

phasing out between \$125,000 and \$145,000 for single filers (\$250,000 and \$290,000 for joint filers) for the taxable year. While individuals may waive the subsidy if they believe their earnings will exceed the limit, if an individual accepts the subsidy and earns over the limit the individual will be responsible for paying the subsidy back to Treasury. For married individuals filing separately, if any family member is over the single modified adjusted gross income limit of \$125,000, the entire non-subsidized portion (this accounts for the phase out) must be repaid. This clause requires IRS to match the incomes of spouses filing separately and determine if the modified adjusted gross income of either spouse disqualifies both for the subsidy received. Children not claimed as dependents, however, who are still on family plans have their incomes excluded from this limitation.

Third, the IRS must create rules and regulations to prevent fraud and abuse of this provision. For example, taxpayers may be required to provide evidence of eligibility for the subsidy including evidence of involuntary separation from work, which can include attestation from the former employer or certification from state unemployment insurance agencies. If a premium assistance eligible individual becomes eligible for other group coverage while receiving premium assistance, that individual must forfeit the subsidy or face a penalty and the IRS must attempt to prevent individuals from claiming the subsidy while eligible for other group coverage either through a spouse or through a new employer.

**COMPLIANCE WITH CLAUSE 9 OF RULE XXI (EARMARKS)**

*Pursuant to clause 9 of rule XXI of the Rules of the House of Representatives, neither this conference report nor the accompanying joint statement of managers contains any congressional earmarks, limited tax benefits, or limited tariff benefits as defined in clause 9(e), 9(f), or 9(g) of rule XXI.*

DAVID OBEY,  
CHARLES RANGEL,  
HENRY WAXMAN,

*Managers on the Part of the House.*

DANIEL K. INOUE,  
MAX BAUCUS,  
HARRY REID,

*Managers on the Part of the Senate.*

**RECESS**

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

Accordingly (at 10 o'clock and 26 minutes p.m.), the House stood in recess subject to the call of the Chair.

□ 0001

**AFTER RECESS**

The recess having expired, the House was called to order by the Speaker pro tempore (Mr. PERLMUTTER) at 12 o'clock and 1 minute a.m.

**REPORT ON RESOLUTION PROVIDING FOR CONSIDERATION OF CONFERENCE REPORT ON H.R. 1, AMERICAN RECOVERY AND REINVESTMENT ACT OF 2009**

Mr. POLIS of Colorado, from the Committee on Rules, submitted a priv-

ileged report (Rept. No. 111-17) on the resolution (H. Res. 168) providing for consideration of the conference report to accompany the bill (H.R. 1) making supplemental appropriations for job preservation and creation, infrastructure investment, energy efficiency and science, assistance to the unemployed, and State and local fiscal stabilization, for the fiscal year ending September 30, 2009, and for other purposes, which was referred to the House Calendar and ordered to be printed.

**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. ISRAEL) to revise and extend their remarks and include extraneous material:)

Ms. ROYBAL-ALLARD, for 5 minutes, today.

Ms. WOOLSEY, for 5 minutes, today.

Mr. DEFAZIO, for 5 minutes, today.

Ms. KAPTUR, for 5 minutes, today.

Mr. HOLT, for 5 minutes, today.

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

Mr. PAUL, for 5 minutes, today and February 13.

Mr. PENCE, for 5 minutes, today.

Mr. BROUN of Georgia, for 5 minutes, today.

Mr. ROE of Tennessee, for 5 minutes, today.

Mr. FRANKS of Arizona, for 5 minutes, today.

Mr. FORTENBERRY, for 5 minutes, today.

(The following Member (at her request) to revise and extend her remarks and include extraneous material:)

Ms. VELÁZQUEZ, for 5 minutes, today.

**ADJOURNMENT**

Mr. POLIS of Colorado. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 12 o'clock and 2 minutes a.m.), the House adjourned until today, Friday, February 13, 2009, at 9 a.m.

**EXECUTIVE COMMUNICATIONS, ETC.**

Under clause 8 of rule XII, executive communications were taken from the Speaker's table and referred as follows:

569. A letter from the Deputy Under Secretary for Acquisition and Technology, Department of Defense, transmitting a report identifying each extension of a contract period to a total of more than 10 years that was granted under 10 U.S.C. 2304a(f) for the Department's task and delivery order contracts during fiscal year 2008, pursuant to Public Law 108-375, section 813; to the Committee on Armed Services.

570. A letter from the Principal Deputy Assistant Attorney General, Department of

Justice, transmitting notification that the Department complies with the guidelines of the No FEAR Act; to the Committee on Oversight and Government Reform.

571. A letter from the Chairman and Chief Executive Officer, Farm Credit Administration, transmitting notification that the Administration is in compliance with the Government in Sunshine Act for calendar year 2008; to the Committee on Oversight and Government Reform.

572. A letter from the Chairman, International Trade Commission, transmitting the Commission's semiannual report from the office of the Inspector General for the period April 1, 2008 through September 30, 2008, pursuant to 5 U.S.C. app. (Insp. Gen. Act) section 5(b); to the Committee on Oversight and Government Reform.

573. A letter from the Attorney Advisor, Department of Homeland Security, transmitting the Department's final rule — Safety Zone; Flagler Museum New Year's Eve Celebration fireworks display, West Palm Beach, Florida [Docket No.: USCG-2008-1120] (RIN: 1625-AA00) received February 2, 2009, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

574. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Airbus Model A318, A319, A320, and A321 Airplanes [Docket No.: FAA-2008-0558; Directorate Identifier 2007-NM-365-AD; Amendment 39-15783; AD 2009-01-04] (RIN: 2120-AA64) received January 30, 2009, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

575. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Bombardier Model CL-600-2C10 (Regional Jet Series 700, 701, & 702) and Model CL-600-2D24 (Regional Jet Series 900) Airplanes [Docket No.: FAA-2008-0540; Directorate Identifier 2008-NM-031-AD; Amendment 39-15786; AD 2009-01-07] (RIN: 2120-AA64) received January 30, 2009, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

576. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Turbomeca Arriel 2B and 2B1 Turbohaft Engines [Docket No.: FAA-2008-0935; Directorate Identifier 2008-NE-28-AD; Amendment 39-15790; AD 2009-01-11] (RIN: 2120-AA64) received January 30, 2009, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

577. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Boeing Model 737-600,-700,-700C,-800 and -900 Series Airplanes [Docket No.: FAA-2007-28283; Directorate Identifier 2006-NM-254-AD; Amendment 39-15780; AD 2009-01-02] (RIN: 2120-AA64) received January 30, 2009, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

578. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Polskie Zakłady Lotnicze Spolka zo.o Model PZL M26 01 Airplanes [Docket No.: FAA-2009-0010; Directorate Identifier 2009-CE-001-AD; Amendment 39-15792; AD 2009-02-02] (RIN: 2120-AA64) received January 30, 2009, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

579. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Bombardier Model DHC-8-400 Series Airplanes [Docket No.: FAA-2008-1083; Directorate Identifier 2008-NM-130-AD;