focus on energy. I have some slides here that will help to illuminate this. Of course, the thing that we're all concerned about now is the economy and taxes, and I think that if you don't factor energy in, oil particularly, you won't have considered all of the inputs that are going to determine what our economy will be.

□ 2000

The first slide that we have here, the first chart, it's several years old as you can see, 2008, a couple of years old, and you will see the highest price for oil there was less than $100 a barrel. It really went a little after this to $147 a barrel. These two lines here are the lines that are compiled by EIA and IEA. One of those is a creature of the OECD, to which we belong, and the other is a part of our Department of Energy. And they have been pretty consistently agreeing with each other. This, starting in 2002 and ending in 2008, represents the amount of oil that the world has pumped. And you'll see, for about 3 years before the recession, the supply of oil was constant.

Now, with a constant supply of oil and increasing demands, this year, China sold more cars to their people than we did in our country. China has now become the largest CO_2 emitter on the globe, not yet the largest energy user, because they are not as good as we are at reducing the CO_2 footprint. But what this says is that 3 or 4 years before the recession, the supply of oil was constant and demand was going up in our country.

We like to grow. The stock market has a lot of trouble if you only have about 2 percent growth, you may have noticed. And the Chinese are growing. India is growing. Brazil is growing. So there were increased demands for oil. And so the price you can see going up here. It went from $50 to $100 to nearly $150 a barrel. And then the recession.

Now, what does the future look like? Because unless you have some concept of what the future is going to be like, you won't be making rational decisions about taxes and spending, because energy is a huge, huge part of our lives. We live better than any civilization has ever lived at any time, largely because of the enormous supplies of this energy.

This next chart is world oil production, looking to the future and where will it come from. The dark blue here is conventional oil. That's the kind of stuff we have been using for a lot of years now. We started using it way back in the early 1900s, and we are producing more and more and more. And now, as this chart shows, we have reached a peak. It's called peak oil.

By the way, that happened in our country in 1970. It was predicted 14 years before that by M. King Hubbard, who was relegated to the lunatic fringe and ridiculed. But right on schedule, as he predicted, in 1970, we reached our maximum oil production in this country. The world, this chart says, has reached it now; and apparently that is so, because, as you just saw from the previous chart, both the EIA and the IEA had oil production flat for the last 4 years.

Now, what will the future look like? This is their projection of what the future will look like. They say that we are going to get from this light blue area a lot of oil. By 2030, we are going to be getting as much oil from fields yet to be developed as we are getting from all of our developed fields now. That may or may not happen. But even more speculative is this interesting red area: Crude oil, fields yet to be found. And that's almost as big in 2030 as the fields we now know and the fields we have discovered and are yet going to develop.

Now, the brown area is enhanced oil recovery, live steam and CO_2 and pushing a lot of seawater down there if you are near it. These are ways to get some more oil out or, you know, opening up the fields down there and shale and so forth can get more oil out. So this is the additional oil we will get from fields that we now have. That's their guess as to how much that will be.

Nonconventional oil, that's like the heavy sour from Venezuela, and it's like the tar sands of Alberta, Canada, which are very interesting, about a million and a half barrels a day. Bitumen, I think, is what they call it. It won't flow, so you have to cook it and then add some volatiles to it so that it will flow.

I am reading a very interesting book, written by a Canadian, with a long discussion of the Alberta tar sands. They soon will have mined all that you can do by surface mining, and then it kind of ducks under an overlay that is too big to remove economically. So what they are going to have to do then is develop it in situ, which means, like, you know, pumping live steam down there to make it 1,000 degree temperature to soften up the stuff so that it will flow.

But this is a guess as to how much unconventional oil we will get. And then with natural gas—and we are using more and more natural gas—there are some liquids that will come with that, so they will increase.

I think that both this light blue area and the red area and maybe the others, too, are kind of wishful dreams. I think that we will be more than lucky if this top line here is level. I think we will be more than lucky if we can make up through developing fields that we have already discovered, discovering new fields, and enhanced oil recovery and so forth, we will do very well if we can make up for the oil we are not going to get from the fields that we now know.

The next chart shows that in a very different way. If you had only one chart that you could look at that would help you decide what you need to do about your economy and what you need to do with taxes, I think this would be the chart. There is a lot of information on this chart. The vertical bars here are the amount of oil that we found in each of those years. And you can go back to the thirties a little and the forties and, wow, the fifties, and then it exploded in the seventies and through the eighties. And we just found a lot of oil, a whole lot more than we were using, because this solid line here represents the oil that we were using. Of course, the area under that will be the total amount of oil that you have used. And if you draw a curve over these, the area under that curve obviously represents the total amount of oil that you have found.

So up until about 1980 or so, we had, every year, found more oil than we had pumped. But then after 1980, look what happened. We are using more and more and finding less and less. Now, this chart is about 5 years old, as you can see, because the lightly shaded area there, which was a projection for the future, begins at 2005. And they were projecting a peak at about 2008 or 2009. That's precisely what happened, as you saw from the first two charts.

Now, the discoveries for the future are not going to be that very smooth

ever less and less. It's going to be up and down like this. But it's not going to be this kind of magnitude. The oil that we are finding now is in very difficult places. A major find in the Gulf of Mexico is under, what, 7,000 feet of water and 30,000 feet of rock. That is way down there.

An oil discovery of 10 billion barrels of oil, we heave a sigh of relief. Ten billion barrels of oil. Why do we worry? Why do we still worry if we've found that oil? And we may find several fields of that size. That is because, in the math, it's pretty simple. Every 12 days, we use about 1 billion barrels of oil. We use 84 million barrels a day. I think 84 goes into 1,000 a little less than 12 times. So every 12 days, we've used a bit more than 1 billion barrels of oil. So that big find of 10 billion barrels will last 120 days. That's it.

Notice the discontinuity in this use curve, a very interesting phenomenon. Notice the date back in the seventies.

□ 2010

The Arab oil shocks back then, it changed the world. In a way they were fortuitous and good, because look what happened, or look what would have happened if we didn't have those oil shocks.

This is the rate of increase in the use of oil. Had that exponential curve continued, we would be off the charts. That was a big wake-up call. And we, and most of the rest of the world, became very much more efficient in the way we use oil. Your new freezer and refrigerator and air conditioner is very much more efficient than those of the seventies and early eighties.

Exponential growth is a poorly understood phenomenon. Albert Einstein was asked, when they were talking about nuclear energy and what that was meaning to the world, what was going to be the next big thing that we'd find? And he said the most powerful thing in the universe was the power of compound interest.

If you just think about that, 2 percent growth doubles in 35 years. And 2 percent growth is not much. It's kind of feeble. Our stock market doesn't like 2 percent growth. It wants more than that. But 2 percent growth doubles in 35 years. It's four times bigger in 70 years. It's 8 times bigger in 105 years. It is 16 times bigger in 140 years; 16 times bigger in 140 years. Obviously, we're not going to be using 16 times as much energy in 140 years from now as we are using now.

So when you're thinking about spending and taxes and what we ought to be doing you need to keep in the back of your mind this reality. Gas is now a bit more than $3 a gallon. Oil is what? Pushing $90 a barrel. And the world is struggling to get out of this recession.

There are many economists who believe that when the world comes out of this recession it's going to demand a lot more oil. But we're up against a peak. We can't produce oil any faster. So when you have this demand for oil, and it cannot be supplied, the price is going to go up.

And you know, we, in this country, attributed this recession that we're trying to recover from to the housing bubble. But it was kind of the perfect storm. At the same time that we were doing grossly irrational things with financing these houses, we were also hit by peak oil. And I guess it's an economist debate as to whether it was the cost of energy effect or the housing bubble that was most responsible for bringing us to our knees.

Now, you can make any projection you want about the future, but one thing is absolutely certain. You can't pump oil you haven't found and developed. And the probability that we're going to be pumping meaningfully increased amounts of oil in the future is very, very small.

The next chart is one you need to be looking at when you're thinking about our taxes and our economy and what we ought to be doing, because this is the world according to oil. And the premise here is, let's draw a world where the size of the country is relative to how much oil in reserve that it has. What would the world look like? And then let's color it, so that those who are using a lot of oil show up as yellow, and then blue and then on down to lesser amounts of oil.

Well, you look at us over here. A couple of really interesting things. We don't have much. And we're the only country colored yellow. So we're big users of oil, and we don't have much. Well, we don't. We have only 2 percent of the world's reserves. We use 25 percent of the world's oil, and we import about two-thirds of what we use.

Our largest exporter is Canada. Wow, they don't have probably as much oil as we have, and they don't have very many people either, so they can export oil.

Until very recently, our second-largest exporter was Mexico. They also have less oil than we. But their people are too poor. They have a lot of people. Their people are too poor to use the oil, and so they're exporting the oil.

Within about a decade, by the way, the rate at which they are using the oil and the decline in the rate at which they are producing oil, and that's about a decade, maybe less, Mexico will be an oil importer.

Venezuela. Hugo Chavez dwarfs us and Canada and Mexico and all the rest of South America. Huge relative to this side of the Atlantic, huge supplies of oil.

Saudi Arabia represents 22 percent of the landscape, if the country was sized relative to the amount of oil it has because it has about 22 percent of the reserves of oil in the world.

Iraq and little Kuwait, it looked to Saddam Hussein like an errant province down there on the southeastern border. Tiny. Qatar, even smaller United Arab Emirates, hard to find them on the map, isn't it? Look how big they are as far as oil is concerned.

And Iran, a present and growing problem.

Now, look at China over there. China's next to the biggest user, blue, next to the biggest user of energy to us.

By the way, this lighter blue here in Iran. With their present curve for exporting oil and their present increasing use of oil, within a decade, Iran will cease to be an exporter. And this is one of the problems that we face in the world. All these developing countries have increasing populations that, through the miracle of communication, know the benefits of industrialized society, and they're saying, hey, what about us?

There are 900 million people in China, three times our population, that live in rural areas that are making just that request of the Chinese government: What about us? So China has a huge challenge in supplying the energy needs of this developing population.

And there's Russia. They are vying now with Saudi Arabia to be the biggest exporter of oil in the world. They have more than us. About the same as Venezuela. They don't have anywhere near as many people as we have, and they don't use, per capita, as much energy as we use. So Russia is a big exporter. As a matter of fact, as I said, they're vying with Saudi Arabia to be biggest exporter in the world

India. Can you find India on the map there? A billion people, growing rapidly. Buying oil.

So you can see the challenge that this presents. And the recognition that we have got to look at our taxes, and we've got to look at our economy relative to the world situation and energy and what is likely to happen to the price of gasoline, because about 70 percent of all oil is used for transportation, and 90 some percent of all transportation is oil.

Relative to this is an interesting statement from Condoleezza Rice, former Secretary of State: We do have to do something about the energy problem. I can tell you that nothing has really taken me aback more as Secretary of State than the way that the politics of energy is, I will use the word ''warping'' diplomacy around the world. We have simply got to do something about the ''warping'' now of diplomatic effort by the all out rush for energy supply.

I don't have the chart here, but China is now buying oil all over the world. Why would China buy oil when it doesn't make any difference today who owns the oil? The person who comes to the auction with money, as we do every week, because we have only 2 percent of the oil, we use 25 percent of the oil; we simply buy the oil from those who have it because we come with the money to do that.

Your government has paid for four studies. Here are the four studies that they paid for starting in 2005, two of them in 2005, 2006, 2007. And one of them had two reports, but there were four studies: The DOE report, the

Hirsch study, Army Corps of Engineers, and Government Accountability Office. Oh, and the National Petroleum Council also did a study, but two of these are from the same study, just was reported later. All of these said essentially the same thing, that peaking of oil is either present—we didn't know then; you never know until you look back that it's peaked—or, imminent, with potentially devastating consequences.

I just wanted to spend the last few minutes we have in looking at some of the statements in these four reports.

□ 2020

I think that we paid for the second, third, and fourth because we weren't happy with what the first report said. That was the Hirsch report. But they ended up all essentially saying the same.

Let's just spend the last few minutes we have together looking at some of the comments that were in these reports.

This is the Hirsch report: World peaking of oil is going to happen. It is obvious. Oil is finite. One day it will be gone. But before it is gone, we are going to reach our maximum ability to produce oil. Peaking of oil is going to happen.

Then they say that the world has never faced a problem like this. Unprecedented. The world has never faced a problem like this.

From the same report: The peaking of world oil production presents the U.S. and the world with an unprecedented risk management problem. As peaking is approached, liquid fuel prices and price volatility will increase dramatically—$147 a barrel—and without timely mitigation—which we have not done—the economic, social, and political costs will be unprecedented.

Now, we need to be thinking about this when we are thinking about taxes and spending. We are going to face some huge challenges.

By the way, I find facing a big challenge and meeting it successfully is very exhilarating, so I see these reports as challenging and exhilarating.

This next one is from the Army Corps of Engineers' study: Oil is the most important form of energy in the world today. And, if you think about it, this is really true. Historically, no other energy source equals oil's intrinsic qualities of extractability, transportability, versatility, and cost. The qualities that enabled oil to take over from coal as a frontline energy source for the industrialized world in the middle of the 20th century are as relevant today as they were then. As President Bush said, ''We are hooked on oil.'' That is true.

This is a quote from Gene Laherrere, a very early pioneer in this, with Colin Campbell, a Frenchman and Scotsman, I think. But they were a number of years ago predicting that this was going to happen and the world should be paying attention.

We have had very optimistic projections of how much oil there is going to be in the future. These people have come down from that, by the way, way down from those hopeful projections. But this is Laherrere's assessment of the USGS Report: The USGS estimate implies a five-fold increase in discovery rate and reserve addition, for which no evidence is presented. Such an improvement in performance is, in fact, utterly implausible given the great technological achievements of the industry over the past 20 years, the worldwide search, and the deliberate effort to find the largest remaining prospects.

So Laherrere said that what they were proposing was utterly implausible. Now they have come way down from those projections.

As we are thinking about our taxes and our economy and what we need to be doing about that, this is a reality that we need to pay attention to. This is the top ten companies on the basis of oil production and reserves. The left one is production.

Now, we have some big giants like BP and ExxonMobil and Shell. They have 22 percent of the production. Companies that are owned by—well, they aren't companies, really. They are owned by a country. They have 78 percent of all the production.

Now, when it comes to reserves, our three big guys don't even show up among the top ten. They aren't even there. Ninety-eight percent of it is from countries like Saudi Aramco, National Iranian Oil, Iraq National Oil, Kuwait Petroleum, and so forth. LUKOIL, which is kind of private, Russia, is 2 percent.

As you are thinking about our taxes and our economy and what we ought to be doing, you really need to factor this in because it is a geopolitical reality that is going to make cutting taxes and reducing spending so that there will be something to buy this energy with, which is really going to go up, or our quality of life is going to plateau and turn down and our economies are going to sour quickly with very difficult recovery.

All these charts, by the way, you may have noted, are from the Government Accountability Office, a very respectable nonpartisan organization.

Worldwide Proven Oil Reserves by Political Risk. How much of it can we really count on and how much of it has some political risk involved? Well, let's see.

Low political risk, 413.

These are billion barrels, by the way, and these are going to add up to a bit over 1 trillion, which is a generally accepted number of how much oil is out there. Now, we will add a little to it, but it is not going to be a huge amount we add to it.

Medium risk, 314. And high risk, 389.

What this says is that only roughly one-third, a little more than one-third of the oil that is out there has low political risk, we could really count on in a pinch that it is going to be there. The other may not be there because there is medium and high political risk.

This same dynamic is shown in the next chart here, and this is by investment risk. Where can the big oil companies invest their money? Where can we invest our money? Where do we have low risk? Where do we have high risk?

Well, in 384 billion barrels, there is no foreign investment. They own it all. They don't need any money, so there is no foreign investment there. Only 165 billion barrels have low risk; 164, medium; 402, high. So just a whisker over one-fourth of the oil that is out there has low and medium risk.

I have been privileged to spend this hour talking about our economy and the impact energy is going to have on that.

HONORING CONGRESSMAN JIM OBERSTAR

The SPEAKER pro tempore. Under the Speaker's announced policy of January 6, 2009, the gentlewoman from Minnesota (Ms. MCCOLLUM) is recognized for 60 minutes as the designee of the majority leader.

GENERAL LEAVE

Ms. MCCOLLUM. Madam Speaker, I ask unanimous consent that all Members be given 5 legislative days in which to revise and extend their remarks on the topic of this Special Order.

The SPEAKER pro tempore. Is there objection to the request of the gentlewoman from Minnesota?

There was no objection.

Ms. MCCOLLUM. Madam Speaker, tonight I rise with the sad honor of recognizing the retirement of my friend, colleague, Congressman JIM OBERSTAR. He has served the residents of Minnesota's Eighth Congressional District with distinction for more than 36 years.

JIM is the dean of the Minnesota congressional delegation, and all of us, House and Senate, are deeply grateful for his commitment to our State.

To many people in Washington, DC, he is Chairman JAMES L. OBERSTAR of the powerful Committee on Transportation and Infrastructure, but to most Minnesotans, he is JIM OBERSTAR from Chisholm, the heart of Minnesota's Iron Range.

For those of you who don't know about the Iron Range, it can be a tough place to grow up—lots of cold weather and a lot of hard work. But it has lots of great people.

The hard lessons of his early years served JIM well in Washington. He knew how to fight for people and causes that he served, and he always worked for progress in a way that honored his principles.

During his time in Congress, JIM made a career out of creating good jobs and building America.

□ 2030

His priority was investing in the future prosperity of his country, literally

laying the foundation of a 21st-century American economy, and I am proud to say he has been my partner in building a modern transportation system in the Twin Cities.

Next month, major renovations on the Union Depot in St. Paul, a modern multi-modal transportation hub, will create 3,000 construction jobs. Only months later, construction begins on the Central Corridor, the light rail between St. Paul and Minneapolis, creating thousands of more jobs. Neither of these major investments would have been happening without JIM OBERSTAR. He had the vision to plan for the future.

He has also demonstrated his leadership in times of great crisis, and he has been effective. On August 1, 2007, the Interstate 35W bridge collapsed in Minneapolis and 13 people lost their lives. The Chairman raced to action and helped to secure emergency legislation that rebuilt the bridge, reconnected our communities.

But he didn't stop there. Chairman OBERSTAR worked in Congress to call attention to the epidemic of weak bridges all across this country, and he made bridge repair and replacement a focus of the Recovery Act. Because of JIM OBERSTAR's commitment, thousands of bridges across this country were replaced or rebuilt through the Recovery Act. Millions of Americans are safer today because Chairman OBERSTAR recognized Minnesota's tragedy was an American crisis.

JIM OBERSTAR not only served; he served well. He not only worked hard; he achieved results. He was a true ranger. His roots of loyalty to the needs of working families in Minnesota and across this country could not be beat. This institution is about to lose a great leader, but it is inheriting a legacy of commitment and fairness and professionalism that should serve as a model for all of us.

On behalf of myself and the Minnesotans I represent, I extend my thanks and my best wishes to Chairman JIM OBERSTAR.

Madam Speaker, at this point I will insert in the RECORD various letters in support of Chairman OBERSTAR; from Congressman ERIK PAULSEN, Congresswoman BETSY MARKEY, State Representative Tommy Rukavina, State Senator Tom Saxhaug, State Senator Tom Bakk, State Senator David Tomassoni, the Honorable Don Ness, Mayor of the City of Duluth, the Honorable Christopher Coleman, the Mayor of the City of Saint Paul, and the Ramsey County Board of Commissioners and their Rail Authority.

TOM RUKAVINA,
MINNESOTA STATE REPRESENTATIVE,
December 8, 2010.

TO THE HONORABLE MEMBERS OF THE UNITED STATES HOUSE OF REPRESENTATIVES: I am honored to have the opportunity to recognize and praise my friend, Congressman Jim Oberstar, whom I don't have to address as honorable because everyone who has been around Washington DC for the last 36 years knows that goes without saying!

Congressman Oberstar in my mind epitomizes what's good about ''politicians.'' He has not only cared about the well-being of his constituents, but has also cared about every one of your constituents here in this great United States of America. His knowledge of transportation issues is legendary, and his stewardship of our natural resources and his concern for our children and grandchildren on issues such as clean water exemplifies his commitment to our future generations.

I am personally sad that Congressman Oberstar will not be representing me and his beloved Iron Range in the United States Congress. But I am honored that Congressman Oberstar's legacy and contributions to this country will be recognized by those future generations that he has dedicated his entire life to.

Congressman, as many of those Iron Range old-timers that you love to talk about would have said to you, ''dobro sreču, buona fortuna''—in other words, good luck to you as you move forward in life!

Warm regards,

TOM RUKAVINA.

THOMAS W. SAXHAUG,
MINNESOTA STATE SENATOR,
St. Paul, MN, December 8, 2010.

Representative JAMES OBERSTAR,
Rayburn House Office Building,
Washington, DC.

DEAR JIM: Thanks for your tireless work on behalf of the people of Itasca County and the Grand Rapids Area. Your work will long be remembered by our generation and will benefit generations to come. My opportunity to work with you on the Edge of the Wilderness National Scenic Byway and riding bicycles on the Mesabi Range Trail will never be forgotten.

Thanks for your public service to my district, the State of Minnesota and the United States of America.

Sincerely,

TOM SAXHAUG.

THOMAS M. BAKK,
MINNESOTA STATE SENATOR,
St. Paul, MN, December 8, 2010.

Rep. JAMES OBERSTAR,
Rayburn House Office Building,
Washington, DC.

DEAR REPRESENTATIVE OBERSTAR: The Eighth District of Minnesota is forever indebted to you for your 36 years of service and dedication to the betterment of Northeastern Minnesota.

In fact, all of Minnesota would not be the same without your tireless hard work on our behalf. Most recently, much of the state can now enjoy the hiking and biking trails that have been connected thanks to your funding. Also, many regional centers are more competitive, due to your work on keeping our airports in top condition. Our state is in better shape financially, thanks to your funding of projects for the Recovery Act and many people have jobs because of you.

Thank you for dedicating your life to public service. You will be missed.

Sincerely,

THOMAS M. BAKK.

DAVID J. TOMASSONI,
MINNESOTA STATE SENATOR,
December 8, 2010.

Hon. JAMES OBERSTAR,
Chisholm, MN.

DEAR CONGRESSMAN OBERSTAR: It is with bitter sweet pleasure that I congratulate you on your incredible career as a United States Congressman representing Minnesota's 8th district for the last 36 years. I have gotten to know you very well over the years and I consider it an honor and a privilege to call you my great friend and ''paesano.''

There was never a time during your tenure that you didn't make your district your priority. The people of the 8th have benefited greatly as a result of your dedicated work and undying devotion. Whether it be saving Northwest Airlines, resulting in over 500 jobs in Chisholm at the Reservation Center; the reconstruction of Highway 53 and 169 interchange; renovation of Highway 8; the countless miles of bike trails; the re-opening of Eveleth Taconite; the dredging of the Duluth-Superior Harbor; the authorization to expand the Sault Ste. Marie Locks; or the rebuilding of the Interstate 35 bridge, you have unapologetically delivered.

Not only has your vision produced results, but your heart has helped numerous individuals with personal problems. One by one you helped hundreds of people with Social Security disability and Veterans' benefits. Individuals like the light house operator, or Marvin Ford, a survivor of the Atomic Bomb testing, both were personally afforded benefits as a result of your work. Even today you are still working to fulfill PBGC benefit integrity for National Steel employees.

Nationally, planes, trains and automobiles have all been the beneficiary of your vision to make America's transportation and infrastructure system the premier in the world. Your work and your legacy will benefit generations to come. The impact you have had on an entire nation will go unmatched.

Thank you for the difference you have made. You will be missed.

Arriverderci amico,

DAVID TOMASSONI.

DON NESS, MAYOR,
Duluth, MN, December 8, 2010.

As an American, I am grateful for Chairman Oberstar's life-long service to our country. Chairman Oberstar has been a champion for transportation improvements with an eye to efficiency, safety, and our nation's economic competitiveness. The Chairman is tough, creative, strategic, and visionary in his efforts to modernize American transportation.

As a Mayor in Minnesota, I am thankful for Congressman Oberstar's commitment to the health and vitality of our region. The Congressman has been a strong partner in economic development, in addressing our most pressing issues, and in providing outstanding constituent service. Every day on the job, he saw opportunities to do well by the people of Minnesota and he delivered.

History will be rightfully kind to Jim Oberstar. As impressive as Jim's legacy appears to us today, as time passes, history will confirm, endorse, and strengthen that legacy. Today's politics is immediate and reactive, yet for 36 years, Jim Oberstar built his legacy through comprehensive understanding and an eye to the future. He didn't go into public service to play political games; he wanted to help shape the future of our nation.

No matter the consequences, Jim was going to do the right thing. I remember in the wake of 9/11, I saw Jim travel to the most conservative part of his district and speak forcibly against the invasion of Iraq. He was right and his integrity compelled him to speak against the rush to war, no matter the politics of the moment. Jim's integrity never wavered and his integrity has defined his time in Congress.

As a former Ober-staff, I feel privileged to have worked for Jim Oberstar because he is a great leader, a brilliant mind, and a forceful voice for our country. But more importantly, he is a good person—loyal, protective, loving, and generous.

Working for Jim Oberstar, you were acutely aware of the fact that he was someone who was shaping our nation's future and you

were equally aware of how much he cared for you as a person. That's a special combination. His staff is loyal because he is a caring boss; his staff loves him because he is their friend.

Dr. Thomas Fuller once said, ''Great and good are seldom the same man.'' And with the truth of that statement ringing in our ears, recognizing how rarely we see it, we say:

''Thank you, Jim. Thank you for being both great and good.''

DON NESS.

MAYOR CHRISTOPHER B. COLEMAN,
St. Paul, MN, December 8, 2010.

CONGRESSWOMAN MCCOLLUM: Thank you for taking this time to recognize one of our country's great leaders. Congressman Jim Oberstar has poured vision, thoughtfulness, and commitment into his work for nearly 50 years on behalf of not just Minnesotans, but all Americans. The United States would not look or feel the same without Congressman Oberstar's leadership on infrastructure and transportation issues.

Jim graduated from the College of Saint Thomas in Saint Paul and his summa cum laude dual degree in French and Political Science should come as a surprise to no one. Jim has talked about how this experience not only created a direction for his incredible career, but also fostered a life-long love for learning and for our capital city. I'm proud to be the Mayor of a City Jim once called home.

Soon the City of Saint Paul will start running light rail trains from the historic Union Depot to its sister city of Minneapolis. The 30–year effort to build the Central Corridor light rail line is a reality because of Jim Oberstar. This line, along with the bus routes, bicycle lanes, and high speed rail lines that will travel to and from of the Union Depot every day will be a great legacy for us to remember Congressman Oberstar. I look forward to sharing it with him.

The City of Saint Paul is better place to live today because of the decades of service Congressman Oberstar has given us. He has been a once in a generation leader for our State and Country. As he steps toward the next chapter of an already distinguished career, he carries with him the sincere gratitude of all Minnesotans in recognition of his leadership and service.

Sincerely,

CHRISTOPHER B. COLEMAN.

DECEMBER 8, 2010.

DEAR CONGRESSMAN OBERSTAR: On behalf of the Ramsey County Board of Commissioners and Regional Railroad Authority, we would like to express our heartfelt gratitude for your 36 years of dedicated and far-sighted service to the people of Minnesota and the nation. We have appreciated your leadership, your vision, your ability to get things done, and, most of all your warm friendship and wise counsel, both given freely and in great abundance.

We are extraordinarily grateful for your transportation and transit leadership for our state, nation and region, in particular for your steadfast support for the Union Depot project. Your strong early support of the Depot, and the $85 million in federal funding you have helped to secure for this project of regional and national significance, were responsible for getting the project going and keeping it on track.

Too, your support of the Central Corridor and the Hiawatha Light Rail lines, the Rush Line Corridor and the Midwest High Speed Rail initiative have helped to move those important projects from dream to reality.

You have left your mark on the 8th District, on Minnesota and on this great nation. Everywhere we look, we see the fruits of your hard work in our transportation infrastructure. Your untiring service is appreciated. We strain to find words adequate to express our gratitude for all that you have done for the people you have served so faithfully for four decades.

In closing, let us just say how much we have enjoyed working with you on projects that affect Ramsey County and the entire state of Minnesota. We wish you and Jean a bright and fulfilling future.

Sincerely,

VICTORIA REINHARDT,
Chair, Ramsey County Board of Commissioners.
JIM MCDONOUGH,
Chair, Ramsey County Regional Rail Authority.
COMMISSIONER TONY BENNETT.
COMMISSIONER TONI CARTER.
COMMISSIONER RAFAEL ORTEGA.
COMMISSIONER JAN PARKER.
COMMISSIONER JANICE RETTMAN.

Ms. MCCOLLUM. Madam Speaker, now I would like to yield to Congressman JIM OBERSTAR.

Mr. OBERSTAR. Madam Speaker, I offer my very sincere and genuine personal gratitude to the gentlewoman from Minnesota, Ms. MCCOLLUM, and to the gentleman from Minnesota, Mr. PETERSON, for cosponsoring this Special Order. Never have I been the subject of a Special Order. It is a true and unique honor, and I am grateful for all those who have taken time to come this evening to express thoughts about my service in the Congress, especially those of our Minnesota delegation and the gentleman from Minnesota, Mr. WALZ, who is here, and our two Senators, Senator AMY KLOBUCHAR and Senator AL FRANKEN. I am grateful to them for making the trip across the divide between the two bodies.

The most memorable moment for me was the day that Senator Hubert Humphrey came at the invitation of Speaker O'Neill to address the House of Representatives. Never in the history of the House had a Senator been given that privilege, to address the House. And as Hubert Humphrey stepped at the Clerk's desk just below the Speaker's table, he looked across the expanse of this body and he said, ''Oh, you don't know how long I have wanted to be here.'' Of course, that is where the President stands to give his address to the Nation.

It is, in my mind, the greatest privilege in life to be chosen by the people to serve in this greatest legislative body in the world. I have had the great honor to step into the hall of the mother of parliaments in London, the House of Commons in Canada, the Assemblee Nationale in France, the Bundestag in Germany, the Great Hall of the People in Beijing, the Parliament of Australia for their first sitting in their new parliament in the 100th anniversary of Australia. But in all of those venues, they look to this dome and to this House as the voice of the people.

I look back on years of service. They have been wonderful and inspiring years. My life has been touched by the people of the 8th District whom I have had this great privilege to represent.

In the last 4 years, and I keep my report card with me of the 110th and 111th Congresses, we held 316 hearings, heard from 2,201 witnesses, and had 1,028 hours of hearings. We had 41 markups and 180 bills reported to the House, 276 passed by the House, and 179 public laws and resolutions.

In our portion of the stimulus, I can account for 1,300,000 construction jobs, $4.5 billion in payroll, $919 million in taxes paid by those working on construction jobs across America, and 35,311 miles of pavement built during this period of the stimulus.

Those are lasting benefits that will prove beneficial to future generations, and they are much like the rest of my body of work, that I can look back on my service and say I have given it my best, I have served the people to the best of my ability and to the gifts that the good Lord has given me and that my parents stimulated in me. But at this juncture in these closing hours of this Congress, I am reminded of Adlai Stevenson addressing a college graduation. He said to the graduates, ''As you leave, remember why you came.''

Why I came was to serve the people, the needs of their respective families, and to leave this district, to leave this House, to leave this Nation a better place than I found it. I hope I have achieved that goal.

Ms. MCCOLLUM. Thank you and, yes, you have.

I would now like to recognize the gentleman from Missouri (Mr. CARNAHAN).

Mr. CARNAHAN. Madam Speaker, I am sure that many of my colleagues rising tonight will want to pay tribute to Chairman JIM OBERSTAR of Minnesota, and every one of us will have a story or two about how the chairman moved what seemed like heaven and Earth in order to get things done for the people of this country. With smart investments in all modes of transportation, his accomplishments in public service have truly earned him the name ''Mr. Transportation.''

Well, here is one of my favorite JIM OBERSTAR stories. A few years ago, a group of people in Lemay in south St. Louis County had a tremendous economic redevelopment opportunity to turn a patch of dormant brownfields along the northern Mississippi River into great economic development.

□ 2040

They had done everything right. They had researched all the background, they identified the most effective way to bring jobs, they had brought their community together to build consensus. But they had one big problem. They needed a road. They needed a road to somewhere that created thousands of jobs.

Well, right now you're probably thinking that this story sounds pretty familiar. There are plenty of communities that would love the government's help to fund and build a road. Well, this road was being blocked because of red tape. And they needed help. Well, there's a phrase about things that are difficult in this country. They say, It's like trying to get an act of Congress. Well, getting permission to build this road actually took two acts of Congress; it never would have happened without Chairman JIM OBERSTAR. When I found out what was necessary to get the job done, I knew I had to talk to him to get his advice and his help, and with that we were able to break through the red tape to get that job done.

A few weeks ago, I had the great pleasure to go back to visit just a few of the 3,000 people who now have good quality jobs because of JIM OBERSTAR's help. On behalf of those workers and myself, I cannot thank you enough for all you have done for this Congress, for colleagues, for people across this country; for helping America build a road to a better future. Thank you for your service, JIM OBERSTAR.

Ms. MCCOLLUM. Madam Speaker, I would now like to recognize the majority leader, the gentleman from Maryland (Mr. HOYER).

Mr. HOYER. I thank the gentlelady for yielding. I thank the two distinguished United States Senators from Minnesota for joining us this evening on the floor.

This is a sad day for America—not this particular day—but it is a sad event that an individual of the extraordinary quality and depth and courage and empathy and understanding will not be serving in the 112th Congress. This election saw the defeat of many, many very qualified people—not on their merits, but on the angst of the American public, concerned about jobs and the economy, concerned about the deficit, concerned about many things, and making a statement that they wanted to change. But, unfortunately, some babies got thrown out with the bath water.

JIM OBERSTAR is a giant in this body. There is no person who chairs any committee in the time that I have been a Member of the House of Representatives, which covers a period of 30 years, no chairman with whom I have served during that period of time has known his subject, has worked harder, studied harder, and focused us on investing in building America any more than JIM OBERSTAR of Minnesota.

JIM OBERSTAR graduated from college summa cum laude. JIM OBERSTAR has been in many places in this world. He taught in Haiti. His family comes from Slovenia. JIM OBERSTAR is not only a giant when it comes to how we make America a stronger country, how we build our country, how we make sure that we can get goods and services to and from and we can get our citizens to and from places where they need to be, but JIM OBERSTAR also is a giant when it comes to understanding the world in which we live.

JIM OBERSTAR has been a continually unwavering voice on behalf of working people in America. JIM OBERSTAR, in my view, is the definition of a Democrat—someone who puts as his highest priority the interest of men and women in this country, who, as Bill Clinton so famously said, go to work every day and play by the rules and want us to be on their side.

I have served with no individual in the Congress of the United States who has been more on the side of average working men and women who make this country a great country and who in fact are not average at all but extraordinary citizens who care for their country, care for their communities, care for their family, and care for their faith. JIM OBERSTAR has represented all of those values for every single day he has served in the Congress of the United States and for every single day he served as the chief of staff of his predecessor, John Blatnik.

This is a sad day because we recognize the loss of an extraordinary asset to America, to this House, to this Congress; and I count it as a personal loss to lose someone who has been such a close friend, an extraordinary adviser, a person who has set an example for what every American wants a Member of Congress to be—honest, committed, and on their side.

JIM OBERSTAR, you have blessed this House and blessed this country. JIM OBERSTAR, you have much to give in the years to come. JIM OBERSTAR, I want you to know that I, for one, will continue to rely on your advice and counsel as a partner on the side of every American that makes this country the land we love.

Thank you.

Ms. MCCOLLUM. Thank you.

Madam Speaker, I would now like to recognize TIM WALZ from Minnesota's First Congressional District, another member of the Democratic-Farmer-Labor Party.

Mr. WALZ. Thank you to my colleague from St. Paul and to all my colleagues from Minnesota.

Coming here today, the honor to speak of JIM OBERSTAR as a Minnesotan, no one quite personifies what it means to be Minnesotan as JIM OBERSTAR—a man of quiet passion; a work ethic that knows no limits; a sense of humor in the face of tragedy that can lift others; a man of compassion; someone who exemplifies the very fiber of how we see ourselves as people of the prairie, people of the Iron Range, that can withstand the cold winters and the hot summers.

But something that JIM OBERSTAR I think taught me more than anything else, and today, coming to talk about him, it's never about looking backward; it's always about looking forward. Someone who spent their life to create a better tomorrow, a champion of the future and a champion of progress.

No one in this Congress has had a more profound impact on me as a high school social studies and history teacher than JIM OBERSTAR, someone who understands the importance of history for what it means. It's not just a theoretical exercise to see the past. It's about understanding how to take those lessons, how to take the words that work and didn't work, and to move forward to make a better tomorrow.

There's nothing we did in this Congress that dealt with JIM OBERSTAR that didn't have an understanding of that; that didn't connect what happened in the past to what could be in the future. And I think of just the things across Minnesota, the so many things that he touched, but one that was just so profound of an impact on me is decades ago, when the growing city of Rochester and the Mayo Clinic, the heart of one of our biggest industries in Minnesota was growing, someone that had the foresight to invest in flood mitigation that would have surely drowned out the Mayo Clinic probably three times in the last 13 years alone, with the rains that we have seen; someone who understood that those infrastructure projects allowed the growth of that community and the growth of that industry and the growth of that knowledge and the human spirit to prosper in that community on the prairie because we had the foresight to invest where we needed to.

So to see someone around here who, as the majority leader so eloquently put, is a legend amongst all of us here—a chairman; a mentor; to me, a friend—the dignity and passion with which Chairman OBERSTAR conducts himself, has shaped how I would like to conduct myself. Anyone who serves the people of Minnesota and serves this Nation, if they want to see a role model for how this job should be done, they need to look no further than JIM OBERSTAR.

He gets remembered a lot, I notice, for transportation issues; but I would have to say the transportation issues were a means to an end. The end was always working for working families; making life better for those people; a man who understood hard work, who came from a family that worked in the mines, that understood what needed to be done to get a day's work but understands how those jobs could sap life out of people, who could take life, they could be unsafe; someone who spent a lifetime making sure that a worker could go with dignity, earn a day's wage, but not be subject to toxic chemicals, not be subject to unsafe working conditions, and have the opportunity to earn a living wage and to have some health insurance and maybe a retirement for them when they got done with those years of hard work.

□ 2050

That type of work ethic and that type of focus is something, as I said again, that has profoundly impacted me. I think all of us saw here what a

lifetime of experiences and a lifetime of work in this Congress came to on that day in August 2007, on the day of the tragedy of the I–35 bridge falling down. I think, for many Minnesotans—myself included—to see that rock of someone who knew this issue better than anyone in this country stand firmly and say, We will not allow this to happen again. We will rebuild this bridge. It will be better than it was. Commerce and safety and infrastructure will move forward—that was a moment that will always stick with me.

Going back to understanding the history, I saw some of the transcripts—I believe they were from 1987—that JIM OBERSTAR took in a hearing. He was talking about substandard bridges and predicting that some day we would see one of these bridges fall, causing a great loss of life. That's what a true leader does—predicts the future and sees what needs to be done to avert those things.

So, as STENY HOYER said, this House will sorely miss JIM OBERSTAR. This country has lost an incredible leader in this House, but it has not lost that leader completely. That voice will continue on. It shapes each and every one of us.

That passion, that insight that you brought to the table, JIM OBERSTAR, will live on in anyone who serves here. For that, I thank you.

I yield back.

Ms. MCCOLLUM. I thank the gentleman from Minnesota.

I would now like to recognize the gentlewoman from Texas, EDDIE BERNICE JOHNSON.

Ms. EDDIE BERNICE JOHNSON of Texas. Thank you very much, Madam Speaker, and let me thank the gentlewoman from Minnesota for organizing this.

I rise this evening to honor a longtime Member and the current chairman of the House Transportation and Infrastructure Committee, Mr. JAMES OBERSTAR, the distinguished gentleman from Minnesota.

It has been my pleasure to serve on the Transportation and Infrastructure Committee for 18 years with Mr. OBERSTAR. We have had some really good moments. As a matter of fact, as I was listening about the bridge, we were right here on this floor the night that the bridge collapsed. We were talking then about an aviation issue.

The other thing is, being from Texas, I only speak one language—that's Texas English—and sometimes people don't understand it here. Mr. OBERSTAR speaks many languages, and I was always very pleased when he was there to help me pronounce some of those names that came before our committee. To those of us who serve on the Transportation Committee and to many others in this Chamber, Chairman OBERSTAR has been an historian, our friend, our expert, our champion, and our admired leader. To think of the Transportation Committee—and certainly our House—without our beloved colleague leaves a vast hole among our ranks and in our hearts.

During his tenure on the committee as a staffer, later as a member, and then as chairman, Mr. OBERSTAR has played a key role in every major piece of transportation legislation that is law today, and no one would even try to dispute that he is widely held as a foremost transportation expert among us. His dedication cannot be matched regardless of the issue, whether it's transit, highways, aviation, water, infrastructure, Coast Guard, railways, maritime, and so much more. He has steadfastly worked to achieve the best results for the American people.

I will dearly miss my colleague, my friend, my chairman, but I also expect that none of us will shy away from seeking his advice in the months and years to come. During his tenure, we really have come to respect him as the expert, and we will regretfully miss him so much.

Ms. MCCOLLUM. I thank the gentlelady.

I would now like to recognize the delegate from Washington, D.C., Ms. ELEANOR HOLMES NORTON.

Ms. NORTON. I thank the gentlelady from Minnesota for yielding.

I come to the floor this evening because a colleague of iconic reputation is about to leave this House.

Now, JIM OBERSTAR will do very well. I wish I could say the same for those of us he leaves behind. JIM carries with him much more than the institutional memory of the Transportation and Infrastructure Committee. Sure, JIM has a legendary encyclopedic memory that he lends to the committee members every so often, but you cannot describe JIM's work with particular pieces of infrastructure that you may see here and there. You just can't do it. JIM's work is so long, so deep, and so influential that it will be almost impossible for it to ever be repeated in this House, for JIM has spent his entire career—and by that, we mean not only his career as a Member but as a staff member most influential with Members—with the T&I Committee or with Public Works or whatever you want to call it. We call it ''JIM's committee.''

Members often expect staff to specialize in the facts and to know more than they know. Nobody expects a committee chair to know more than the staff and the subcommittees put together. No. We sat in committee in wonder that one man could know and remember and integrate so much into the ongoing discussion. The effect on members of the T&I Committee was to make us feel we just had to work harder, not to meet JIM's standard—we're not crazy—but to at least know what the highest standard looked like.

You might wonder why this Francophone, who majored in French and political science, became the most influential expert on Transportation and Infrastructure in the United States of America. I believe it has little to do with JIM's brilliant intellect. After all, JIM would have been an intellectual leader on any committee on which he chose to serve. I believe it has to do with his own roots that may have guided him to this committee—JIM, whose immigrant grandfather was a steelworker and whose father was an ironworker in the open iron pits of Minnesota. That JIM—that JIM—got to know, as few of us do, the plight of the American worker, his relationship to hard work and to building America, itself. So, you see, it's quite simple. It's in JIM's DNA.

JIM brought an unrelenting dedication to hard work, the same dedication to hard work that his father put in in the iron mines, to the Congress of the United States. He is the only chairman I know who regularly attended subcommittee meetings and then proceeded to join in the discussions at any point they were going on and with what only he could have possibly added to the discussion—and brilliantly so.

Now, some of us are trying to name the new transportation headquarters here in my district, in the District of Columbia, for JIM OBERSTAR. I can't imagine that that wouldn't happen. Yet I know JIM OBERSTAR, and I have a feeling that that's not what he really wants his legacy to be. I think JIM wants his legacy to be the transformational Transportation bill he fought mightily to bring to this floor and that he brilliantly crafted for the 21st century.

□ 2100

Well, JIM, it may not have been in your time, but it must happen in ours. So this evening, JIM, I pledge to you to do all that I can to see to it that your prodigious work on that final brilliant transportation authorization bill shall not have been in vain.

Farewell, friend. Have pity on us. Please, don't go far.

Ms. MCCOLLUM. I thank the gentlewoman.

I would now like to recognize the gentleman from Illinois (Mr. LIPINSKI).

Mr. LIPINSKI. I'd like to thank the gentlelady from Minnesota (Ms. MCCOLLUM) for organizing tonight's Special Order.

I said 4 years ago, no one in the history of Congress became chairman of a committee who was better prepared than JIM OBERSTAR. From the time he started here working in 1963 for John Blatnik, through all these years, it was not just JIM's experience and expertise that made him such a great chairman and great Member, but also his work ethic, his willingness to reach out across the aisle, and ability to get the job done.

JIM OBERSTAR always had a thoughtful and thorough approach to policymaking. There is a simple reason why he was known as Mr. Transportation. It's because from aviation, to highways and transit, to maritime transportation, to water infrastructure and public buildings, and of course, to cycling, he has truly shaped the way we

think about transportation and infrastructure.

During my four years of service on the House T&I Committee, I can honestly say not a day went by in that committee room where I did not learn something from JIM OBERSTAR, and I would have learned more if only I knew more than a dozen French words—although I do know Tour de France, and JIM taught me a few things about cycling, both on and off the bike, and those who know JIM know he truly is a Renaissance man.

Now, at the same time we talk about everything that's happened here in Washington, JIM knew, he knows that you have to be hands on. You can't learn everything by sitting in a committee room. You have to go out, roll up your sleeves, get your hands dirty, and that's exactly what he did.

As Chicagoland's only member of the Transportation and Infrastructure Committee, I had what I think was about my yearly visit from JIM OBERSTAR. I was very happy to welcome him to ride the rails and trails and, together, see firsthand the challenges facing the region in transportation. He always listened carefully, often time taking notes while providing valuable perspective and insights that come from his decades of experience.

But JIM didn't only visit Democratic districts. To quote the chairman, I've never seen a Democratic road or a Republican bridge. Working together we can build all-American roads and all-American bridges. If Washington had only listened to and followed the leadership more of JIM OBERSTAR, our country would be much better off today.

Madam Speaker, I want to thank Chairman OBERSTAR, JIM, for his service, for his teaching, and for his friendship. And I know that although he's leaving Congress, his days as Mr. Transportation are far from over.

Ms. MCCOLLUM. I thank the gentleman.

I would now like to recognize the gentlewoman from California (Mrs. RICHARDSON).

Ms. RICHARDSON. Madam Speaker, from wings to wheels, propellers to pedals, there is no mode of transportation that Chairman OBERSTAR has not passionately worked to improve. I am honored to have witnessed personally a Congressman whose efforts have employed millions of American people and enhanced the safety of millions more who every day utilize a transportation system which he tirelessly labored to make cleaner, stronger, and more secure.

Chairman OBERSTAR, your efforts on behalf of our weakening infrastructure is legendary, but what is not was your role in helping to prevent an even worse recession. Why? Because it was you who fought even with the President to be able to invest more of our dollars into infrastructure, which proved to be exactly right and the best money that was spent with our Recovery Act.

Mr. Chairman, you have a view that reflects a full spectrum of a vision, one that you've devoted your own personal and professional life to. One of your legacies, Mr. Chairman, is your knowledge, your vision, that you've held even Inspector General witnesses, Secretaries of Transportation all accountable, something that I've enjoyed watching firsthand.

It saddens me deeply to know that coming in January our transportation guru and a mentor of mine will no longer be chairing the Transportation Committee. We have so much more to accomplish, and this will be very difficult without your presence, knowledge, and leadership. I vow to take all that you have taught me and to encourage others to build upon that vision of making America's transportation system the golden standard it used to be. However, I am hopeful that you, Chairman OBERSTAR, will continue your public service. Why? Because we need you. We all need you.

As I close, I want to speak to the public, to the Speaker, and for the public record. I'd like to thank JIM OBERSTAR, my mentor. He taught me that even everyone can have a second chance at a date if you work hard enough at it, and that you can find the right person with that hard work. He also taught me that in my first days in Congress his kind heart was always open to help me. I admire the commitment and capability of his very loyal staff. We would all be blessed to have that kind of staff.

I respect his love for this House, and even though through his surgery and pain he stood and walked to make others lives better, but most of all, he often would spend time recollecting about all of his years on the committee, and I enjoyed him talking about when he was a freshman and sat in that last seat in the front row like I had. I value how much he listened and respected our young ideas and was not enslaved to seniority.

Mr. OBERSTAR, your approach to civility and bipartisanship has been remarkable, but my greatest sadness will be in missing your steadying and influential hand in all the work that you do.

And as I close, I'm going to say something daring that most young Members of Congress don't do, and that's I'm going to actually say, Mr. Chairman, I think you misspoke earlier when you said that you had done your best. I disagree. You've been a great man and you have done great work. Thank you.

Ms. MCCOLLUM. I thank the gentlelady.

I'd now like to recognize the Representative of Hawaii, Ms. HIRONO.

Ms. HIRONO. Thank you.

Madam Speaker, I rise to add my voice to those who are here to give thanks to our chairman, JIM OBERSTAR, for his extraordinary service to our Nation as a Member of the U.S. House of Representatives. I certainly count myself fortunate because as a new Member of Congress and a fledgling member of the Transportation and Infrastructure Committee, I have the example of JIM OBERSTAR as my chairman.

I remember the first time I ever met JIM OBERSTAR. I was just taken with the breadth of his knowledge, his commitment, and he said to me that this committee, which is the largest in the House, is also one of the most bipartisan committees because everybody needs bridges, harbor, roads, airports. Very true.

I don't expect that I will ever be as knowledgeable or articulate on any subject as he is on all aspects of transportation policy, but it's good to aim high. Of course, at this point, it would be pretty much impossible for me to match his 47 years on the committee first as a clerk, next as an administrator, then as a Member, and finally, as an outstanding chairman.

Chairman OBERSTAR has been the clearest, strongest, and most vigorous advocate for restoring America's transportation and infrastructure system. He is recognized and admired in my State of Hawaii, one of the few chairmen—I hope that will change over time—who has come to the State of Hawaii to see for himself firsthand the challenges we face. But we admire him. We love him in Hawaii for his support of our first and only rail transit systems and for his understanding of the importance of keeping our vital infrastructure strong.

□ 2110

I recently met with the president and CEO of Hawaii's largest airline. And he reiterated what I hear from many business people in my State; that is, if there is one thing that government can do to help our economy, it is to help repair and improve and maintain our infrastructure. Mr. Chairman, you have been right on the money.

What will I remember most about JIM? I will remember his heartfelt stories about his father, a union mineworker. I'll remember our white-knuckled flight over the Honolulu rail route in a helicopter without doors. I'll remember how generous he's been with his time and guidance, from taking time out of his personal time in Hawaii to review infrastructure needs on Maui to joining me in a live video feed with infrastructure stakeholders in Hawaii. And I remember the flight we took over Maui. And we flew, JIM and his wife, Jean, his partner in life, over the open ocean from Lanai to Maui, and we looked down, and we saw the whales, and it was really something. And JIM, who knows everything about infrastructure, looked down on Maui Island and said, My gosh, you really are vulnerable to things like earthquakes because you are islands, and you just can't drive from one island to another. And that is why it is so important that JIM came to my State to see for himself, not just to intellectually realize, we are an island State and that I represent seven inhabited islands that I can only get to by air.

I will remember his intense interest in everything witnesses had to say during our T&I hearings. I will remember Chairman OBERSTAR, and I will certainly miss him. I strongly suspect that all the people of Minnesota, not just those of the 8th Congressional District, will miss him as well.

My very best to you, JIM, and to your wonderful wife Jean. Mahalo lui noa. Aloha.

Ms. MCCOLLUM. I thank the gentlewoman from Hawaii.

I would now like to recognize the gentleman from Pennsylvania (Mr. ALTMIRE).

Mr. ALTMIRE. I thank the gentlewoman.

Madam Speaker, I was listening to the debate earlier this evening, and I heard the chairman say that he hopes that he has left this institution, the U.S. House of Representatives, better than it was when he first got here 47 years ago, first as a staffer, then as a Member, then as chairman. And I thought to myself, My goodness, you, Mr. Chairman, have certainly left this place better. But, Madam Speaker, the chairman has left the country much better than had it not been for the work that he has put forward in transportation, which is unmatched by any 10 people that have ever served in this institution. I can't think of anyone in recent history who has made more of a difference in their area of expertise and in their subject matter than Chairman OBERSTAR.

As a second-term Member of Congress, when you are first elected, Madam Speaker, as we all know, you think about what committee do you want to serve on, what Members do you want to associate yourself with. And I chose immediately Transportation because I wanted to learn from the best, and there was no one better than Chairman OBERSTAR to talk about all of the subjects that fall under transportation. Certainly our waterways, our infrastructure, roads and bridges, aviation, rail, nobody in this House, and nobody in the country, I would suggest, has a better grasp of any of those issues than Chairman OBERSTAR.

And like many who have spoken before me this evening, I had the opportunity, thankfully, to bring Mr. OBERSTAR into the district in western Pennsylvania that I represent to meet with transportation leaders. And I remember vividly a group meeting that we had with some of the brightest minds in transportation in western Pennsylvania. And the chairman was throwing out facts and figures, names and dates, and places and people. And when I left and returned to my office after the meeting, I thought to myself, I'm going to look some of this stuff up. That can't possibly all be accurate. He couldn't have made that up off the top of his head. And lo and behold, I looked it up, and everything he said was true, down to the specific dates, down to the middle names of people that he was referring to, down to the long names of legislation that we come to know when you add sponsors and cosponsors. He knew them all. It was an unbelievable breadth of knowledge, and we've all experienced it in dealing with Mr. OBERSTAR.

But I know not only where I started these remarks from, is the country a better place for Mr. OBERSTAR having served here? Certainly this House is better. But I know that I am better for having served with Mr. OBERSTAR. So I know you're not going away, Mr. Chairman. I know, Madam Speaker, that the chairman is going to continue to be actively engaged in transportation issues in the country. I, for one, look forward to continuing to work with him, soliciting his advice and expertise. And most importantly, Mr. Chairman, I wish you well.

Ms. MCCOLLUM. I thank the gentleman. I now would like to recognize the Representative from Maryland (Mr. CUMMINGS).

Mr. CUMMINGS. I thank the gentlelady for yielding.

I too come here tonight to honor my good friend Chairman OBERSTAR, and I honor him for all that he is and all that he's not. Chairman OBERSTAR is definitely a pursuer of excellence. Everything he does, he does it to the highest level, and he realizes how important excellence is. I have talked to his staff. I've worked with him, and his staff tells me that if a comma is out of place, they've got a problem. And that's so very significant because one of the things that he talks often about is how we have moved in our country in so many ways to cultures of mediocrity, and we have to get away from that. And so he is a pursuer of excellence.

But he also is a builder. He's not only a builder of bridges and roads, but he is a builder of people. And I am one who has benefited from his handiwork. I will never forget when he and I were working on several projects and I, as chairman of the Coast Guard Subcommittee, he constantly showed me the way to be a stronger and a better chairman. He always had high expectations of me. And because of my respect for him, I wanted to be better, and I became better. And I know that I will go to my grave being thankful for the way he has touched my life.

Finally, he is a visionary. He doesn't worry so much about the next election. He worried more about the next generation. He understood that the bridges still had to stand when he is long gone. He understood that there would be roads that would be built for children who have not yet been born. And he acted every day to make sure that that happened, and that they were done in an excellent way.

So I have come to honor my good friend. I thank God so very, very much for allowing my life to eclipse with his. Little did I know that a young man and the son of former sharecroppers would meet a man from Minnesota who bikes all the time and that our lives would come together and mesh together and mine would become better. So I thank God for his life, but more important, I thank God for his journey.

Ms. MCCOLLUM. I thank the gentleman.

I would now like to recognize the gentleman from Louisiana (Mr. CAO).

Mr. CAO. Madam Speaker, I rise today to honor the gentleman and legislator from Minnesota's 8th Congressional District, JIM OBERSTAR. I have had the immense pleasure of getting to know Chairman OBERSTAR and have had the pleasure of working with him on important issues, ranging from high-speed rail to FEMA reform. I have enjoyed private conversations with him that have educated me, inspired me, and reminded me of the true meaning of public service. Chairman OBERSTAR will be remembered by all with whom he served in this Chamber as someone who loved this Nation and loved public service.

□ 2650

His service will be remembered by its selflessness and true intentions.

As the distinguished chairman of the House Transportation and Infrastructure Committee, his goal was to keep America safe and moving forward. I recall fondly the hours he and I spent discussing proposals to reform the Army Corps of Engineers and the Federal Emergency Management Agency. The legislation on which we collaborated always had the goal of bettering those two institutions and assisting my district of New Orleans, a love of which we shared.

His transportation policies and initiatives embodied the very meaning of change. He had the creativity to see challenges this Nation will face and to put forward recommendations for how to address them. They will live on within this body as testament to his vision.

I will miss our conversations in committee and on the floor. I could always count on the chairman as the voice of reason and friendship. As he and I leave this great Hall at the end of this session, it is my honor to commend him for his accomplishments and to wish him well.

Ms. MCCOLLUM. Well, we've heard many, many wonderful things about JIM OBERSTAR, and we have many, many people present today who love and who've worked with him. And we are here as a delegation, strong and proud members of Minnesota's Farmer Democratic Labor Party; and that comes as no surprise that JIM fought hard for working people.

As has been pointed out, he comes from the Iron Range. He worked in an iron mine in his youth, and his father was an iron miner and a union official. He fought to include Davis-Bacon prevailing wage provisions in Federal infrastructure.

But he also had a unique side to him that many people were always taken by surprise. This iron ranger spoke

French, and that's because he taught French to U.S. Marines for 4 years in Haiti, and he taught English to Haitian military personnel, another way in which JIM OBERSTAR served our country.

JIM, when I first came here as a Member of Congress, as people have been speaking personally, I came here under bittersweet circumstances. My mentor, my Member of Congress, had passed.

When I came here the office had been closed for several weeks. There was no sharing of supplies. There was no one to turn to. I had two big brothers in the delegation who welcomed the first Member in over 50 years to serve here; and so I not only thank you, as a Member of Congress for all the work that you've done, but I thank you for extending all the courtesies you did to me when I first arrived here to make sure that my constituents were well served. But also all the support you've been to me during my personal tragedies. Thank you, JIM.

JIM's unique expertise should be shared with the next generation of public servants. So we're very happy that the Star Tribune reported last week that the University of Minnesota Hubert Humphrey Institute of Public Affairs is talking to Chairman OBERSTAR about become a guest lecturer or a seminar leader. I think that would be a terrific thing to have happen.

And I hope to see a book written by Chairman OBERSTAR in the bookstore across the aisle from my congressional office in St. Paul, but I've got a feeling it'll probably be more than one volume.

So Chairman OBERSTAR, unless you would like to have the last word, we want to thank you for the last time so much for your service.

Mr. KLINE of Minnesota. Madam Speaker, I join my colleagues who today recognize a faithful public servant and proud Minnesotan, Congressman JIM OBERSTAR.

JIM has dedicated his career to the people of Minnesota's 8th Congressional district—serving as their Representative since 1974 and as a staff member to his predecessor, former Representative John Blatnik, for more than a decade.

During his tenure in Congress, JIM was a passionate and unapologetic advocate for the causes he believed in. He rose to prominence as Chairman of the Transportation Committee, where he worked to ensure the safety and security of our nation's transportation infrastructure.

While we found ourselves on opposite ends of most political arguments, I respect Congressman OBERSTAR's accomplishments and the legacy he leaves behind in this House and the great state of Minnesota. I wish him well in his future endeavors.

Mr. RAHALL. Madam Speaker, Appalachia and Minnesota are losing a favorite son in the United States Congress when JIM OBERSTAR, my Chairman and my longtime dear colleague and friend, leaves early next year.

In southern West Virginia, we knew the importance of the agency he brought to life, the Economic Development Administration, and those that he fought to protect, side by side with me, like the Appalachian Regional Commission. Shepherding through the 2007 Water Resources Development Act, after a woeful seven-year delay, and overriding a presidential veto to get our water infrastructure projects back on track, was among his great recent accomplishments—again bringing essential assistance to West Virginia.

In the nineteenth century, we are told, it took a number of decades for our knowledge base to double in size. Now some estimates suggest our digital information doubles every day. While JIM is still a young man, it really doesn't matter in which century you worked with him, he knows his stuff, and almost all of yours.

That's the sheer force of intellect and determination that have led our Committee and our Nation to an unparalleled influence in the transportation world. His absence in crafting the next surface transportation bill will be missed, but his imprimatur will neither fade nor disappear. Quite the contrary, his lessons and sizable legend will guide us toward sound responsible investment for broader horizons.

Just as his contributions to transportation policy over the years live on in every aspect he touched through both his Chairmanship of the Aviation Subcommittee from 1989 to 1995 and as a powerful ranking member of the full Committee after that.

He also led one of the most successful parts of the Recovery package. His stewardship of the $64.1 billion for transportation and infrastructure investment in the Recovery Act got America moving again and got projects underway, with unprecedented accountability measures. Timely, transparent reporting, in plain black and white, clearly shows the tremendous impact of transportation spending and how it can be done in a short fashion. Hundreds of thousands of people are working today because of JIM OBERSTAR's leadership.

Even though JIM's career as a Congressional staffer under the tutelage of his mentor, John Blotnick, followed by his brilliant Congressional service, could fill far more than one person's career, JIM OBERSTAR has many more chapters to write in his life and all of us who know him, know that he will. His zest for living fully is only outweighed by his spirit to serve others. There is no question that Jim, my friend, as the poet wrote, is still "strong of will, to strive, to seek, to find and not to yield." Godspeed, Mr. Chairman.

Mr. COSTELLO. Madam Speaker, I rise to commemorate the congressional career of our colleague, Transportation and Infrastructure Committee Chairman JIM OBERSTAR. It is hard to imagine the Congress and the Transportation and Infrastructure Committee without him.

JIM began his legislative service as a clerk on the Subcommittee on Rivers and Harbors for his hometown congressman, John Blatnik. Ten years later, he succeeded his boss and won election to Congress, representing the Iron Range region of Minnesota, where he was born and raised. Over the ensuing 36 years, he has distinguished himself as an undaunted leader of our Caucus and the Transportation and Infrastructure Committee, working in a bipartisan way with great results even when partisanship gripped Congress as a whole. He is the foremost expert in the field, and his vision for how a reliable, efficient transportation network is critical for our national economy is reflected in every major piece of transportation law over the last 40 years. Moreover, he is a personal friend and has been a teacher and mentor for countless members and staffers, including myself.

Above all else, JIM OBERSTAR is a true public servant, representing his constituents and the Nation with great dedication, skill and selflessness. I know our appreciation of his efforts will only grow over time, and I also know that while it will be in a different capacity, he will continue to work to meet the transportation needs of our country. While I look forward to continuing our work together, it is with great respect and appreciation that we honor JIM's work in Congress. It is truly the end of an era.

Mr. SHUSTER. Madam Speaker, it is my pleasure to recognize the career of an icon of the House of Representatives: JIM OBERSTAR. JIM's decades of leadership and tireless service to this House and especially the Transportation and Infrastructure Committee deserve recognition and I am proud to be able to add my own words to tonight's tribute.

I have known JIM OBERSTAR for a long time. In fact, I've known him longer than I've served in Congress. I first met JIM when my father, Bud Shuster, served on and later chaired the Transportation and Infrastructure Committee. My father still considers JIM one of his dearest friends and holds the highest regard for his work on the Transportation and Infrastructure Committee.

Bud likes to say that he and JIM were "joined at the hip" on transportation and infrastructure initiatives and it's easy to see why. Like my father, Chairman OBERSTAR lives and breathes transportation policy. I can easily say that no one in the House of Representatives today knows more about those issues and their history than JIM OBERSTAR.

It has been an honor to have served with Chairman OBERSTAR on the Transportation and Infrastructure Committee. Together, we tackled critical issues that run at the core of America's strength and prosperity. The roads, railways and jetways of our nation are the arteries through which the commerce of our nation flows. Under his leadership, Chairman OBERSTAR worked tirelessly to ensure that this fact isn't forgotten by policy makers in Washington.

While much was accomplished over his years of service, much more needs to be done to realize America's transportation potential and the work of the committee will continue in the next Congress. It will do so with JIM'S indelible mark to help guide us moving forward.

In conclusion Madam Speaker, I congratulate Chairman OBERSTAR on his historic service in the House, both on staff as the administrator of the Committee on Public Works and as a member and later Chairman of the House Transportation and Infrastructure Committee. We are losing a giant in the world of transportation policy and his presence on the committee and this House will be missed.

Mr. GARY G. MILLER of California. Madam Speaker, tonight, I rise to honor my good friend from Minnesota, Chairman JIM OBERSTAR. Over the years we have developed a strong friendship as we have worked together on the Transportation and Infrastructure Committee. Chairman OBERSTAR leaves the House of Representatives as a legend in his own right. He has helped create decades of transportation policy which not only leaves behind a legacy here in the Capitol, but also around the Nation. Chairman OBERSTAR is a great

man that will continue to influence transportation policy in the future through his knowledge of the past. His presence on the Committee will truly be missed, but his influence will continue on through the decades.

Over the years, Chairman OBERSTAR has demonstrated his pragmatic approach to policy. He has always been willing to listen to both sides of an argument before carefully proceeding forward with a position. I, along with others, always knew where Chairman OBERSTAR stood on an issue and he was always willing to take the time to respectfully explain the reasoning behind his position. I have always admired his ability to find common ground and subsequently move forward in the name of sound policy.

While I will miss my good friend from Minnesota, he will continue to be a leader in the world of transportation and water policy. My friend, I wish you the best as you embark on this next adventure in your life.

Mr. SIRES. Madam Speaker, I rise today to honor Chairman JIM OBERSTAR. A man who has devoted his entire life to public service and has been the longest-serving representative in Minnesota history, he will be sorely missed. Chairman OBERSTAR is known to all as a leading expert on aviation and transportation issues. In addition to having unparalleled knowledge on transportation issues, he is also known to be gracious, sincere, and jovial. Particularly to those who sit with me on the House Transportation and Infrastructure Committee, Chairman OBERSTAR is also known as a friend.

Shortly after I joined the House Transportation & Infrastructure Committee, I was honored to have the Chairman visit my district in New Jersey. Together, we went to the Bayonne Bridge and rode the Hudson Bergen Light Rail. I was honored that the Chairman took time out of his busy schedule to visit my district and my constituents. I quickly learned that Chairman OBERSTAR is always looking to solve the transportation problems that Americans face. He has graciously visited the districts of many of my colleagues, and I am sure that he has had many stimulating conversations with them about how we can make our transportation systems work better for our constituents.

Chairman OBERSTAR's background tells much about the person he is today. His father was a coal miner, his mother worked in a shirt factory, and during high school and college he worked in the open pit mines to pay for his education. His family instilled in him a strong sense of public service and 47 years ago, the Chairman began working for his hometown Representative. In 1974, he was elected to Congress and took the place of his former boss. He is the first member of Congress to serve as clerk and chairman to the Committee on Transportation and Infrastructure.

Serving terms in both the minority and majority, Chairman OBERSTAR has always worked in a bi-partisan fashion to successfully implement transportation policy. As Chairman, he pledged to enhance safety and security, invest in infrastructure, and address the twin challenges and global climate change. The Chairman accomplished these goals not only through passage of legislation, but also by exercising oversight with numerous hearings. His work in transportation policy has affected many Americans throughout the Nation. While the last transportation hearing on December 2nd may have been the last time for the Chairman to yield the gavel, I have no doubt that we will all continue to hear of his contributions to Minnesotans and all Americans.

Madam Speaker, I stand here today to applaud Chairman OBERSTAR and wish him continued success.

Mr. PETRI. Madam Speaker, at the end of this Congress, we will say farewell to Congressman JIM OBERSTAR, who has represented Minnesota's 8th District since 1975. But his Congressional career started long before that in 1963 when he was appointed as a staff member on the then-Public Works Committee by Representative John Blatnick (who preceded Congressman OBERSTAR as the representative from Chisholm, MN, and later was Chairman of the Public Works Committee). Forty-four years later, JIM OBERSTAR would rise to become Chairman of that same committee, now known as the Transportation and Infrastructure Committee.

Having served with Chairman OBERSTAR during my entire tenure on the Transportation Committee, I want to acknowledge his expertise, his valuable service and the many contributions he has made over many decades. No one knows more about the history of our nation's infrastructure and the critical role it has played in our development as a nation. He is an expert on the history of the Committee and has had a front row seat to the many dramas that have played out over the years as the Committee has worked to pass good, bipartisan bills to move our country forward in building needed highways and transit, airports, developing our ports, protecting our environment—including our shared interest in the Great Lakes—and improving safety amongst all the transportation modes.

To appreciate the character of JIM OBERSTAR, one needs to look at his background growing up on the Iron Range in the small town of Chisholm. His father was an iron miner and Chairman OBERSTAR himself worked in the open pit mines to pay for his education. Many a time at Committee meetings we would hear stories of the lessons he learned from that experience and how it was a driving force behind his devotion to improving worker safety. As I stated on the Floor a few weeks ago, the people of the Iron Range are going to lose a great and dedicated champion with deep roots in the history of that mining region of the country.

Another essential part of JIM OBERSTAR is his ear for languages. He majored in French at the College of St. Thomas in Minnesota and furthered his proficiency in the language during time spent in Belgium and Haiti. While at a function at the Residence of the French Ambassador, where Mr. OBERSTAR was able to communicate with our hosts in their native language, a Frenchman in attendance informed me that his accent was very good. Something that would make Mr. OBERSTAR very proud, I am sure.

Let me close by recognizing the other essential element in Mr. OBERSTAR's life—his family. He married his wife Jo and raised four children before her death in 1991. For the last 17 years, he has had Jean by his side. My wife and I have been honored to consider them friends. He also has strong Wisconsin connections, with his daughters graduating from Marquette University in Milwaukee and his oldest daughter now raising her family in Kenosha. We expect to be welcoming JIM and Jean to Wisconsin often as they come to visit the family.

So, it is the end of an era on the Transportation and Infrastructure Committee. I want to express my admiration and thanks for JIM OBERSTAR's service to the Committee and to the House. Most importantly, I appreciate his friendship and the many experiences we have shared over the years. I wish him and Jean all the best as they begin this new phase of their lives.

Mr. DEFAZIO. Madam Speaker, I rise today to honor a man who has served the House of Representatives and the nation for nearly fifty years, and who has been a tenacious protector of our transportation infrastructure, Chairman JAMES L. OBERSTAR.

JIM OBERSTAR has skillfully served the residents of Minnesota's 8th Congressional District for thirty-six years, and served the U.S. House of Representatives for twelve years before that as staff to former Congressman John Blatnik and the House Committee on Public Works. He has served with thirteen Secretaries of Transportation, seven presidents, and thousands of Members of Congress. For nearly fifty years this institution has been fortunate to have a public servant like JIM OBERSTAR as a staffer and Member, and while he has left his mark in countless ways, the United States Congress is losing a titan.

No one knows the meaning of public service more than JIM OBERSTAR and I can think of no one who has more knowledge of and passion for transportation policy. JIM is steeped not only in the history of this legislative body, but in the intricacies and inner workings of every transportation program created in the past sixty years. He is a member of the old guard who is able to put aside political differences to work out a compromise for the greater good. He leaves behind an impressive legacy of important legislation, from laws to ensure the better maintenance and safety of aircraft to bipartisan legislation to ensure gas tax revenues are used only to fix roads and bridges, not to make the budget deficit look smaller.

When I came to Congress twenty-four years ago, I was very pleased to be assigned to what is now called the Committee on Transportation and Infrastructure. I knew the ability to impact our nation's transportation policy could pay dividends by helping American businesses compete in a global economy. It was there I first met JIM, by then a twelve year veteran of the Committee, who helped me learn the ropes of the Committee and imparted on me his passion for transportation policy. He has always been a champion for infrastructure investment and for the little guy. JIM has been a tremendous mentor to me and I only regret we weren't able to complete our surface transportation authorization bill this year.

JIM's legacy in Congress will live on as we continue to work to strengthen our economy by ensuring the U.S. has a safe and world-class transportation system. No other Committee in Congress has had such a significant impact on keeping Americans safe and our economy moving, and there has been no better champion for transportation than JIM OBERSTAR. I will miss my good friend.

Mr. MICHAUD. Madam Speaker, I rise today to recognize Chairman JAMES OBERSTAR for his significant contributions and strong leadership during his time in Congress.

Representing Minnesota's 8th Congressional District since 1975, JAMES OBERSTAR

has demonstrated an exceptional commitment to improving the lives of American citizens and a steadfast dedication to advancing the infrastructure of this country. An expert in aviation and aviation safety, Chairman OBERSTAR has been at the forefront of every major piece of federal transportation legislation that has come before this body in recent years.

As the Chairman of the Transportation and Infrastructure Committee, he has facilitated an open discourse on even the most contentious issues, producing genuine compromise and bipartisan legislation that ensures individuals throughout the country have access to the services they depend on to pursue their livelihoods and move forward. He has been an unwavering proponent of robust investment in our nation's transportation infrastructure.

As I worked to pass legislation creating the Northern Border Regional Commission, a regional economic development commission in the northeast, Chairman OBERSTAR's guidance and support was instrumental. The investments made by the Commission have honored Chairman OBERSTAR's belief that an economy cannot grow without investments in our roads, bridges, railroads and ports, and they will continue to support this view long after he has left the United States Congress.

In his more than 36 years as a member of Congress, Chairman OBERSTAR has displayed an unrivaled understanding of transportation issues. He has been a great colleague, chairman and friend. I am certain that he will be sorely missed.

Madam Speaker, please join me in thanking Chairman JAMES OBERSTAR for his outstanding commitment to this country and Minnesota's 8th Congressional District.

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

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to:

Mr. DAVIS of Illinois (at the request of Mr. HOYER) for today.

Mrs. MCMORRIS RODGERS (at the request of Mr. BOEHNER) for today and the balance of the week on account of the birth of her daughter.

Ms. WOOLSEY (at the request of Mr. HOYER) for today.

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

Mr. CONYERS, for 5 minutes, today.

Ms. KAPTUR, for 5 minutes, today.

Mr. COURTNEY, for 5 minutes, today.

Mr. DEFAZIO, for 5 minutes, today.

Ms. WOOLSEY, for 5 minutes, today.

Ms. JACKSON LEE of Texas, for 5 minutes, today.

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

Mr. BURTON of Indiana, for 5 minutes, today, December 15, 16, and 17.

Ms. ROS-LEHTINEN, for 5 minutes, today, December 15 and 16.

Mr. FLAKE, for 5 minutes, December 15 and 16.

Mr. LINCOLN DIAZ-BALART of Florida, for 5 minutes, December 15 and 16.

Mr. MCCLINTOCK, for 5 minutes, today and December 15.

Mr. SMITH of New Jersey, for 5 minutes, today.

Mr. GINGREY of Georgia, for 5 minutes, December 15.

Mr. POE of Texas, for 5 minutes, December 17.

Mr. JONES, for 5 minutes, December 17.

Mr. DUNCAN, for 5 minutes, today.

Mr. GOHMERT, for 5 minutes, today.

SENATE BILLS REFERRED

Bills of the Senate of the following titles were taken from the Speaker's table and, under the rule, referred as follows:

S. 2902. An act to improve the Federal Acquisition Institute, to the Committee on Oversight and Government Reform.

S. 3447. An act to amend title 38, United States Code, to improve educational assistance for veterans who served in the Armed Forces after September 11, 2001, and for other purposes, to the Committee on Veterans' Affairs; in addition, to the Committee on Armed Services; and to the Committee on the Budget 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.

ENROLLED BILL SIGNED

Lorraine C. Miller, Clerk of the House, reported and found truly enrolled a bill of the House of the following title, which was thereupon signed by the Speaker:

H.R. 5591. An act to designate the airport traffic control tower located at Spokane International Airport in Spokane, Washington, as the ''Ray Daves Airport Traffic Control Tower''.

SENATE ENROLLED BILL SIGNED

The Speaker announced her signature to an enrolled bill of the Senate of the following title:

S. 3817. An act to amend the Child Abuse Prevention and Treatment Act, the Family Violence Prevention and Services Act, the Child Abuse Prevention and Treatment and Adoption Reform Act of 1978, and the Abandoned Infants Assistance Act of 1988 to reauthorize the Acts, and for other purposes.

BILL PRESENTED TO THE PRESIDENT

Lorraine C. Miller, Clerk of the House reports that on December 10, 2010 she presented to the President of the United States, for his approval, the following bill.

H.R. 4994. To amend the Internal Revenue Code of 1986 to reduce taxpayer burdens and enhance taxpayer protections, and for other purposes.

ADJOURNMENT

Ms. MCCOLLUM. Madam Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 9 o'clock and 24 minutes p.m.), the House adjourned until tomorrow, Wednesday, December 15, 2010, at 10 a.m.

EXECUTIVE COMMUNICATIONS, ETC.

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

10856. A letter from the Director of Legislative Affairs, NRCS, Department of Agriculture, transmitting the Department's final rule — Wildfife Habitat Incentive Program (RIN: 0578-AA49) received November 19, 2010, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

10857. A letter from the Director of Legislative Affairs, NRCS, Department of Agriculture, transmitting the Department's final rule — Wildlife Habitat Incentive Program (RIN: 0578-AA49) received November 19, 2010, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

10858. A letter from the Under Secretary, Department of Defense, transmitting a report of a violation of the Antideficiency Act, Air Force Case Number 09-03, pursuant to 31 U.S.C. 1517(b); to the Committee on Appropriations.

10859. A letter from the Director, Defense Procurement and Acquisition Policy, Department of Defense, transmitting the Department's final rule — Defense Federal Acquisition Regulation Supplement; Contract Authority for Advanced Component Development or Prototype Units (DFARS Case 2009-D034) (RIN: 0750-AG76) received November 29, 2010, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Armed Services.

10860. A letter from the Defense Federal Acquisition Regulation Supplement;, Department of Defense, transmitting the Department's final rule — Defense Federal Acquisition Regulation Supplement; Cost and Software Data Reporting System (DFARS Case 2008-D027) (RIN: 0750-AG46) received November 29, 2010, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Armed Services.

10861. A letter from the Director, Defense Procurement and Acquisition Policy, Department of Defense, transmitting the Department's final rule — Defense Federal Acquisition Regulation Supplement; Services of Senior Mentors (DFARS Case 2010-D025) received November 29, 2010, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Armed Services.

10862. A letter from the Director, Department of the Treasury, transmitting the Department's final rule — Financial Crimes Network; Confidentiality of Suspicious Activity Reports (RIN: 1506-AA99) received November 29, 2010, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Financial Services.

10863. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Addition of National Toxicology Program Carcinogens; Community Right-to-Know Toxic Chemical Release Reporting [EPA-HQ-TRI-2010-0006; FRL-9231-5] (RIN: 2025-AA28) received November 22, 2010, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

10864. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Air Quality Designations

for the 2008 Lead (Pb) National Ambient Air Quality Standards [EPA-HQ-OAR-2009-0443; FRL-9230-4] (RIN: 2060-AP78) received November 22, 2010, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

10865. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Approval and Promulgation of Implementation Plans; New Mexico; Interstate Transport of Pollution [EPA-R06-OAR-2009-0656; FRL-9230-3] received November 22, 2010, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

10866. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Approval and Promulgation of Air Quality Implementation Plans; Maryland; Control of Volatile Organic Compound Emissions From Industrial Solvent Cleaning Operations; Withdrawal of Direct Final Rule [EPA-R03-OAR-2010-0594; FRL-9231-9] received November 22, 2010, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

10867. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Approval and Promulgation of Air Quality Implementation Plans; Ohio; Ohio Portion of the Cincinnati-Hamilton Area; 8-Hour Ozone Maintenance Plan [EPA-R05-OAR-2010-0656; FRL-9232-2] received November 22, 2010, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

10868. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Approval and Promulgation of Air Quality Implementation Plans; Indiana; Clean Air Interstate Rule [EPA-R05-OAR-2009-0515; FRL-9232-3] received November 22, 2010, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

10869. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Approval and Promulgation of Implementation Plans; Idaho [EPA-R10-OAR-2008-0428; FRL-9231-1] received November 22, 2010, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

10870. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Approval and Promulgation of Implementation Plans; Idaho [EPA-R10-OAR-2010-0669; FRL-9231-2] received November 22, 2010, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

10871. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Approval and Promulgation of Implementation Plans; Oklahoma; State Implementation Plan Revisions for Interstate Transport of Pollution, Prevention of Significant Deterioration, Nonattainment New Source Review, Source Registration and Emissions Reporting and Rules of Practice and Procedure [EPA-R06-OAR-2007-0314; FRL-9230-2] received November 22, 2010, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

10872. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Approval and Promulgation of State Implementation Plans; Indiana; Addition of Incentive for Regulatory Flexibility for its Environmental Stewardship Program [EPA-R05-OAR-2007-0624; FRL-9231-8] received November 22, 2010, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

10873. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — N,N,N',N'',-Tetrakis-(2-Hydroxypropyl) Ethylenediamine (NTHE); Exemption from the Requirement of a Tolerance [EPA-HQ-OPP-2009-0130; FRL-8851-8] received November 22, 2010, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

10874. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Polyoxyalkylated Glycerol Fatty Acid Esters; Tolerance Exemption [EPA-HQ-OPP-2009-0661; FRL-8852-2] received November 22, 2010, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

10875. A letter from the Associate Director, PP&I, Department of the Treasury, transmitting the Department's final rule — Belarus Sanction Regulation received November 29, 2010, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Foreign Affairs.

10876. A letter from the Auditor, Office of the District of Columbia Auditor, transmitting copy of the report entitled ''Comparative Analysis of Actual Cash Collections to the Revised Revenue Estimate Through the 1st Quarter of Fiscal Year 2010'', pursuant to D.C. Code section 47-117(d); to the Committee on Oversight and Government Reform.

10877. A letter from the Auditor, Office of the District of Columbia Auditor, transmitting copy of the report entitled ''Public-Private Development Project Compliance with Certified Business Enterprise Goals through the 2nd Quarter of Fiscal Year 2010'', pursuant to D.C. Code section 47-117(d); to the Committee on Oversight and Government Reform.

10878. A letter from the Auditor, Office of the District of Columbia Auditor, transmitting copy of the report entitled ''Review of D.C. Taxicab Commission's Assessment/Commission Fund for Fiscal Years 2005 Through 2009, As of June 30, 2009'', pursuant to D.C. Code section 47-117(d); to the Committee on Oversight and Government Reform.

10879. A letter from the Auditor, Office of the District of Columbia Auditor, transmitting copy of the report entitled ''Review of the D.C. Taxicab Commission's Fingerprinting Fund'', pursuant to D.C. Code section 47-117(d); to the Committee on Oversight and Government Reform.

10880. A letter from the Auditor, Office of the District of Columbia Auditor, transmitting copy of the report entitled ''Audit of the Office of the People's Counsel Agency Fund for Fiscal year 2005.'', pursuant to D.C. Code section 47-117(d); to the Committee on Oversight and Government Reform.

10881. A letter from the Federal Co-Chair, Appalachian Regional Commission, transmitting the Commission's semiannual report from the office of the Inspector General for the period April 1, 2010 through September 30, 2010, pursuant to Section 5(b) of the Inspector General Act of 1978; to the Committee on Oversight and Government Reform.

10882. A letter from the Chief Executive Officer, Corporation for National and Community Service, transmitting the Inspector General's semiannual report to Congress for the reporting period April 1, 2010 through September 30, 2010; to the Committee on Oversight and Government Reform.

10883. A letter from the Secretary, Department of Education, transmitting the sixty-first Semiannual Report to Congress of the Office of the Inspector General for the period March 1, 2010 through September 30, 2010; to the Committee on Oversight and Government Reform.

10884. A letter from the Deputy Archivist of the United States, National Archives and Records Administration, transmitting the Administration's final rule — Changes to NARA Facilities' Hours of Operation [NARA-10-0004] (RIN: 3095-AB68) received November 29, 2010, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Oversight and Government Reform.

10885. A letter from the Chairman, National Credit Union Administration, transmitting the Inspector General's semiannual report to Congress for the reporting period April 1, 2010 through September 30, 2010; to the Committee on Oversight and Government Reform.

10886. A letter from the Chairman, Occupational Safety and Health Review Commission, transmitting the Commission's Performance and Accountability Report for Fiscal Year 2010; to the Committee on Oversight and Government Reform.

10887. A letter from the Director, Office of Surface Mining, Department of the Interior, transmitting the Department's final rule — Ohio Regulatory Program [OH-253-FOR; Docket ID: OSM-2009-0001] received November 23, 2010, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Natural Resources.

10888. A letter from the Assistant Attorney General, Department of Justice, transmitting the Department's report detailing the progress and the status of compliance with privatization requirements, pursuant to Public Law 105-33, section 11201(B) (111 Stat. 734); to the Committee on the Judiciary.

10889. A letter from the Staff Director, Commission on Civil Rights, transmitting notification that the Commission recently appointed members to the Kentucky Advisory Committee; to the Committee on the Judiciary.

10890. A letter from the Staff Director, Commission on Civil Rights, transmitting notification that the Commission recently appointed members to the Maryland Advisory Committee; to the Committee on the Judiciary.

10891. A letter from the Senior Program Analyst, Department of Transportation, transmitting the Department's final rule — IFR Altitudes; Miscellaneous Amendments [Docket No. 30751; Amdt. No. 490] received November 19, 2010, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

10892. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Establishment and Amendment of Area Navigation (RNAV) Routes; Alaska [Docket No.: FAA-2010-0397; Airspace Docket No. 10-AAL-7] (RIN: 2120-AA66) received November 19, 2010, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

10893. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Amendment of Class E Airspace; Kennett, MO [Docket No.: FAA-2010-0606; Airspace Docket No. 10-ACE-8] received November 17, 2010, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

10894. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Establishment of Class E Airspace; Berryville, AR [Docket No.: FAA-2010-0690; Airspace Docket No. 10-ASW-2] received November 19, 2010, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

10895. A letter from the Secretary, Department of Health and Human Services, transmitting a report entitled ''Evalution of the Cancer Prevention and Treatment Demonstration for Ethnic and Racial Minorities; Second Report to Congress (RTC)''; jointly to the Committees on Energy and Commerce and Ways and Means.

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. CONYERS: Committee on the Judiciary. H.R. 848. A bill to provide parity in radio performance rights under title 17, United States Code, and for other purposes; with an amendment (Rept. 111–680). 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 Mr. OBERSTAR:

H.R. 6519. A bill to amend title 49, United States Code, with respect to hours of service rules for railroad employees; to the Committee on Transportation and Infrastructure.

By Mr. PATRICK J. MURPHY of Pennsylvania (for himself and Mr. HOYER):

H.R. 6520. A bill to provide for the repeal of the Department of Defense policy concerning homosexuality in the Armed Forces known as ''Don't Ask, Don't Tell''; to the Committee on Armed Services.

By Ms. ROS-LEHTINEN (for herself, Mr. BURTON of Indiana, Mr. ROHRABACHER, Mr. MANZULLO, Mr. ROYCE, Mr. WILSON of South Carolina, Mr. MACK, Mr. POE of Texas, Mr. INGLIS, Mr. BILIRAKIS, and Mr. GALLEGLY):

H.R. 6521. A bill to protect girls in developing countries through the prevention of child marriage, and for other purposes; to the Committee on Foreign Affairs.

By Mr. GEORGE MILLER of California (for himself, Ms. LEE of California, Mr. FARR, Mr. HOLT, and Mr. LANGEVIN):

H. Res. 1759. A resolution expressing support for designation of January 23rd as ''Ed Roberts Day''; to the Committee on Education and Labor.

By Ms. PELOSI (for herself, Ms. SPEIER, Mr. BARTON of Texas, Mr. BACA, Mr. BERMAN, Mr. COSTA, Ms. ESHOO, Mr. FARR, Mr. GARAMENDI, Ms. HARMAN, Mr. HONDA, Ms. LEE of California, Ms. ZOE LOFGREN of California, Mr. MCNERNEY, Mr. GEORGE MILLER of California, Ms. RICHARDSON, Mr. STARK, Ms. WOOLSEY, and Mr. THOMPSON of California):

H. Res. 1760. A resolution congratulating the San Francisco Giants on winning the 2010 World Series Championship; to the Committee on Oversight and Government Reform.

By Mr. ROGERS of Alabama (for himself, Mr. LEWIS of Georgia, Mr. BACHUS, Mr. ADERHOLT, Mr. BONNER, Mr. GRIFFITH, Mr. DAVIS of Alabama, and Mr. BRIGHT):

H. Res. 1761. A resolution congratulating Auburn University quarterback and College Park, Georgia, native Cameron Newton on winning the 2010 Heisman Trophy for being the most outstanding college football player in the United States; to the Committee on Education and Labor.

By Mr. ACKERMAN (for himself, Mr. BERMAN, Ms. HIRONO, Mr. JOHNSON of Georgia, and Mr. ELLISON):

H. Res. 1762. A resolution condemning the anti-Christian violence that has occurred in Iraq and has forced Iraqi Christians to flee their homes and communities; to the Committee on Foreign Affairs.

ADDITIONAL SPONSORS

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

H.R. 1980: Mr. PENCE.
H.R. 2103: Mr. DEUTCH.
H.R. 2159: Mr. MEEKS of New York.
H.R. 3287: Ms. PINGREE of Maine.
H.R. 3592: Mr. DICKS.
H.R. 3636: Mr. DEUTCH.
H.R. 3652: Mr. VAN HOLLEN.
H.R. 4090: Ms. SCHAKOWSKY.
H.R. 4594: Mr. QUIGLEY.
H.R. 4752: Ms. ZOE LOFGREN of California.
H.R. 4806: Mr. QUIGLEY.
H.R. 4844: Mr. RYAN of Wisconsin.
H.R. 4937: Ms. SCHAKOWSKY.
H.R. 4986: Ms. ZOE LOFGREN of California.
H.R. 5028: Ms. CLARKE.
H.R. 5510: Ms. SCHAKOWSKY.
H.R. 5577: Mr. KILDEE and Mr. MORAN of Virginia.
H.R. 5869: Mr. RUSH, Mr. DAVIS of Illinois, Mr. BISHOP of Georgia, Mr. JOHNSON of Georgia, Mr. FATTAH, Ms. FUDGE, Mr. CUMMINGS, Ms. WATSON, Ms. CLARKE, Ms. EDDIE BERNICE JOHNSON of Texas, and Mr. AL GREEN of Texas.
H.R. 6113: Mr. BISHOP of Utah.
H.R. 6355: Mr. QUIGLEY.
H.R. 6406: Mr. TERRY.
H.R. 6461: Mrs. MCCARTHY of New York.
H.R. 6462: Ms. FUDGE.
H.R. 6484: Mr. SENSENBRENNER.
H.R. 6510: Mr. OLSON, Mr. JOHNSON of Georgia, Mr. GENE GREEN of Texas, and Ms. CORRINE BROWN of Florida.
H. Con. Res. 331: Ms. BORDALLO, Mr. TIERNEY, Mr. LANGEVIN, Mr. HINCHEY, and Mrs. LOWEY.
H. Res. 1377: Mr. COSTELLO, Mr. SHERMAN, Mr. STARK, and Ms. ESHOO.
H. Res. 1461: Mr. DONNELLY of Indiana, Mr. PIERLUISI, Mr. UPTON, Mr. LYNCH, Mr. FARR, Mr. WAXMAN, Ms. ROYBAL-ALLARD, Mr. FILNER, Mr. STUPAK, and Mr. BUYER.
H. Res. 1734: Mr. MARIO DIAZ-BALART of Florida and Mr. SCALISE.

CONGRESSIONAL EARMARKS, LIMITED TAX BENEFITS, OR LIMITED TARIFF BENEFITS

Under clause 9 of rule XXI, lists or statements on congressional earmarks, limited tax benefits, or limited tariff benefits were submitted as follows:

[Omitted from the Record of December 13, 2010]

OFFERED BY MR. LEVIN

H.R. 6517, the Omnibus Trade Act of 2010, contains limited tariff benefits as defined in clause 9 of rule XXI, as set forth in the RECORD of December 13, 2010. This bill does not contain any limited tax benefits or earmarks, as defined in clause 9 of rule XXI.