United States of America

Congressional Record

PROCEEDINGS AND DEBATES OF THE 111th CONGRESS, SECOND SESSION

Vol. 156 WASHINGTON, MONDAY, JULY 26, 2010 No. 110

House of Representatives

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

DESIGNATION OF SPEAKER PRO TEMPORE

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

WASHINGTON, DC,
July 26, 2010.

I hereby appoint the Honorable LAURA RICHARDSON 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 would now recognize Members from lists submitted by the majority and minority leaders for morning-hour debate.

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 31 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. LANGEVIN) at 2 p.m.

PRAYER

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

Lord God, Creator of all and Builder of a just society, this is a House of pride and dignity because of its noble belief in free people. By law and by policy through the years, interior freedom has been uncovered as obstacles to equal opportunity have been removed.

By celebrating the accomplishments of the past 20 years founded in the initiative of the Disabilities Act, Lord God, responsible government has continued to embrace the advent and development of Your people.

Lord, here, may each child of disadvantage and every victim of war and accident be given hope and grounding for personal aspirations to achieve his or her full potential in Your sight.

With the help of research, engineering, medicine, and professional therapy, may government uphold the Nation's commitment to equal opportunity in the pursuit of happiness.

May every American rejoice and thank You, Almighty God, for the next step and every step to be taken to afford open and full accessibility to place and position for all citizens in a just world. For this we pray, and we will continue to work, 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 Rhode Island (Mr. KENNEDY) come forward and lead the House in the Pledge of Allegiance.

Mr. KENNEDY 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.

PERMITTING INDIVIDUALS TO BE ADMITTED TO THE HALL OF THE HOUSE IN ORDER TO DOCUMENT THE IMPROVED ACCESSIBILITY OF THE HALL OF THE HOUSE

Ms. SLAUGHTER. Mr. Speaker, on this most important day in the history of the House of Representatives, I send to the desk H. Res. 1555, and ask unanimous consent for its immediate consideration in the House.

The Clerk read the title of the resolution.

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

There was no objection.

The text of the resolution is as follows:

H. RES. 1555

Resolved, That the Speaker, in consultation with the minority leader, may designate individuals to be admitted to the Hall of the House and the rooms leading thereto in order to document the improved accessibility of the Hall of the House.

The resolution was agreed to.

A motion to reconsider was laid on the table.

THE 20TH ANNIVERSARY OF THE AMERICANS WITH DISABILITIES ACT

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

Ms. PELOSI. Mr. Speaker, it is with great pride and joy that I rise today to acknowledge the history that you are making. By your leadership and your inspiration and your education of the Congress, you have helped take us to a place that honors the tradition and the goals of our founders; to improve liberty and equality for all Americans.

Today, through technology, under the leadership of the Architect of the House, we are able to, in a way that is almost magical, extend to you the privilege that you deserved all along, to be able to preside over the House.

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I'm pleased that we are joined by our former colleague in the House, and now a Senator, Senator HARKIN, who was such a champion in passing the Americans with Disabilities Act; our former colleague, Tony Coelho, also a leader in that regard; our colleagues who have worked so hard on that subject, Mr. MARKEY, Mr. KENNEDY; and the champion in our House on the Americans with Disabilities Act, STENY HOYER, our distinguished majority leader.

Mr. SENSENBRENNER has made this part of his legacy in the Congress. Not so fast with the legacy, I know. More to come. But we thank you for being the champion on civil rights that you are.

And I see now that we have been joined by our distinguished Republican leader of the House, Mr. BOEHNER.

This is bipartisan effort. It has been all along. It is a cause for celebration. It is a source of liberation. And it's important to note that there's a reason Mr. LANGEVIN is first. He is first because of his courage. He is first because of his inspiration, and he is first because when I became Speaker, he said to me, Now that you are presiding, I want to preside too.

So on that day, when we made history of having the first woman Speaker of the House, it became clear that we had to make history today in having JIM LANGEVIN preside on this historic occasion, which is a source of pride to all of us but also a source of challenge as to how we go forward addressing the new technologies so that we can continue to remove barriers to participation to all Americans. It's better for them and it's better for our country.

Now we can go forward clearly saying that we respect people for what they can do, not judge them or limit them for what they cannot, and that we can more fully honor the Pledge of Allegiance that Mr. KENNEDY led us in just earlier, one Nation under God, with liberty—and this is about liberation—with liberty and justice for all.

Congratulations, Mr. LANGEVIN.

HONORING THE 20TH ANNIVERSARY OF THE AMERICANS WITH DISABILITIES ACT

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

Mr. BOEHNER. Mr. Speaker, I rise today to join the Speaker and the majority leader in recognizing the 20th anniversary of the Americans with Disabilities Act.

First I want to applaud you, Mr. Speaker, for making history today as the first American with disabilities to preside over this distinguished body. It's truly an inspiring sight and a reminder that the disabled are, of course, among the most active and functional members of our society. And it's a testament to the historic measure that we're celebrating today.

I also want to congratulate my colleague, Mr. HOYER, the majority leader, who I know played a key role in making this legislation a reality, along with other colleagues from the other body and retired, along with Mr. SENSENBRENNER.

But really I want to thank all of you for ensuring that we come together, across the aisle when necessary, to make certain that this act fulfills its original mission.

Before the Americans with Disabilities Act, nowhere in the world was there a comprehensive declaration of equality for people with disabilities.

In the medical community, people with disabilities are called ''handi-capable'' because they strive and succeed in the face of great personal obstacles.

There was a time, however, when courage alone was not enough to get them into their hometown theaters to see a movie or into office buildings to apply for a job, much less to provide for their families. Those wrongs were corrected on July 26, 1990, when President George Herbert Walker Bush signed the Americans with Disabilities Act into law on the South Lawn of the White House.

On that day President Bush noted that it was roughly a year after the Berlin Wall came down and said that this legislation ''takes a sledge hammer to another wall, one which has for too many generations separated Americans with disabilities from the freedom they could glimpse, but not grasp.''

For too long our Nation has kept Americans with disabilities dependent, when they all yearned for independence. And the Americans with Disabilities Act has given them the tools to do just that, to quench their thirst for life, liberty, and the pursuit of happiness. It has changed the lives of millions, and will do so for many, many generations to come.

□ 1410

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. The rules require that the Chair remind all persons in the gallery that they are here as guests of the House, and that any manifestation of approval or disapproval of proceedings is in violation of the rules of the House.

CONGRATULATING THE SPEAKER PRO TEMPORE

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

Mr. KENNEDY. Mr. Speaker, one of the peculiarities of parliamentary procedure is that all discussion on the floor of the House is directed to the person who occupies the Speaker's podium. But it is on rare occasion when the significance of the individual presiding over House proceedings outweighs the proceedings themselves. This is such a time.

It is with great pride that I stand here on this historic occasion as my close friend JIM LANGEVIN presides over the House from the Speaker's rostrum. JIM is an individual who embodies the best of the American people. He is the personification of the word ''courage.''

I have known JIM since our time together in the Rhode Island State Legislature, and I have been fortunate to witness his overcoming obstacle after obstacle throughout his life.

As a teenager, JIM made a commitment to a life of public service, seeking a career as a police officer. When a cruel twist of fate denied him the path that he envisioned, the easy road would have been to give up. But JIM would not be dissuaded. Instead, he drew on a spirit of perseverance that any lesser of us would have struggled to find.

The SPEAKER pro tempore. The time of the gentleman has expired.

Mr. KENNEDY. May I ask unanimous consent to have the requisite 5 minutes that I was initially given?

The SPEAKER pro tempore. The gentleman may complete his thought.

Mr. KENNEDY. I don't know who is controlling the time.

The SPEAKER pro tempore. The Chair expects further debate during suspension of the rules. The gentleman may complete his thought on his 1-minute.

Mr. KENNEDY. How much time do I have?

The SPEAKER pro tempore. The gentleman is recognized for 15 seconds to complete his thought.

Mr. KENNEDY. Well, there he is. Who's in charge now? All right, JIMMY. Well, I'll get my chance later. And you better be ready, because there will be no holding back then. God bless you. I am so proud to be your colleague.

WHERE ARE THE JOBS?

(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, it's particularly fitting that I would be with you today in that my late father-in-law, State Representative Julian Dusenbury, who was a hero of the Battle of Okinawa, was shot by a sniper, but he continued his service from a wheelchair in the Statehouse of South Carolina. So I have always appreciated your courage, and I want to join with Congressman KENNEDY to recognize your courage and your courage to serve. Thank you, and God bless you.

The Friday front page headlines of The Island Packet of Hilton Head Island, South Carolina, highlight the legitimate concerns of the American people. ''Are we in for a tax hike?'' and is the U.S. facing a threat of a flat economy? Since the stimulus bill became law, 2.4 million Americans have lost their jobs. The promise of unemployment not to exceed 8 percent was broken, as unemployment soared to 8 percent.

The failed borrow, spend, and tax policies of this administration cry out

for ''Where are the jobs?'' We need both parties to work together to promote small business job creation.

President Kennedy cut taxes and jobs grew. President Reagan cut taxes and more jobs were created. Republicans have offered positive alternatives using the proven policies from both parties which actually promote jobs.

In conclusion, God bless our troops, and we will never forget September the 11th in the Global War on Terrorism.

20TH ANNIVERSARY OF THE ADA

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

Mrs. CAPPS. Mr. Speaker, the Honorable Mr. LANGEVIN, I rise today to recognize the 20th anniversary of the Americans with Disabilities Act and offer my strong support for H. Res. 1504.

Twenty years ago, the ADA declared that the millions of Americans living with disabilities had a right to reasonable accommodations in the workplace and access to public buildings. In doing so, it acknowledged for the first time the civil rights of these Americans who live independently to fully participate in all aspects of our society, our schools, our businesses, our communities.

Today we extend that participation to the Speaker's chair, and I want to acknowledge our colleague, Congressman LANGEVIN. His place today managing debate over the people's House is long overdue.

When President George H.W. Bush signed the ADA in 1990, the late Senator Ted Kennedy said, ''Equal justice under the law is not a privilege but a fundamental birthright in America.'' I couldn't agree more. We must protect the rights of men and women regardless of ability, mental capacity, or physicality. By removing barriers for people with disabilities, we allow America to be a society where equal justice prevails.

I urge support for H. Res. 1504.

TAX INCREASES DON'T CREATE JOBS

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

Ms. FOXX. Mr. Speaker, I want to congratulate you also today on this historic day, and also all those who have made this day possible by making the House much more accessible to everyone who serves in the House.

But, Mr. Speaker, I must change the subject and say that in 5 months, the hardworking taxpayers of America will get hit with the largest tax increase in American history if this Congress doesn't act to forestall it.

That's right. Unless Congress acts, taxpayers will see tax rates go up across the board. This is completely unacceptable. During this period of economic difficulty and high unemployment, these tax hikes will fall especially hard on the small businesses that have already borne the brunt of this bad economy. These are the same job-creating small businesses that represent our best hope for emerging with strength from this recession. Increasing their taxes now would be an economic poison pill that would kill economic growth and job creation. After all, Mr. Speaker, what tax increase ever created a job?

□ 1420

REPORT ON H.R. 5850, DEPARTMENTS OF TRANSPORTATION, AND HOUSING AND URBAN DEVELOPMENT, AND RELATED AGENCIES APPROPRIATIONS BILL, 2011

Mr. OLVER, from the Committee on Appropriations, submitted a privileged report (Rept. No. 111–564) on the bill (H.R. 5850) making appropriations for the Departments of Transportation, and Housing and Urban Development, and related agencies for the fiscal year ending September 30, 2011, and for other purposes, which was referred to the Union Calendar and ordered to be printed.

The SPEAKER pro tempore. Pursuant to clause 1, rule XXI, all points of order are reserved on the bill.

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 after 6 p.m. today.

RECOGNIZING 20TH ANNIVERSARY OF AMERICANS WITH DISABILITIES ACT

Mr. POLIS. Mr. Speaker, I move to suspend the rules and agree to the resolution (H. Res. 1504) recognizing and honoring the 20th anniversary of the enactment of the Americans with Disabilities Act of 1990, as amended.

The Clerk read the title of the resolution.

The text of the resolution is as follows:

H. RES. 1504

Whereas July 26, 2010, marks the 20th anniversary of the enactment of the Americans with Disabilities Act of 1990;

Whereas the Americans with Disabilities Act has been one of the most significant and effective civil rights laws passed by Congress;

Whereas, prior to the passage of the Americans with Disabilities Act, people with disabilities faced significantly lower employment rates, lower graduation rates, and higher rates of poverty than people without disabilities, and were too often denied the opportunity to fully participate in society due to intolerance and unfair stereotypes;

Whereas the dedicated efforts of disability rights advocates, including Justin Dart, Jr., and many others, served to awaken Congress and the American people to the discrimination and prejudice faced by individuals with disabilities;

Whereas Congress worked in a bipartisan manner to craft legislation making such discrimination illegal;

Whereas Congress passed the Americans with Disabilities Act and President George Herbert Walker Bush signed the Act into law on July 26, 1990;

Whereas the purpose of the Americans with Disabilities Act is to fulfill the Nation's goals of equality of opportunity, independent living, economic self-sufficiency, and full participation for Americans with disabilities;

Whereas the Americans with Disabilities Act prohibits employers from discriminating against qualified individuals with disabilities, requires that State and local governmental entities accommodate qualified individuals with disabilities, requires places of public accommodation to take reasonable steps to make their goods and services accessible to individuals with disabilities, and requires that new trains and buses be accessible to individuals with disabilities;

Whereas the Americans with Disabilities Act has played an historic role in allowing over 50,000,000 Americans with disabilities to participate more fully in national life by removing barriers to employment, transportation, public services, telecommunications, and public accommodations;

Whereas the Americans with Disabilities Act has served as a model for disability rights in other countries;

Whereas all Americans, not just those with disabilities, benefit from the accommodations that have become commonplace since the passage of the Americans with Disabilities Act, including curb cuts at street intersections, ramps for access to buildings, and other accommodations that provide access to public transportation, stadiums, telecommunications, voting machines, and websites;

Whereas Congress acted with overwhelming bipartisan support in 2008 to restore protections for people with disabilities by passing the ADA Amendments Act of 2008, which overturned judicial decisions that had inappropriately narrowed the scope of the protected class under the Americans with Disabilities Act;

Whereas, 20 years after the enactment of the Americans with Disabilities Act, children and adults with disabilities continue to experience barriers that interfere with their full participation in mainstream American life;

Whereas, 20 years after the enactment of the Americans with Disabilities Act, people with disabilities are twice as likely to live in poverty as their fellow citizens and continue to experience high rates of unemployment and underemployment;

Whereas, 20 years after the enactment of the Americans with Disabilities Act, the largest income support and health care programs continue to operate in a manner that expects people with significant disabilities to be outside the economic mainstream and have limited income and assets;

Whereas, 20 years after the enactment of the Americans with Disabilities Act and 11 years after the Supreme Court's decision in Olmstead v. L.C., many people with disabilities still live in segregated institutional settings because of a lack of support services that would allow them to live in the community;

Whereas, 20 years after the enactment of the Americans with Disabilities Act, new telecommunication, electronic, and information technologies continue to be developed while not being accessible to all Americans;

Whereas, 20 years after the enactment of the Americans with Disabilities Act, many public and private covered entities are still not accessible to people with disabilities; and

Whereas the United States has a responsibility to welcome back and create opportunities for the tens of thousands of working-age veterans of the Armed Forces who have been wounded in action or have received service-connected injuries while serving in Operation Iraqi Freedom and Operation Enduring Freedom: Now, therefore, be it

Resolved, That the House of Representatives—

(1) recognizes and honors the 20th anniversary of the enactment of the Americans with Disabilities Act of 1990;

(2) salutes all people whose efforts contributed to the enactment of the Americans with Disabilities Act;

(3) encourages all Americans to celebrate the advance of freedom and the opening of opportunity made possible by the enactment of the Americans with Disabilities Act; and

(4) pledges to continue to work on a bipartisan basis to identify and address the remaining barriers that undermine the Nation's goals of equality of opportunity, independent living, economic self-sufficiency, and full participation for Americans with disabilities.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Colorado (Mr. POLIS) and the gentleman from Wisconsin (Mr. PETRI) each will control 20 minutes.

The Chair recognizes the gentleman from Colorado.

GENERAL LEAVE

Mr. POLIS. Mr. Speaker, I request 5 legislative days during which Members may revise and extend and insert extraneous material on House Resolution 1504 into the RECORD.

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

There was no objection.

Mr. POLIS. Mr. Speaker, I am pleased to yield 1 minute to the gentleman from Maryland, Leader HOYER.

Mr. HOYER. I thank the gentleman from Colorado for yielding.

Speaker LANGEVIN, I congratulate you on taking the podium. I congratulate you on your extraordinary service to the people of Rhode Island and the people of our country. And I congratulate you for being an example of the can-do spirit that has made America such a great country.

Mr. Speaker, I am so pleased to be here on this, the 20th anniversary of the adoption of the Americans with Disabilities Act. I'm particularly pleased to be here on the floor with my former colleague and my lifetime friend Tony Coelho of the State of California. Tony Coelho was the Whip on our side of the aisle for a number of years, elected into that position very shortly after he took his seat in the Congress of the United States. He is a person of extraordinary ability, extraordinary energy, extraordinary focus, and extraordinary accomplishment.

But early in his life, he fell off, in a farming accident, a tractor and injured his head. As a result of that traumatic injury, he became an epileptic. And because of that, his lifetime dream of becoming a priest was not available to him. That was something of a great trauma, again, to him.

However, he overcame that, came to Congress, and has made his life's work opening up America to those who had been discriminated against, to those who had been shut out, to those for whom the pursuit of happiness was made either impossible or very difficult by the barriers and prejudice that existed.

Twenty years ago today, the first President Bush signed the Americans With Disabilities Act. I was proud to help pass that legislation. But much more, I was proud to see our country come together to rededicate itself to the principles of equal opportunity, irrespective of race or color, national origin, religion, or any other arbitrary distinction, including disability.

The ADA made it possible for Americans with disabilities to use the same public spaces that so many of us take for granted and to succeed as their talent and drive allows them to. Fifty million Americans have gone through the doors of equal opportunity that are open. When I first heard that figure, it sounded awfully high to me because I thought about disabilities being somebody who, like Mr. LANGEVIN, as a result of an accident had been forced to use a wheelchair for mobility purposes. I was used to thinking of disability as somebody who used a cane because they had no sight or somebody who used a hearing aid because their hearing was diminished or nonexistent.

Helen Keller, of course, taught us a great and powerful lesson about overcoming disabilities. But I learned quickly that so many of us have a disability that nobody else sees. Mr. Coelho is on the floor. If I asked you to identify Mr. Coelho by his disability you'd be unable to do so because it's not apparent. But the prejudice with respect to his disability was in fact very present.

So the Americans With Disabilities Act not only dealt with actual, visual impairments, but also perceived impairments.

We know that those doors are not all the way open, however. We strengthened the act in 2008, and today it is our job to live up to its enduring principles, whether it's making the House rostrum wheelchair accessible—thank you, Madam Speaker, for your leadership on making sure that JIM LANGEVIN, our colleague, who has the ability to preside, has the accessibility of the rostrum so that he can exercise that ability. That's what the Disability Act was all about.

I thank my colleagues that helped to make the ADA possible. Tony Coelho, of course, in the House was our leader, our spark plug, our visionary, and he enlisted many of the rest of us to assist in this effort. The disability community who fought so hard, who showed so much courage, who spent so much time to let Members of Congress know the discrimination to which they were subjected.

I believe that this act is an act which will continue to make America a better country, it will continue to make America a country that is in fact living out the core of its principle, which is equal opportunity for all under the law.

I want to thank a number of people, some of whom we will see further today. Mr. MARKEY, who was so critical on the communications issue. I want to thank my friend JIM SENSENBRENNER, who sits on the floor here, who was a leader on the Judiciary Committee, a critical component of the passage of the Americans With Disabilities Act. I want to thank my friend Steve Bartlett, who himself was a Member of Congress—not now—but was my partner in coordinating the various committees and subcommittees and worked together with me in an absolutely nonpartisan—it wasn't bipartisan. It had nothing to do with party or politics; it had to do with our country's principles.

I want to thank Augustus Hawkins, who was chair of the Education and Labor Committee; Major Owens; Matthew Martinez; Steve Bartlett, whom I mentioned; Congressman Fawell. I want to thank JOHN DINGELL, who chaired the Energy and Commerce Committee; EDWARD MARKEY, the chair of the Telecommunications Subcommittee; Tom Luken; Norm Lent; Bob Whittaker; Matt Renaldo; Glen Anderson, who was the chair of the Public Works Committee; Robert Roe, ranking Democrat; and Norm Mineta.

Every time you see a bus that's accessible or train station that's accessible or an airplane that's accessible, remember Norm Lent. Remember Norman Mineta as well, who made that possible. And that was very difficult because there was a cost associated to it, and we wanted to make sure that it was a reasonable cost to be imposed. But we knew that in the long run, that investment would pay off for America.

I want to thank John Paul Hammerschmidt as well; Jack Brooks chaired the Judiciary Committee at that time; Don Edwards; Bob Castermire; Hamilton Fish; and, of course, JIM SENSENBRENNER. There are many, many others.

This resolution recognizes the adoption of a bill 20 years ago. JIM LANGEVIN is the living, breathing, participating example of how that statute made a difference.

□ 1430

Not just for JIM LANGEVIN but for all of us who will benefit from the contribution that the JIM LANGEVINs of America will make, and we ought to be proud in America that this bill is now an example to all the world and has been used as a model by many nations in the world that they have followed to

make their societies more accessible and make the lives of those with disabilities fuller and more productive

There is much that remains to be done. Those with disabilities still are more likely to live in poverty. Those with disabilities are still more likely not to be able to get a job. Those with disabilities are still confronted with a lack of access to some facets of our society.

So as we recognize this anniversary, as the President tonight will honor the 41st President of the United States, George Bush, and his son who signed the Amendment Act, so both President Bushes have played a role in making accessibility a reality in America. So as we celebrate this day, let us recommit ourselves as our Founding Fathers talked about equality of opportunity and as we have seen for the 200-plus years of the existence of our constitutional democracy, that periodically we've had to take steps to make sure that the promise of opportunity was the reality of opportunity.

So, Speaker LANGEVIN, congratulations to you. Congratulations to our country. Congratulations to our citizens as we all work together to make this a more perfect union.

Mr. PETRI. Mr. Speaker, I rise in support of House Resolution 1504, and I yield myself such time as I may consume.

Today, we commemorate the 20th anniversary and enactment of the Americans with Disabilities Act and we celebrate also the positive changes in our workplaces, our public facilities and, indeed, in our Nation's understanding of the challenges and the triumphs of individuals with disabilities.

The Americans with Disabilities Act is an example of bipartisanship at its best. Members on both sides of the aisle came together 20 years ago to craft meaningful protections for members of our society who, up until this law's enactment, had too often been denied the opportunities and accommodations necessary for them to thrive.

In the 20 years since the Americans with Disabilities Act became law, we have seen firsthand the contributions made by individuals with disabilities when obstacles are removed and ignorance gives way to understanding. By simply leveling the playing field, our society is richer.

This law has been a remarkable success, but with the passage of time came the need for improvements. That is why Members on both sides of the aisle came together once again in 2008 to modernize the law and ensure its protections today fulfill its promise made 20 years ago.

I applaud the brave individuals who 20 years ago fought to shine a light on the discrimination and lack of basic access afforded to many individuals with disabilities. I applaud the legislators on both sides of the aisle who heard those stories and who responded with this landmark legislation. I also applaud the employers, State and local governments, and facilities owners across the Nation that have taken the letter and the spirit of this law to heart and opened their doors and extended their opportunities to all Americans, regardless of disability.

Today, we take the time to appreciate how this House and, indeed, how our Nation as a whole has benefited from the Americans with Disabilities Act. I am pleased to join my colleagues in support of this resolution.

I reserve the balance of my time.

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

Mr. Speaker, I rise today in support of House Resolution 1504, which recognizes and honors the 20th anniversary of the signing of the Americans with Disabilities Act of 1990, the most historic piece of legislation affecting the civil rights of people with disabilities in our Nation's history.

Prior to its passage, too many people with disabilities received unequal treatment, didn't have the same kinds of opportunities as others Americans, faced inaccessible facilities and services, in both the public and private sectors. Many Americans with disabilities faced discrimination in education and employment, couldn't support their families, couldn't access jobs. As a result, Americans with disabilities were denied the opportunity to fully participate in society because they were not afforded the same rights that other Americans take for granted.

The hard work of disability advocates and Members of Congress, many of whom are being recognized today, past and present, culminated with a bipartisan effort to craft and pass the Americans with Disabilities Act. Since its passage, the ADA has worked to fulfill the Nation's goals of equal opportunity, independent living, economic self-sufficiency, and full participation. The ADA prohibits discrimination against individuals with disabilities across all sectors of society. It reduces barriers and promotes access and helps people with disabilities. That means our friends, our families, and ourselves fully participate in society.

More than 50 million Americans directly benefit from the ADA. While there's undoubtedly more work to be done to ensure full inclusivity of all people with disabilities, today we celebrate a major milestone 20 years of civil rights under this act that affirm its ideals and the work ahead.

Mr. Speaker, I would like to thank Leader HOYER for introducing this important resolution and, once again, express my support for House Resolution 1504, honoring the 20th anniversary of the Americans with Disabilities Act.

I reserve the balance of my time.

Mr. PETRI. Mr. Speaker, I yield such time as he may consume to my distinguished colleague from the State of Wisconsin, F. JAMES SENSENBRENNER.

Mr. SENSENBRENNER. Mr. Speaker, first, congratulations on setting history today by presiding over the House of Representatives. I promise you that there will be no points of order from the Republican side while you're in the chair.

I also rise to support House Resolution 1504, which celebrates the 20th anniversary of the Americans with Disabilities Act.

It is important to acknowledge the achievements the disability community and its allies have accomplished in the past two decades. This anniversary represents another positive step taken in ensuring that all Americans are included in our communities and places of work.

It has been a long road to guarantee that our fellow Americans find equal protection under the law. Upon the signing of the ADA, President George H.W. Bush said, ''Let the shameful wall of exclusion finally come tumbling down.'' Through bipartisan efforts, the societal barriers that for far too long kept disabled Americans from fully participating in our communities did indeed crumble with the passing of one of the most effective civil rights laws ever.

Because of this monumental piece of legislation, our country has been able to capitalize on the talents of millions of Americans with disabilities in the workplace. The ADA has protected the rights of children and students who once encountered educational discrimination and barriers. The accessibility of buildings, public transportation, and sidewalks has made our society more inclusive. The achievements of the ADA and the thousands of advocates who fought tirelessly for its passage represent the country's endless commitment to empower all American citizens with disabilities with the capacity to fully participate in his or her community.

In response to several Supreme Court decisions that restricted ADA coverage for individuals with diabetes, epilepsy and cancer, to name a few, in 2008 Congress passed the Americans with Disabilities Amendment Act.

□ 1440

This legislation broadened the definition of ''disabled'' and brought more people with disabilities under the umbrella of protection and reaffirmed Congress' promise to integrate people with disabilities.

Furthermore, it's important to recognize the change in societal attitudes towards people with disabilities as a result of the ADA. Since its passage, more and more Americans enjoy increased educational and employment opportunities. These opportunities have produced higher graduation rates and higher employment rates.

Because of the ADA, the disabled are no longer confined to isolation. We now see our fellow Americans with disabilities in our restaurants, movie theatres, sporting events, schools, and places of work. As of today, this Congress will see a fellow Congressman from Rhode Island and quadriplegic, Mr. LANGEVIN, preside over the House.

Because of changes made to the Speaker's rostrum, this House now joins the ranks of thousands of buildings across the Nation that have made architectural changes which serve to increase accessibility for people with disabilities. This is a proud moment for this Congress and reflects the progress that has been made in the past two decades.

The ADA, along with passage of the ADA Amendments Act, reminds us that this progress has been made over the last 20 years, as well as the continued effort that must be made to advocate for people with disabilities who still experience discrimination.

I urge my colleagues to join me in passing House Resolution 1504.

Mr. POLIS. Mr. Speaker, it's my honor to yield 7 minutes to the gentleman from Rhode Island (Mr. KENNEDY).

Mr. KENNEDY. Mr. Speaker, my good friend and colleague, Mr. LANGEVIN, I rise to support H. Res. 1504, commemorating the ADA.

Mr. Speaker, you are the embodiment of what the ADA meant to accomplish. To accomplish the great mission of America, to widen the circle of opportunity for more and more Americans to participate in the American Dream. Your service in Congress exemplifies the rawest elements of the American Dream, the potential that exists when we are lifted by what we believe in ourselves rather than what we are told by others.

That spirit of possibility also represents the best of America itself. However daunting appear the challenges that loom before us, we must not forget that our Nation was built on possibility and founded on the principles of overcoming overwhelming obstacles. The true strength of our Nation is derived not only from the fact that we are the most diverse Nation in the world, but we are also the most inclusive Nation in the world.

In much of the world, minority populations continue to be persecuted and discriminated against. Yet in America, people exercise their right guaranteed under the Constitution and the 1965 Voting Rights Act to cast their ballot for Barack Obama, who received more votes from more Americans than any other previous Presidential candidate in American history.

It's nearly 50 years ago that my uncle entered the White House, and among the many challenges he issued to the American people was the Civil Rights Act. The true strength of our Nation is not derived only from the fact that that is our big challenge, but that we must keep it going forward.

He said, ''The heart of the question is whether all Americans are to be afforded equal rights and equal opportunities, whether we are going to treat our fellow Americans as we want to be treated. If, in short, he cannot enjoy the full and free life which all of us want, then who among us would be content to have the color of his skin changed,'' or, in this case, to have the physical condition that they are in changed and abide by that situation that they are living in. As he goes on, ''Who among us would be content with the counsels of patience and delay?''

With this anniversary of the ADA, perhaps it's timely to think about all the new ranks of those with disabilities, our returning veterans suffering from TBI and PTSD. I will never forget the day we passed the mental health parity bill. The most eloquent speech that I heard that day was given by none other than the man in the rostrum, JIM LANGEVIN. He came down to the floor of the House. He said to his colleagues, All of you see my disability; I am in a wheelchair.

But for millions of Americans, the disability they face is no less paralyzing in their lives. This disability comes in the form of a neurological disorder, a brain illness. To them, they have a very real disability, but we don't treat it as such. That's why we need to pass legislation prohibiting discrimination against the mentally ill.

JIM LANGEVIN carried the day on that mental health parity bill. I will always be grateful for that.

Today, we stand at the new frontier, as my uncle said, of the possibility of scientific breakthrough to help our veterans through their traumatic brain injury and their posttraumatic stress disorder. I say that the new challenge of the disability movement is not to stand by with the patience and delay that too many of us have witnessed when it comes to research.

Now, research can seem something esoteric, but research isn't esoteric to someone who is paralyzed in a wheelchair, who is looking forward to the day when we can regenerate the spinal cord and allow them to step out of that wheelchair. Research, to someone with Alzheimer's, for them to be able to restore their memory and restore their ability to come back to their family, that's as personal as it gets. Research that allows us to reconnect the wirings in the brain for a family who has children with autism.

The SPEAKER pro tempore. The time of the gentleman has expired.

Mr. POLIS. Mr. Speaker, I yield an additional 2 minutes to the gentleman from Rhode Island.

Mr. KENNEDY. Neil Armstrong, in his famous quote when he landed on the Moon—an objective that no one thought was realistic when President Kennedy made the challenge earlier that decade. They thought it was impossible. But the United States got behind that mission, and we carried the day because we are the United States.

How fitting it would be if we could apply Neil Armstrong's quote to not only putting a man on the Moon, but apply that quote, ''One small step for man; one giant leap for mankind,'' to those veterans when it comes to them being able to say, I stepped out of my wheelchair. I was able to step out of my bed. I was able to step out of my house because this country went ahead with science. Nothing is more personal.

In about 3 weeks, I am going to celebrate, in a sense, my father's life once again—the anniversary of his passing. What people don't know is that I marvel at the fact that I had an extra year with my dad that no one had expected because a neurosurgeon gave me that year. To me, that neurosurgeon and modern science gets as personal as it can get, because it gave me someone I loved for an extra year.

Ladies and gentlemen, let's harness the innovation technology that we have on behalf of our veterans. If we don't have an urgency on behalf of them to work to set them free from being prisoners of their war injuries, held hostage from their trauma of serving this country, then what are we going to get worked up for?

□ 1450

Ladies and gentlemen, I want to thank people like JIM LANGEVIN who have fought the fight and been an example. Isn't it time we continue to stand by them and continue that fight? Let's pass this resolution, but let's rededicate ourselves to taking this fight not only to helping make sure people don't fall behind, but also making sure that they move forward to a brighter future, something that they can look forward to. That's what America has been all about.

Thank you, JIM. It's been an honor to serve with you. I look forward to many years ahead of your serving this great country of ours.

Mr. PETRI. Mr. Speaker, I yield such time as she may consume to our colleague from the State of Washington, CATHY MCMORRIS RODGERS.

Mrs. MCMORRIS RODGERS. Mr. Speaker, let me join in saying congratulations. It's very fitting and appropriate that you are in the Speaker's chair today. You truly are an inspiration to us all.

I want to join in the celebration of the 20th anniversary of the Americans with Disabilities Act. The ADA, which was signed 20 years ago today, was one of the most important civil rights achievements in American history. For me, it represents empowerment and it represents independence. That is what our laws should encourage, opportunity and independence for all.

This landmark bill gave 50 million Americans—including my son Cole, who was born with Down Syndrome 3 years ago—the opportunity to live the American dream. Through the ADA, Cole and so many others like him were given the chance to fully participate in our society, including better opportunities for education, employment, and independent living. And as Cole's mom, I am so thankful for the many who have worked hard many, many years so that my son, in 2010, could have more opportunities, more resources, and more support than ever.

This was a bipartisan effort, supported by Democrats and Republicans

in Congress, signed by a Republican President. And I want to thank the Members who are still in Congress, including Majority Leader HOYER and Representative SENSENBRENNER, as well as former Majority Whip Tony Coelho, for their tremendous leadership on this issue.

I also want to thank the incredible disabilities community in America, a community that welcomed me and my family with open arms, for all the work they have done organizing and advocating for this bill. They are ordinary citizens who, by working together, achieved extraordinary things.

We have come a long way in 20 years, but we still have a long way to go. Let's use today's anniversary as an inspiration for creating a more perfect union for Americans with disabilities and for all Americans.

Mr. SCOTT of Virginia. Mr. Speaker, I would like to take this opportunity to recognize and commemorate the twentieth anniversary of the Americans with Disabilities Act (ADA).

In 1990, then-President George H.W. Bush signed the Americans with Disabilities Act into law. It was the most significant federal civil rights legislation since the Civil Rights Act of 1964 and the Voting Rights Act of 1965, both signed by President Lyndon Johnson. And overall it has been a tremendous success.

The ADA was enacted to protect individuals with disabilities from being discriminated against in employment, public entities and transportation, public accommodations, and telecommunications. It created a promise of inclusion and equal opportunity, so that all Americans can live up to their full potential, encouraging and enabling individuals with disabilities to participate in the social and economic fabric of American life. As a result of the ADA, millions more people with disabilities are working, living independently, and actively using public accommodations that so many of us take for granted.

But it was not the first legislation to do so.

Mr. Speaker, in the early 1980s, when I was a member of the Virginia General Assembly, sixty-four disability organizations formed a coalition known as INVEST—INsure Virginians Equal Status Today—to pass a state statute in Virginia to protect individuals with disabilities from discrimination. I was a Member of the Senate Committee on General Laws, the Committee that considered the legislation, and we dealt with many of the central issues that needed to be addressed, such as what constitutes a reasonable accommodation. We worked through all of those issues, and the Virginians with Disabilities Act was signed into law by former Gov. Charles S. Robb in 1985.

Today the Act protects nearly one million residents of the Commonwealth of Virginia. This Act acknowledged that "it is the policy of the Commonwealth to encourage and enable persons with disabilities to participate fully and equally in the social and economic life . . ." and it protects Virginians with disabilities from discrimination in employment, education, housing, voting, and places of public accommodation. It preceded the federal Americans with Disabilities Act by five years, and many of the key concepts in the Virginia statute formed the basis of the ADA. The landmark Virginians with Disabilities Act is the Commonwealth's commitment to encourage persons with disabilities to participate fully in the social and economic life of the Commonwealth.

Five years later, the Americans with Disabilities Act of 1990 was enacted to protect all Americans against discrimination on the basis of disability.

Mr. Speaker, I am proud that 20 years later we are able to look back upon the passage of the federal Americans with Disabilities Act and recognize the importance of this legislation and the changes it has made in American society. But our work is not yet done. The law is stable yet it cannot stand still; it must continue to evolve. On this 20th anniversary of the ADA, while we acknowledge the progress we have made, we must also examine the challenges that still remain. We must continue to revisit the ADA and to examine whether it is accomplishing its purpose to the fullest extent possible, and when we find that it is not, we must be willing to make the changes necessary to do so.

One recent example of this willingness occurred last Congress when we passed the Americans with Disabilities Amendments Act of 2008, which was signed into law by President George W. Bush and became effective on January 1st, 2009. The ADA Amendments Act restored the ADA to Congress' original intent by clarifying that coverage under the ADA is broad and covers anyone who faces unfair discrimination because of a disability, and it overturned several court decisions that held that people with disabilities would lose their coverage under the ADA simply because their condition is treatable with medication or can be addressed with the help of assistive technology.

That legislation was the direct result of the business and disability communities working together to rectify a problem that was created by the courts. It is my hope that this kind of commitment, determination and cooperation will continue into the future until we have broken down all barriers to individuals with disabilities.

Today, we break another barrier, because Congress has taken a step toward greater accessibility by making the House rostrum wheelchair accessible for the first time. I would like to recognize my friend and colleague, Congressman JAMES R. LANGEVIN, who today presided over the House Floor as Speaker Pro Tempore, as is his right and honor as a member of Congress.

It is my hope that we will continue to break down barriers in the Halls of Congress, on Main Street U.S.A., and throughout the world.

Mr. OBERSTAR. Mr. Speaker, I rise in strong support of H. Res. 1504, a resolution recognizing and honoring the 20th anniversary of the enactment of the Americans with Disabilities Act (ADA). I am proud to cosponsor this important legislation, introduced by the distinguished Majority Leader (Mr. HOYER).

On July 26, 1990, upon signing this landmark civil rights law, President George H. W. Bush stated that the ADA "promises to open up all aspects of American life to individuals with disabilities—employment opportunities, government services, public accommodations, transportation, and telecommunications." As we celebrate 20 years since its enactment, we have an opportunity to reflect on the successes of the ADA.

The ADA has helped to expand and enhance opportunities for over 50 million Americans with disabilities by removing barriers to employment and essential services. Thanks to the public accommodations required by the ADA, individuals with disabilities are able to more fully participate in our society, and to enjoy the freedom that comes with independent living and economic self-sufficiency.

Congress included transportation-specific requirements in the 1990 Act because accessible transportation services ensure that all Americans with disabilities can enjoy extraordinary freedom of mobility. Without reliable transportation, many individuals with disabilities would not be able to access the significant public accommodation improvements that have occurred in cities and towns across the country as a result of the ADA. Specifically, the ADA required public transit systems, passenger rail systems, and over-the-road bus operators to modify their vehicles and facilities to make them accessible to individuals with disabilities.

Congress set an aggressive timeline for public transit vehicles and facilities to achieve ADA compliance. One month after enactment of the ADA, all new trains and buses were required to be constructed as fully ADA compliant; any refurbishing of buses or trains that took place one month after enactment had to include ADA retrofits. Three years after enactment, all readily achievable key subway, commuter rail, and light rail station alterations were to be completed in order to bring these systems into substantial compliance with the ADA. As of today, every single key transit station is required to have been retrofitted to be in full compliance with ADA.

The Committee on Transportation and Infrastructure has been vigilant in its oversight of the implementation of the transportation requirements of the ADA. The majority of our nation's public transit systems have met their ADA requirements. According to the Government Accountability Office (GAO), only 36 percent of transit buses in urban areas were ADA compliant in 1989, but that number rose to 97 percent in 2005, and is closer to 100 percent today. While this marks good progress, more needs to be done to ensure that any public transit systems that are not fully accessible are brought into compliance as soon as possible.

In the 110th Congress, the Committee on Transportation and Infrastructure advanced H.R. 3985, the "Over-the-Road Bus Transportation Accessibility Act of 2007" to ensure that motorcoach accessibility regulations promulgated by the Department of Transportation (DOT) in 1998 were being implemented. DOT had failed to enforce its own regulations for a decade, based on an interpretation that any enforcement must be carried out by the Department of Justice. However, the Department of Justice does not conduct vehicle inspections and did not have a mechanism to identify operators who were out of compliance. H.R. 3985, which was signed by the President on July 30, 2008, closed this loophole and prohibited DOT from granting registration authority to a motorcoach company who is not willing and able to comply with the accessibility regulations and gave DOT express enforcement authority.

In the 110th Congress, the Committee on Transportation and Infrastructure also advanced legislation to help Amtrak, our national passenger railroad, to come into compliance with the ADA. The Passenger Rail Investment and Improvement Act of 2008 (Public Law

110–432) required Amtrak to conduct an evaluation of the condition of Amtrak's stations and its plan for making them readily accessible and usable by persons with disabilities and fully compliant with the ADA. The law also authorized funding for Amtrak to improve the accessibility of facilities, including rail platforms and services, and required the Federal Railroad Administration to monitor and conduct periodic reviews of Amtrak's compliance with the ADA.

In FY 2008, Amtrak provided intercity passenger rail service to a record number of 28.7 million passengers across 46 States over a 21,095 mile network owned by freight railroads, commuter railroads, governmental authorities, and Amtrak. Amtrak provided service to 515 stations; 481 of those stations are required to be ADA-compliant by July 26, 2010. In 2008, however, Amtrak announced that it would not be able to meet the legislative deadline for compliance with the ADA. Instead, the railroad presented a plan for coming into compliance over the next five years, and has requested additional funds to implement this plan for FY 2010 and again this year. Since releasing that plan, however, Amtrak has determined that funding may not be the main source of concern. Rather, Amtrak continues to face challenges in defining what work is necessary to comply with the ADA and in forming work agreements with its partners—the freight railroads, commuter railroads, and governmental authorities—at each station, some of which Amtrak does not own. As Chairman of the Transportation and Infrastructure Committee I find this news distressing, and I intend to hold a hearing this fall to determine what is blocking Amtrak from coming into full compliance with the ADA.

Finally, in 2008, this body passed H.R. 3195, a bill to restore protections for a wide range of individuals with disabilities (such as those with epilepsy, diabetes and cancer) by overturning judicial decisions that had narrowed the scope of the ADA as intended by Congress. I was pleased that the Committee on Transportation and Infrastructure played a role in shepherding these important amendments through the House, which were signed by the President on September 25, 2008.

The modifications made by Congress since 1990 have strengthened the original Act. We must continue to aggressively monitor the implementation of the ADA and subsequent amendments to ensure that all Americans are granted access and equality under the law.

I commend the distinguished Majority Leader for his tireless work over the last 20 years on behalf of Americans with disabilities, and I urge my colleagues to support H. Res. 1504.

Ms. RICHARDSON. Mr. Speaker, I rise today in support of H. Res. 1504, which recognizes and honors the 20th anniversary of the enactment of the Americans with Disabilities Act. I am proud to co-sponsor H. Res. 1504, and I thank my colleague, Majority Leader HOYER, for introducing this legislation.

The Americans with Disabilities Act is truly a historic piece of legislation. When it became law 20 years ago, it extended civil rights to individuals with disabilities, and prohibited employers from discriminating against qualified disabled persons. The Americans with Disabilities Act also requires reasonable accommodations to be made to workplaces so that they are more accessible to people with disabilities.

The Americans with Disabilities Act has helped over 50,000,000 Americans lead fuller lives by removing barriers to employment, transportation, public services, and telecommunications.

However, Mr. Speaker, this anniversary also serves as a reminder that there is still work to be done. People with disabilities are twice as likely to live in poverty and much more likely to be unemployed than their able-bodied peers.

We must also continue to work on eliminating all discrimination in the workplace. No qualified individual should be denied a job or a promotion solely on the basis of sex, race, color, religion, national origin, age, disability, or sexual orientation.

Mr. Speaker, I urge my colleagues to join me in supporting H. Res. 1504, and honoring the 20th anniversary of the Americans with Disabilities Act.

Mr. NADLER of New York. Mr. Speaker, I rise in support of House Resolution 1504, recognizing and honoring the 20th anniversary of the enactment of the Americans with Disabilities Act of 1990.

Heralded at its signing in 1990 as an ''emancipation proclamation for people with disabilities,'' the goals of the ADA are lofty and embody core principles that have made this nation great—equality of opportunity, independence, and integration.

Through broad non-discrimination directives aimed at employers, government entities, and places of public accommodation—and requirements of reasonable accommodation and modification that are designed to dismantle architectural and societal barriers—the ADA has transformed our world.

Some of those changes are visible—lifts on buses, elevators in subway stations, power-assisted and wider doors, designated parking spots, curb cuts, and closed-captioning. Others are not so visible, but are powerfully important nonetheless.

These less-visible changes—the slow breakdown of disabling stereotypes, myths, prejudice, and stigma—are also happening because of the increased access and opportunity made possible by the ADA. As we witness and benefit from the contributions of family members, colleagues, and neighbors with disabilities, outdated and misguided beliefs are challenged and changed.

While we still have a long way to go, our passage of the ADA Amendments Act of 2008 is yet another mark of our progress on this front. Through the ADA Amendments Act, we responded to the Supreme Court's unduly narrow interpretation of the definition of ''disability'' and reaffirmed our commitment to focusing on abilities—the ability to do a job, to participate in programs, services, or activities, or to thrive in a community-based setting—rather than the severity of our limitations.

Our collaboration on the ADA Amendments Act of 2008, which was passed by an overwhelming majority of the House, illustrates an enduring bipartisan commitment to achieving the full civil rights for Americans with disabilities.

Thus, as House Resolution 1504 recognizes, we have much to celebrate on this twentieth anniversary of the ADA's enactment. Yet as it also reminds us, we have not reached the finish line, and much work remains.

We must continue working to end the unnecessary institutionalization of people with disabilities. Just last week, the House Judiciary Subcommittee on Constitution, Civil Rights, and Civil Liberties, which I chair, heard testimony from Casandra Cox as part of our hearing to commemorate the ADA's twentieth anniversary. Ms. Cox was placed in an adult home following a short hospitalization. Despite her requests for assistance in finding an appropriate community-based placement, Ms. Cox remained in that home for nearly three years until she was able—through persistence and good luck in being selected for a state pilot program—to find a community-based placement where she has thrived.

The ADA's promise of integration and independence should not depend on persistence or on luck.

More than 10 years ago, in Olmstead v. L. C., the Supreme Court declared that unnecessary institutionalization violates the ADA and that the states must ensure that individuals receive services in the least restrictive setting possible. Yet thousands of individuals who can and should receive services in community-based settings remain warehoused in large institutions.

This remains true despite the fact that former residents are thriving in supportive settings at costs that are lower than, or equal to, the costs of institutional care.

Work to make public transit systems and brick and mortar structures accessible also remains unfinished. Twenty years after the ADA required readily achievable changes to existing structures and set out standards for new buildings, many brick and mortar facilities remain inaccessible. And while we have made great strides in our public transit systems, significant gaps and ongoing problems remain. Continued non-compliance with Titles II and III of the ADA is inexcusable. While we should continue to pursue proposals that promote voluntary compliance, like the Department of Justice's Project Civic Access, we should rightly reject measures—like the ADA Notification Act—that threaten the ADA's promise of access and integration.

Even as we press forward to ensure greater access to physical places, and programs and services, we cannot lose sight of the need to ensure that evolving technologies are also accessible. In the twenty years since the ADA's passage, technology has revolutionized the way we work, learn, shop, and socialize. While these advances ultimately may offer individuals with disabilities unprecedented access and opportunities, we have yet to see that full potential realized.

During a hearing in April focusing on access to emerging technology as a civil rights issue under the ADA held by my Subcommittee, we urged the Department of Justice to issue regulations and additional guidance to achieve greater compliance with the ADA's equal access obligations with regard to the internet and other evolving technologies. Immediately following the Constitution Subcommittee's ADA Anniversary hearing last week, where we once again pressed the Department of Justice to issue clarifying regulations, the Department issued an advanced notice of proposed rulemaking regarding website accessibility. This is welcome news and will ensure that individuals with disabilities are not left behind as greater numbers of businesses, schools, and public entities rely upon this technology to communicate and to provide goods and services to the public.

As we continue working on these and other challenges that lie ahead, I urge you to join me in celebrating the progress that we have achieved—and in affirming our enduring and bipartisan commitment to achieving the ADA's full promise—by voting for passage of House Resolution 1504.

Ms. EDDIE BERNICE JOHNSON of Texas. Mr. Speaker, I rise today in recognition of the 20th anniversary of the Americans with disabilities Act and its mission to make this nation more inclusive of individuals with disabilities.

Over the past 20 years we've made remarkable progress. From increased availability of Braille to wheel chair accessibility in buildings and roads, accommodations have been made to improve the ability of disabled individuals to more easily function in the day-to-day tasks we take for granted.

In addition to the physical assistance that the ADA offers, it sends a larger message that individuals with disabilities make significant contributions to our society. It was not that long ago that a disability caused severe limits of career, education, housing and lifestyle. Every American deserves the opportunity and accessibility to succeed, and the ADA has made immense strides towards that goal.

However, we must recognize this anniversary as an opportunity to continue those efforts. As our society advances in technology it also provides new obstacles to many of those with disabilities. Technology is remarkable, but we must ensure it is safe and accessible. As society evolves so must the ADA.

Today as we celebrate our accomplishments we commit ourselves to a bright future for the millions of disabled individuals who have been assisted by the ADA. I strongly support H. Res. 1504 and urge its passage.

Mr. VAN HOLLEN. Mr. Speaker, today we mark the 20th anniversary of one of the most defining and effective civil rights law passed by Congress—the Americans with Disabilities Act (ADA).

More than twenty years ago, Americans with disabilities were too often denied the opportunity to fully participate and integrate into our society due to intolerance and unfair stereotypes. Because of this discrimination, they encountered lower employment rates, lower graduation rates, and higher rates of poverty than people without disabilities. With the ADA, new opportunities were open for millions of Americans with disabilities by making essential services such as housing, buildings, transportation, and other daily needs more accessible. Individuals with disabilities were given an opportunity to succeed in the workplace and in life.

Though we have made progress in improving access in all aspects of life for Americans with disabilities, many continue to confront barriers that inhibit them from fully participating in our society by facing inequalities in education, transportation, housing and technology. We must continue to work to ensure that individuals with disabilities are not denied the opportunities that people without disabilities enjoy. Just a few years ago, Congress passed legislation in a bipartisan manner that restored the original intent of the ADA after the Federal courts slowly chipped away at the broad protections of the law.

The House is leading by example in honoring the ADA's mission of inclusion and equal opportunity. Today, Representative LANGEVIN is presiding over the House floor due to recent modifications to the Speaker's Rostrum that enables him and all future Members in wheelchairs to do so. They haven't been able to do so in the past. I congratulate Representative LANGEVIN on this achievement and commend his hard work in making this day happen.

Mr. Speaker, as we celebrate the anniversary of a law that has transformed this country since 1990, let us recommit ourselves to ensuring that all Americans with disabilities live as independent, self-sufficient members of our society.

Ms. JACKSON LEE of Texas. Mr. Speaker. I rise today in strong support of H. Res. 1504, ''Recognizing and honoring the 20th anniversary of the enactment of the Americans with Disabilities Act of 1990'', introduced by my distinguished colleague from Maryland, and Majority Leader, Representative HOYER.

The Americans with Disabilities Act of 1990 is one of the most important pieces of civil rights legislation in the last few decades, and has had overwhelmingly bipartisan support. It was implemented to ''provide a clear and comprehensive national mandate for the elimination of discrimination against individuals with disabilities.'' It places an affirmative obligation on employers, government entities, and places of public accommodation to ensure that people with disabilities have an equal chance to participate in mainstream American life, and that reasonable accommodations be made to remove barriers that might prevent full participation in society by people with disabilities.

In the twenty years since ADA's enactment, it has had an undeniable, positive impact on the lives of disabled Americans. People in wheelchairs now have access to places they could never go twenty years ago, or only with great difficulty—movie theaters, restaurants, clothing stores, and government buildings. Now, people who use service animals to participate in regular daily life are allowed to bring them where they previously couldn't. The disabled are no longer excluded from places of business, mass transit, or schools.

Just as disabled Americans benefit directly from the improvements that the ADA has made in our society, so have we all benefited. Before the passage of the ADA, those Americans with disabilities were unable to meet their full potential, due to the physical barriers to education and employment. As they were denied the opportunity to participate in society, we were all deprived of their contribution to our economy, scholarship, research, and civic life. Today, we are better able to benefit from the contribution of all Americans; there is no better illustration than the fact that, today, Congressman LANGEVIN presides from his wheelchair—raised to the Speaker's rostrum by a mechanical lift.

Last week, the Judiciary Subcommittee on the Constitution, Civil Rights, and Civil Liberties held a hearing on the ADA. We heard from our witnesses about the impact the ADA has had on their lives, some who grew up with the ADA and its benefits, and others who had previously been unaware of the ADA and found how important it was after a life-changing event. The ADA has had a profound impact on American life, but there is still more to do.

I join with Representatives HOYER, SENSENBRENNER, LANGEVIN, and the other cosponsors of this resolution in honor of the Americans with Disabilities Act, and in their pledge to continue to improve the ADA and its impact on the lives of disabled Americans. I urge my colleagues to join me in that support.

Mr. JOHNSON of Georgia. Mr. Speaker, I rise today to support H. Res. 1504, in recognizing and honoring the 20th anniversary of the Americans with Disabilities Act. The ADA is often described as the most sweeping nondiscrimination legislation since the Civil Rights Act of 1964. I am a proud cosponsor of this resolution and urge my colleagues to join me in supporting this vital resolution.

On July 26, 1990, President George H. W. Bush signed the ADA into law to ensure the civil rights of people with disabilities. This legislation established a clear and comprehensive mandate for the elimination of discrimination against individuals with disabilities. The ADA provides broad protections in employment, public services, public accommodations, services provided by private entities, and transportation services for individuals with disabilities.

According to the 2009 U.S. Census Bureau statistics, approximately 50 million Americans have disabilities. In my home state of Georgia, approximately one and a half million people have disabilities. On this day, as we celebrate the 20 year anniversary of the ADA, it is important to remember that all Americans—not just those with disabilities—benefit from the passage of the ADA. Disabilities do not discriminate on the basis of age, gender, race, religion, income, or party lines.

This anniversary gives us time to reflect on the progress that has been made since the ADA was enacted 20 years ago. I look forward to continuing to work with my colleagues in the House to ensure that ADA's purpose of providing equal opportunity, independent living, and full participation in all aspects of society for Americans with disabilities is fully realized. This resolution demonstrates the House's commitment to upholding the civil rights of those living with disabilities.

I strongly support this resolution and urge my colleagues to do the same.

Mr. ELLISON. Mr. Speaker, I rise today to celebrate the 20th anniversary of the signing of the Americans with Disabilities Act (ADA).

The ADA was a monumental achievement in the fight for equality for every American living with a disability.

The ADA opened doors, literally and figuratively, for millions of Americans who faced limited opportunities to travel, work and receive an education.

It may be difficult for younger people to imagine the obstacles endured by disabled Americans prior to the passage of the ADA, while it did not eliminate the challenges of living with a disability; its passage provided far greater access and renewed hope for millions.

I want to offer my sincere thanks to those who contributed to the struggle for equal rights and equal access, a movement that ultimately resulted in the passage of the ADA. The efforts of disability support groups, non-profits, legislators and individuals across our Nation who advocated for changes represent the best in America. Their success 20 years ago is a blueprint for improving lives today.

Just as it is important to celebrate the freedoms and rights that our Nation offers, we must continue to advocate for the changes that are needed. As a nation, we should be proud of the rights that we have secured for our citizens, but never forget the struggle for those rights. I am committed to continuing the fight for equality for all Americans: with and without disabilities.

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

Mr. POLIS. Mr. Speaker, again I would like to encourage my colleagues to support this important step and march forward for civil rights in our country, celebrating the work behind us and getting to work to complete the task of ensuring that every American has access to the great opportunities this country offers.

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 Colorado (Mr. POLIS) that the House suspend the rules and agree to the resolution, H. Res. 1504, as amended.

The question was taken.

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

Mr. POLIS. 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.

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:

HOUSE OF REPRESENTATIVES,
Washington, DC, July 26, 2010.

Hon. NANCY PELOSI,
The Speaker, 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 July 26, 2010 at 10:21 a.m.:

That the Senate disagrees to the House amendment to the Senate amendment H.R. 4899.

That the Senate passed without amendment H.R. 4684.

With best wishes, I am

Sincerely,

LORRAINE C. MILLER.

TWENTY-FIRST CENTURY COMMUNICATIONS AND VIDEO ACCESSIBILITY ACT OF 2010

Mr. MARKEY of Massachusetts. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 3101) to ensure that individuals with disabilities have access to emerging Internet Protocol-based communication and video programming technologies in the 21st Century, as amended.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 3101

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 ''Twenty-First Century Communications and Video Accessibility Act of 2010''.

(b) TABLE OF CONTENTS.—

Sec. 1. Short title; table of contents.
Sec. 2. Limitation on liability.
Sec. 3. Proprietary technology.

TITLE I—COMMUNICATIONS ACCESS

Sec. 101. Definitions.
Sec. 102. Hearing aid compatibility.
Sec. 103. Relay services.
Sec. 104. Access to internet-based services and equipment.
Sec. 105. Emergency Access Advisory Committee.
Sec. 106. Relay services for deaf-blind individuals.

TITLE II—VIDEO PROGRAMMING

Sec. 201. Video Programming and Emergency Access Advisory Committee.
Sec. 202. Video description and closed captioning.
Sec. 203. Closed captioning decoder and video description capability.
Sec. 204. User interfaces on digital apparatus.
Sec. 205. Access to video programming guides and menus provided on navigation devices.
Sec. 206. Definitions.

TITLE III—PAYGO COMPLIANCE

Sec. 301. PAYGO Compliance.

SEC. 2. LIMITATION ON LIABILITY.

(a) IN GENERAL.—Except as provided in subsection (b), no person shall be liable for a violation of the requirements of this Act (or of the provisions of the Communications Act of 1934 that are amended or added by this Act) with respect to video programming, online content, applications, services, advanced communications services, or equipment used to provide or access advanced communications services to the extent such person—

(1) transmits, routes, or stores in intermediate or transient storage the communications made available through the provision of advanced communications services by a third party; or

(2) provides an information location tool, such as a directory, index, reference, pointer, menu, guide, user interface, or hypertext link, through which an end user obtains access to such video programming, online content, applications, services, advanced communications services, or equipment used to provide or access advanced communications services.

(b) EXCEPTION.—The limitation on liability under subsection (a) shall not apply to any person to the extent such person relies on third party applications, services, software, hardware, or equipment to comply with the requirements of this Act (or of the provisions of the Communications Act of 1934 that are amended or added by this Act).

SEC. 3. PROPRIETARY TECHNOLOGY.

No action taken by the Commission to implement the requirements of this Act or the amendments made by this Act shall mandate the use or incorporation of proprietary technology.

TITLE I—COMMUNICATIONS ACCESS

SEC. 101. DEFINITIONS.

Section 3 of the Communications Act of 1934 (47 U.S.C. 153) is amended—

(1) by adding at the end the following new paragraphs:

''(53) ADVANCED COMMUNICATIONS SERVICES.—The term 'advanced communications services' means—

''(A) interconnected VoIP service;

''(B) non-interconnected VoIP service;

''(C) electronic messaging service; and

''(D) video conferencing service.

''(54) DISABILITY.—The term 'disability' has the meaning given such term under section 3 of the Americans with Disabilities Act of 1990 (42 U.S.C. 12102).

''(55) ELECTRONIC MESSAGING SERVICE.—The term 'electronic messaging service' means a service that provides non-voice messages in text form between individuals over communications networks.

''(56) INTERCONNECTED VOIP SERVICE.—The term 'interconnected VoIP service' has the meaning given such term under section 9.3 of title 47, Code of Federal Regulations, as such section may be amended from time to time.

''(57) NON-INTERCONNECTED VOIP SERVICE.—The term 'non-interconnected VoIP service'—

''(A) means a service that—

''(i) enables real-time voice communications that originate from or terminate to the user's location using Internet protocol or any successor protocol; and

''(ii) requires Internet protocol compatible customer premises equipment; and

''(B) does not include any service that is an interconnected VoIP service.

''(58) VIDEO CONFERENCING SERVICE.—The term 'video conferencing service' means a service that provides real-time video communications, including audio, to enable users to share information of the user's choosing.''; and

(2) by reordering paragraphs (1) through (52) and the paragraphs added by paragraph (1) of this section in alphabetical order based on the headings of such paragraphs and renumbering such paragraphs as so reordered.

SEC. 102. HEARING AID COMPATIBILITY.

(a) COMPATIBILITY REQUIREMENTS.—

(1) TELEPHONE SERVICE FOR THE DISABLED.—Section 710(b)(1) of the Communications Act of 1934 (47 U.S.C. 610(b)(1)) is amended to read as follows:

''(b)(1) Except as provided in paragraphs (2) and (3) and subsection (c), the Commission shall require that customer premises equipment described in this paragraph provide internal means for effective use with hearing aids that are designed to be compatible with telephones which meet established technical standards for hearing aid compatibility. Customer premises equipment described in this paragraph are the following:

''(A) All essential telephones.

''(B) All telephones manufactured in the United States (other than for export) more than one year after the date of enactment of the Hearing Aid Compatibility Act of 1988 or imported for use in the United States more than one year after such date.

''(C) All customer premises equipment used with advanced communications services that is designed to provide 2-way voice communications via a built-in speaker intended to be held to the ear in a manner functionally equivalent to a telephone, subject to the regulations prescribed by the Commission under subsection (e).''.

(2) ADDITIONAL AMENDMENTS.—Section 710(b) of the Communications Act of 1934 (47 U.S.C. 610(b)) is further amended—

(A) in paragraph (2)—

(i) in subparagraph (A)—

(I) in the matter preceding clause (i)—

(aa) by striking ''initial'';

(bb) by striking ''of this subsection after the date of enactment of the Hearing Aid Compatibility Act of 1988''; and

(cc) by striking ''paragraph (1)(B) of this subsection'' and inserting ''subparagraphs (B) and (C) of paragraph (1)'';

(II) by inserting ''and'' at the end of clause (ii);

(III) by striking clause (iii); and

(IV) by redesignating clause (iv) as clause (iii);

(ii) by striking subparagraph (B) and redesignating subparagraph (C) as subparagraph (B); and

(iii) in subparagraph (B) (as so redesignated)—

(I) by striking the first sentence and inserting ''The Commission shall periodically assess the appropriateness of continuing in effect the exemptions for telephones and other customer premises equipment described in subparagraph (A) of this paragraph.''; and

(II) in each of clauses (iii) and (iv), by striking ''paragraph (1)(B)'' and inserting ''subparagraph (B) or (C) of paragraph (1)'';

(B) in paragraph (4)(B)—

(i) by striking ''public mobile'' and inserting ''telephones used with public mobile'';

(ii) by inserting ''telephones and other customer premises equipment used in whole or in part with'' after ''means'';

(iii) by striking ''and'' after ''public land mobile telephone service,'' and inserting ''or'';

(iv) by striking ''part 22 of''; and

(v) by inserting after ''Regulations'' the following: '', or any functionally equivalent unlicensed wireless services''; and

(C) in paragraph (4)(C)—

(i) by striking ''term 'private radio services' '' and inserting ''term 'telephones used with private radio services' ''; and

(ii) by inserting ''telephones and other customer premises equipment used in whole or in part with'' after ''means''.

(b) TECHNICAL STANDARDS.—Section 710(c) of the Communications Act of 1934 (47 U.S.C. 610(c)) is amended by adding at the end the following: ''A telephone or other customer premises equipment that is compliant with relevant technical standards developed through a public participation process and in consultation with interested consumer stakeholders (designated by the Commission for the purposes of this section) will be considered hearing aid compatible for purposes of this section, until such time as the Commission may determine otherwise. The Commission shall consult with the public, including people with hearing loss, in establishing or approving such technical standards. The Commission may delegate this authority to an employee pursuant to section 5(c). The Commission shall remain the final arbiter as to whether the standards meet the requirements of this section.''.

(c) RULEMAKING.—Section 710(e) of the Communications Act of 1934 (47 U.S.C. 610(e)) is amended—

(1) by striking ''impairments'' and inserting ''loss''; and

(2) by adding at the end the following sentence: ''In implementing the provisions of subsection (b)(1)(C), the Commission shall use appropriate timetables or benchmarks to the extent necessary (1) due to technical feasibility, or (2) to ensure the marketability or availability of new technologies to users.''.

(d) RULE OF CONSTRUCTION.—Section 710(h) of the Communications Act of 1934 (47 U.S.C. 610(h)) is amended to read as follows:

''(h) RULE OF CONSTRUCTION.—Nothing in the Twenty-First Century Communications and Video Accessibility Act of 2010 shall be construed to modify the Commission's regulations set forth in section 20.19 of title 47 of the Code of Federal Regulations, as in effect on the date of enactment of such Act.''.

SEC. 103. RELAY SERVICES.

(a) DEFINITION.—Paragraph (3) of section 225(a) of the Communications Act of 1934 (47 U.S.C. 225(a)(3)) is amended to read as follows:

''(3) TELECOMMUNICATIONS RELAY SERVICES.—The term 'telecommunications relay services' means telephone transmission services that provide the ability for an individual who is deaf, hard of hearing, deaf-blind, or who has a speech disability to engage in communication by wire or radio with one or more individuals, in a manner that is functionally equivalent to the ability of a hearing individual who does not have a speech disability to communicate using voice communication services by wire or radio.''.

(b) INTERNET PROTOCOL-BASED RELAY SERVICES.—Title VII of such Act (47 U.S.C. 601 et seq.) is amended by adding at the end the following new section:

''SEC. 715. INTERNET PROTOCOL-BASED RELAY SERVICES.

''Within one year after the date of enactment of the Twenty-First Century Communications and Video Accessibility Act of 2010, each interconnected VoIP service provider and each provider of non-interconnected VoIP service shall participate in and contribute to the Telecommunications Relay Services Fund established in section 64.604(c)(5)(iii) of title 47, Code of Federal Regulations, as in effect on the date of enactment of such Act, in a manner prescribed by the Commission by regulation to provide for obligations of such providers that are consistent with and comparable to the obligations of other contributors to such Fund.''.

(c) TELECOMMUNICATIONS RELAY SERVICES POLICY ADVISORY COUNCIL.—Section 225 of the Communications Act of 1934 (47 U.S.C. 225) is amended by adding at the end the following new subsection:

''(h) TELECOMMUNICATIONS RELAY SERVICES POLICY ADVISORY COUNCIL.—

''(1) IN GENERAL.—Not later than 6 months after the date of enactment of the Twenty-First Century Communications and Video Accessibility Act of 2010, the Chairman of the Commission shall establish an advisory committee to be known as the Telecommunications Relay Services Policy Advisory Council (in this section referred to as the 'Policy Advisory Council') and shall require the Policy Advisory Council—

''(A) to conduct their meetings in a manner that is open to the public;

''(B) to make a complete and comprehensive record of such proceedings publicly available;

''(C) to establish safeguards to identify and mitigate conflicts of interest with respect to members of the Policy Advisory Council; and

''(D) to advise the Commission in the development or proposal of any major changes or new rules relating to telecommunications relay services.

''(2) MEMBERSHIP.—As soon as practicable after the date of enactment of the Twenty-First Century Communications and Video Accessibility Act of 2010, the Chairman of the Commission shall appoint the members of the Policy Advisory Council, ensuring a balance between potential consumers and other stakeholders. Members of the Policy Advisory Council shall be selected from each of the following groups:

''(A) Individuals who are consumers of telecommunications relay services.

''(B) Representatives of State commissions with jurisdiction over intrastate telecommunications relay services.

''(C) Representatives of providers of telecommunications relay services.

''(3) COLLECTION AND DISSEMINATION OF INFORMATION AND ADVICE.—The Commission—

''(A) shall seek the advice of the Policy Advisory Council in assisting the Commission in developing or proposing any major changes or issuing any new rules relating to telecommunications relay services; and

''(B) shall, with the advice of the Policy Advisory Council, make all regulations, rules, and orders relating to telecommunications relay services fully and easily accessible to consumers of such services.

''(4) FEDERAL ADVISORY COMMITTEE ACT.—The Federal Advisory Committee Act (5 U.S.C. App.) shall not apply to the Policy Advisory Council.''.

(d) FOLLOWUP PROCEEDING.—Section 225 of the Communications Act of 1934 (47 U.S.C. 225), as amended by subsection (c), is further amended by adding after subsection (h) the following new subsection:

''(i) FOLLOWUP PROCEEDING.—

''(1) IN GENERAL.—Not later than 30 months after the date of enactment of the Twenty-First Century Communications and Video Accessibility Act of 2010, the Commission, in consultation with all relevant Federal agencies, shall submit to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Energy and Commerce of the House of Representatives a report—

''(A) concerning how the Commission is ensuring that telecommunications relay service customers have access to improved technologies, interoperability, and functionalities; and

''(B) identifying impediments to the broad and efficient use of telecommunications relay services in the workplace.

''(2) SUGGESTIONS FOR WORKPLACE ADOPTION.—The Commission shall develop suggestions to facilitate broader and more efficient use of telecommunications relay services in the workplace, including suggestions for facilitating the replacement of outdated end-user telecommunications relay services equipment in public places and government offices.''.

SEC. 104. ACCESS TO INTERNET-BASED SERVICES AND EQUIPMENT.

(a) TITLE VII AMENDMENT.—Title VII of the Communications Act of 1934 (47 U.S.C. 601 et seq.), as amended by section 103, is further amended by adding at the end the following new sections:

''SEC. 716. ACCESS TO INTERNET-BASED EQUIPMENT AND SERVICES.

''(a) ACCESS TO EQUIPMENT.—

''(1) RIGHT TO ACCESSIBLE EQUIPMENT.—With respect to equipment manufactured after the effective date of the regulations established pursuant to this section, and subject to those regulations, a manufacturer of equipment used for advanced communications, including end user equipment, network equipment, and software, shall ensure that such equipment that such manufacturer offers for sale or otherwise distributes in interstate commerce shall be accessible to and usable by individuals with disabilities, unless doing so is not achievable.

''(2) INDUSTRY FLEXIBILITY.—A manufacturer of equipment may satisfy the requirements of paragraph (1) with respect to such equipment by—

''(A) ensuring that the equipment that such manufacturer offers is accessible to and usable by individuals with disabilities without the use of third party applications, peripheral devices, software, hardware, or customer premises equipment; or

''(B) if such manufacturer chooses, using third party applications, peripheral devices, software, hardware, or customer premises equipment that is available to the consumer at nominal cost and that individuals with disabilities can access.

''(b) ACCESS TO SERVICES.—

''(1) RIGHT TO ACCESSIBLE SERVICES.—With respect to advanced communications services offered after the effective date of the regulations established pursuant to this section, and subject to those regulations, a provider of services used for advanced communications shall ensure that such services that such provider offers for sale or otherwise distributes in interstate commerce shall be accessible to and usable by individuals with disabilities, unless doing so is not achievable.

''(2) INDUSTRY FLEXIBILITY.—A provider of services may satisfy the requirements of paragraph (1) with respect to such services by—

''(A) ensuring that the services that such provider offers are accessible to and usable by individuals with disabilities without the use of third party applications, peripheral devices, software, hardware, or customer premises equipment; or

''(B) if such provider chooses, using third party applications, peripheral devices, software, hardware, or customer premises equipment that is available to the consumer at nominal cost and that individuals with disabilities can access.

''(c) COMPATIBILITY.—Whenever the requirements of subsection (a) are not achievable for a manufacturer, or the requirements of subsection (b) are not achievable for a provider, a manufacturer or provider shall ensure that its equipment or service is compatible with peripheral devices or specialized customer premises equipment commonly used by individuals with disabilities to achieve access, unless the requirement of this subsection is not achievable.

''(d) NETWORK FEATURES, FUNCTIONS, AND CAPABILITIES.—Each provider of advanced communications services has the duty not to install network features, functions, or capabilities that impede accessibility or usability of advanced communications services.

''(e) REGULATIONS.—

''(1) IN GENERAL.—Within one year after the date of enactment of the Twenty-First Century Communications and Video Accessibility Act of 2010, the Commission shall promulgate such regulations as are necessary to implement this section. In prescribing the regulations, the Commission shall—

''(A) include performance objectives to ensure the accessibility, usability, and compatibility of advanced communications services and the equipment used for advanced communications services by individuals with disabilities;

''(B) provide that advanced communications services, the equipment used for advanced communications services, and networks used to provide advanced communications services may not impair or impede the accessibility of information content when accessibility has been incorporated into that content for transmission through advanced communications services, equipment used for advanced communications services, or networks used to provide advanced communications services; and

''(C) determine the obligations under this section of manufacturers, service providers, and providers of applications.

''(2) PROSPECTIVE GUIDELINES.—The Commission shall issue prospective guidelines for a manufacturer or provider regarding the requirements of this section.

''(f) SERVICES AND EQUIPMENT SUBJECT TO SECTION 255.—The requirements of this section shall not apply to any equipment or services, including interconnected VoIP service, that are subject to the requirements of section 255 on the day before the date of enactment of the Twenty-First Century Communications and Video Accessibility Act of 2010. Such services and equipment shall remain subject to the requirements of section 255.

''(g) ACHIEVABLE DEFINED.—For purposes of this section and section 718, the term 'achievable' means with reasonable effort or expense, as determined by the Commission. In determining whether the requirements of a provision are achievable, the Commission shall consider the following factors:

''(1) The nature and cost of the steps needed to meet the requirements of this section with respect to the specific equipment or service in question.

''(2) The impact on the operations of the manufacturer or provider and on the operation of the specific equipment or service in question, including on the development and deployment of new communications technologies.

''(3) The financial resources of the manufacturer or provider.

''(4) The type of operations of the manufacturer or provider.

''(5) The extent to which the service provider or manufacturer in question offers accessible services or equipment containing varying degrees of functionality and features, and offered at differing price points.

''(h) COMMISSION FLEXIBILITY.—

''(1) WAIVER.—The Commission shall have the authority, on its own motion or in response to a petition by a manufacturer or provider, to waive the requirements of this section for any feature or function of equipment used to provide or access advanced communications services, or for any class of such equipment, that—

''(A) is capable of accessing an advanced communications service; and

''(B) is designed for multiple purposes, but is designed primarily for purposes other than using advanced communications services.

''(2) SMALL ENTITY EXEMPTION.—The Commission may exempt small entities from the requirements of this section.

''(i) CUSTOMIZED EQUIPMENT OR SERVICES.—The provisions of this section shall not apply to customized equipment or services that are not offered directly to the public, or to such classes of users as to be effectively available directly to the public, regardless of the facilities used.

''(j) RULE OF CONSTRUCTION.—This section shall not be construed to require a manufacturer of equipment used for advanced communications or a provider of advanced communications services to make every feature and function of every device or service accessible for every disability.

"SEC. 717. ENFORCEMENT AND RECORDKEEPING OBLIGATIONS.

''(a) COMPLAINT AND ENFORCEMENT PROCEDURES.—Within one year after the date of enactment of the Twenty-First Century Communications and Video Accessibility Act of 2010, the Commission shall establish regulations that facilitate the filing of formal and informal complaints that allege a violation of section 255, 716, or 718, establish procedures for enforcement actions by the Commission with respect to such violations, and implement the recordkeeping obligations of paragraph (5) for manufacturers and providers subject to such sections. Such regulations shall include the following provisions:

''(1) NO FEE.—The Commission shall not charge any fee to an individual who files a complaint alleging a violation of section 255, 716, or 718.

''(2) RECEIPT OF COMPLAINTS.—The Commission shall establish separate and identifiable electronic, telephonic, and physical receptacles for the receipt of complaints filed under section 255, 716, or 718.

''(3) COMPLAINTS TO THE COMMISSION.—

''(A) IN GENERAL.—Any person alleging a violation of section 255, 716, or 718 by a manufacturer of equipment or provider of service subject to such sections may file a formal or informal complaint with the Commission.

''(B) INVESTIGATION OF INFORMAL COMPLAINT.—The Commission shall investigate the allegations in an informal complaint and, within 180 days after the date on which such complaint was filed with the Commission, issue an order concluding the investigation, unless such complaint is resolved before such time. The order shall include a determination whether any violation occurred.

''(i) VIOLATION.—If the Commission determines that a violation has occurred, the Commission may, in the order issued under this subparagraph or in a subsequent order, require the manufacturer or service provider to take such action as is necessary to comply with the requirements of this section.

''(ii) NO VIOLATION.—If a determination is made that a violation has not occurred, the Commission shall provide the basis for such determination.

''(C) CONSOLIDATION OF COMPLAINTS.—The Commission may consolidate for investigation and resolution complaints alleging substantially the same violation.

''(4) OPPORTUNITY TO RESPOND.—Before the Commission makes a determination pursuant to paragraph (3), the party that is the subject of the complaint shall have a reasonable opportunity to respond to such complaint, and may include in such response any factors that are relevant to such determination.

''(5) RECORDKEEPING.—

''(A) IN GENERAL.—Beginning one year after the effective date of regulations promulgated pursuant to section 716(e), each manufacturer and provider subject to sections 255, 716, or 718 shall maintain, in the ordinary course of business and for a reasonable period, records of any efforts taken by such manufacturer or provider to implement sections 255, 716, or 718, including the following:

''(i) Information about the manufacturer's or provider's efforts to consult with individuals with disabilities.

''(ii) Descriptions of the accessibility features of its products and services.

''(iii) Information about the compatibility of such products and services with peripheral devices or specialized customer premise equipment commonly used by individuals with disabilities to achieve access.

''(B) SUBMISSION OF ANNUAL CERTIFICATION.—An officer of a manufacturer or provider shall submit to the Commission an annual certification that records are being kept in accordance with subparagraph (A).

''(C) COMMISSION REQUEST FOR RECORDS.—After the filing of a formal or informal complaint against a manufacturer or provider in the manner prescribed in paragraph (3), the Commission may request, and shall keep confidential, a copy of the records maintained by such manufacturer or provider pursuant to subparagraph (A) of this paragraph that are directly relevant to the equipment or service that is the subject of such complaint.

''(6) FAILURE TO ACT.—If the Commission fails to carry out any of its responsibilities to act upon a complaint in the manner prescribed in paragraph (3), the person that filed such complaint may bring an action in the nature of mandamus in the United States Court of Appeals for the District of Columbia to compel the Commission to carry out any such responsibility.

''(7) COMMISSION JURISDICTION.—The limitations of section 255(f) shall apply to any claim that alleges a violation of section 255, 716, or 718. Nothing in this paragraph affects or limits any action for mandamus under paragraph (6) or any appeal pursuant to section 402(b)(10).

''(8) PRIVATE RESOLUTIONS OF COMPLAINTS.—Nothing in the Commission's rules or this Act shall be construed to preclude a person who files a complaint and a manufacturer or provider from resolving a formal or informal complaint prior to the Commission's final determination in a complaint proceeding. In the event of such a resolution, the parties shall jointly request dismissal of the complaint and the Commission shall grant such request.

''(b) REPORTS TO CONGRESS.—

''(1) IN GENERAL.—Every two years after the date of enactment of the Twenty-First Century Communications and Video Accessibility Act of 2010, the Commission shall submit to the Committee on Commerce,

Science, and Transportation of the Senate and the Committee on Energy and Commerce of the House of Representatives a report that includes the following:

''(A) An assessment of the level of compliance with sections 255, 716, and 718.

''(B) An evaluation of the extent to which any accessibility barriers still exist with respect to new communications technologies.

''(C) The number and nature of complaints received pursuant to subsection (a) during the two years that are the subject of the report.

''(D) A description of the actions taken to resolve such complaints under this section, including forfeiture penalties assessed.

''(E) The length of time that was taken by the Commission to resolve each such complaint.

''(F) The number, status, nature, and outcome of any actions for mandamus filed pursuant to subsection (a)(6) and the number, status, nature, and outcome of any appeals filed pursuant to section 402(b)(10).

''(G) An assessment of the effect of the requirements of this section on the development and deployment of new communications technologies.

''(2) PUBLIC COMMENT REQUIRED.—The Commission shall seek public comment on its tentative findings prior to submission to the Committees of the report under this subsection.

''(c) COMPTROLLER GENERAL ENFORCEMENT STUDY.—

''(1) IN GENERAL.—The Comptroller General shall conduct a study to consider and evaluate the following:

''(A) The Commission's compliance with the requirements of this section, including the Commission's level of compliance with the deadlines established under and pursuant to this section and deadlines for acting on complaints pursuant to subsection (a).

''(B) Whether the enforcement actions taken by the Commission pursuant to this section have been appropriate and effective in ensuring compliance with this section.

''(C) Whether the enforcement provisions under this section are adequate to ensure compliance with this section.

''(D) An assessment of the effect of the requirements of this section on the development and deployment of new communications technologies.

''(2) REPORT.—Not later than 5 years after the date of enactment of the Twenty-First Century Communications and Video Accessibility Act of 2010, the Comptroller General shall submit to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Energy and Commerce of the House of Representatives a report on the results of the study required by paragraph (1), with recommendations for how the enforcement process and measures under this section may be modified or improved.

''(d) CLEARINGHOUSE.—Within one year after the date of enactment of the Twenty-First Century Communications and Video Accessibility Act of 2010, the Commission shall, in consultation with the Architectural and Transportation Barriers Compliance Board, the National Telecommunications and Information Administration, trade associations, and organizations representing individuals with disabilities, establish a clearinghouse of information on the availability of accessible products and services and accessibility solutions required under sections 255, 716, and 718. Such information shall be made publicly available on the Commission's website and by other means, and shall include an annually updated list of products and services with access features.

''(e) OUTREACH AND EDUCATION.—Upon establishment of the clearinghouse of information required under subsection (d), the Commission, in coordination with the National Telecommunications and Information Administration, shall conduct an informational and educational program designed to inform the public about the availability of the clearinghouse and the protections and remedies available under sections 255, 716, and 718.

''SEC. 718. INTERNET BROWSERS BUILT INTO TELEPHONES USED WITH PUBLIC MOBILE SERVICES.

''(a) ACCESSIBILITY.—If a manufacturer of a telephone used with public mobile services (as such term is defined in section 710(b)(4)(B)) includes an Internet browser in such telephone, or if a provider of mobile service arranges for the inclusion of a browser in telephones to sell to customers, the manufacturer or provider shall ensure that the functions of the included browser (including the ability to launch the browser) are accessible to and usable by individuals who are blind or have a visual impairment, unless doing so is not achievable, except that this subsection shall not impose any requirement on such manufacturer or provider—

''(1) to make accessible or usable any Internet browser other than a browser that such manufacturer or provider includes or arranges to include in the telephone; or

''(2) to make Internet content, applications, or services accessible or usable (other than enabling individuals with disabilities to use an included browser to access such content, applications, or services).

''(b) INDUSTRY FLEXIBILITY.—A manufacturer or provider may satisfy the requirements of subsection (a) with respect to such telephone or services by—

''(1) ensuring that the telephone or services that such manufacture or provider offers is accessible to and usable by individuals with disabilities without the use of third party applications, peripheral devices, software, hardware, or customer premises equipment; or

''(2) using third party applications, peripheral devices, software, hardware, or customer premises equipment that is available to the consumer at nominal cost and that individuals with disabilities can access.''.

(b) EFFECTIVE DATE FOR SECTION 718.—Section 718 of the Communications Act of 1934, as added by subsection (a), shall take effect 3 years after the date of enactment of this Act.

(c) TITLE V AMENDMENTS.—Section 503(b)(2) of such Act (47 U.S.C. 503(b)(2)) is amended by adding after subparagraph (E) the following:

''(F) Subject to paragraph (5) of this section, if the violator is a manufacturer or service provider subject to the requirements of section 255, 716, or 718, and is determined by the Commission to have violated any such requirement, the manufacturer or provider shall be liable to the United States for a forfeiture penalty of not more than $100,000 for each violation or each day of a continuing violation, except that the amount assessed for any continuing violation shall not exceed a total of $1,000,000 for any single act or failure to act.''.

(d) REVIEW OF COMMISSION DETERMINATIONS.—Section 402(b) of such Act (47 U.S.C. 402(b)) is amended by adding the following new paragraph:

''(10) By any person who is aggrieved or whose interests are adversely affected by a determination made by the Commission under section 717(a)(3).''.

SEC. 105. EMERGENCY ACCESS ADVISORY COMMITTEE.

(a) ESTABLISHMENT.—For the purpose of achieving equal access to emergency services by individuals with disabilities, as a part of the migration to a national Internet protocol-enabled emergency network, not later than 60 days after the date of enactment of this Act, the Chairman of the Commission shall establish an advisory committee, to be known as the Emergency Access Advisory Committee (referred to in this section as the ''Advisory Committee'').

(b) MEMBERSHIP.—As soon as practicable after the date of enactment of this Act, the Chairman of the Commission shall appoint the members of the Advisory Committee, ensuring a balance between individuals with disabilities and other stakeholders, and shall designate two such members as the co-chairs of the Committee. Members of the Advisory Committee shall be selected from the following groups:

(1) STATE AND LOCAL GOVERNMENT AND EMERGENCY RESPONDER REPRESENTATIVES.—Representatives of State and local governments and representatives of emergency response providers, selected from among individuals nominated by national organizations representing such governments and representatives.

(2) SUBJECT MATTER EXPERTS.—Individuals who have the technical knowledge and expertise to serve on the Advisory Committee in the fulfillment of its duties, including representatives of—

(A) providers of interconnected and non-interconnected VoIP services;

(B) vendors, developers, and manufacturers of systems, facilities, equipment, and capabilities for the provision of interconnected and non-interconnected VoIP services;

(C) national organizations representing individuals with disabilities and senior citizens;

(D) Federal agencies or departments responsible for the implementation of the Next Generation E 9–1–1 system;

(E) the National Institute of Standards and Technology; and

(F) other individuals with such technical knowledge and expertise.

(3) REPRESENTATIVES OF OTHER STAKEHOLDERS AND INTERESTED PARTIES.—Representatives of such other stakeholders and interested and affected parties as the Chairman of the Commission determines appropriate.

(c) DEVELOPMENT OF RECOMMENDATIONS.—Within one year after the completion of the member appointment process by the Chairman of the Commission pursuant to subsection (b), the Advisory Committee shall develop and submit to the Commission recommendations to implement such technologies and methods, including recommendations—

(1) with respect to what actions are necessary as a part of the migration to a national Internet protocol-enabled network to achieve reliable, interoperable communication transmitted over such network that will ensure access to emergency services by individuals with disabilities;

(2) for protocols, technical capabilities, and technical requirements to ensure reliability and interoperability necessary to ensure access to emergency services by individuals with disabilities;

(3) for the establishment of technical standards for use by public safety answering points, designated default answering points, and local emergency authorities;

(4) for relevant technical standards and requirements for communication devices and equipment and technologies to enable the use of reliable emergency access;

(5) for procedures to be followed by IP-enabled network providers to ensure that such providers do not install features, functions, or capabilities that would conflict with technical standards;

(6) for deadlines by which providers of interconnected and non-interconnected VoIP

services and manufacturers of equipment used for such services shall achieve the actions required in paragraphs (1) through (5), and for the possible phase out of the use of current-generation TTY technology to the extent that this technology is replaced with more effective and efficient technologies and methods to enable access to emergency services by individuals with disabilities; and

(7) for the establishment of rules to update the Commission's rules with respect to 9–1–1 services and E–911 services, as such term is defined in section 158 of the National Telecommunications and Information Administration Organization Act (47 U.S.C. 942), for users of telecommunications relay services as new technologies and methods for providing such relay services are adopted by providers of such relay services.

(d) MEETINGS.—

(1) INITIAL MEETING.—The initial meeting of the Advisory Committee shall take place not later than 45 days after the completion of the member appointment process by the Chairman of the Commission pursuant to subsection (b).

(2) OTHER MEETINGS.—After the initial meeting, the Advisory Committee shall meet at the call of the chairs, but no less than monthly until the recommendations required pursuant to subsection (c) are completed and submitted.

(3) NOTICE; OPEN MEETINGS.—Any meetings held by the Advisory Committee shall be duly noticed at least 14 days in advance and shall be open to the public.

(e) PROCEDURAL RULES.—

(1) QUORUM.—One-third of the members of the Advisory Committee shall constitute a quorum for conducting business of the Advisory Committee.

(2) SUBCOMMITTEES.—To assist the Advisory Committee in carrying out its functions, the chair may establish appropriate subcommittees composed of members of the Advisory Committee and other subject matter experts as determined to be necessary.

(3) ADDITIONAL PROCEDURAL RULES.—The Advisory Committee may adopt other procedural rules as needed.

(f) FEDERAL ADVISORY COMMITTEE ACT.—The Federal Advisory Committee Act (5 U.S.C. App.) shall not apply to the Advisory Committee.

(g) IMPLEMENTING RECOMMENDATIONS.—The Commission shall have the authority to promulgate regulations to implement the recommendations proposed by the Advisory Committee, as well as any other regulations as are necessary to achieve reliable, interoperable communication that ensures access by individuals with disabilities to an Internet protocol-enabled emergency network.

(h) SURVEY.—Not later than 30 months after the date of enactment of this Act, the Commission shall conduct and publish the results of a national survey of individuals with disabilities concerning real time text, geolocation services, instant messaging services, and mobile telecommunications relay services. The survey shall seek to determine what individuals with disabilities believe to be the most effective and efficient technologies and methods by which to enable access to emergency services by individuals with disabilities.

(i) DEFINITIONS.—In this section—

(1) the term ''Commission'' means the Federal Communications Commission;

(2) the term ''Chairman'' means the Chairman of the Federal Communications Commission; and

(3) except as otherwise expressly provided, other terms have the meanings given such terms in section 3 of the Communications Act of 1934 (47 U.S.C. 153).

SEC. 106. RELAY SERVICES FOR DEAF-BLIND INDIVIDUALS.

Title VII of the Communications Act of 1934 (47 U.S.C. 601 et seq.), as amended by sections 103 and 104, is further amended by adding at the end the following:

''SEC. 719. RELAY SERVICES FOR DEAF-BLIND INDIVIDUALS.

''(a) IN GENERAL.—Within 6 months after the date of enactment of the Twenty-First Century Communications and Video Accessibility Act of 2010, the Commission shall establish rules that define as eligible for relay service support those programs that are approved by the Commission for the distribution of specialized customer premises equipment designed to make telecommunications service, Internet access service, and advanced communications, including interexchange services and advanced telecommunications and information services, accessible by low-income individuals who are deaf-blind.

''(b) INDIVIDUALS WHO ARE DEAF-BLIND DEFINED.—For purposes of this section, the term 'individuals who are deaf-blind' has the meaning given such term in section 206 of the Helen Keller National Center Act (29 U.S.C. 1905).

''(c) ANNUAL AMOUNT.—The total amount of support the Commission may provide from its Telecommunications Relay Services Fund for any fiscal year may not exceed $10,000,000.''.

TITLE II—VIDEO PROGRAMMING

SEC. 201. VIDEO PROGRAMMING AND EMERGENCY ACCESS ADVISORY COMMITTEE.

(a) ESTABLISHMENT.—Not later than 60 days after the date of enactment of this Act, the Chairman shall establish an advisory committee to be known as the Video Programming and Emergency Access Advisory Committee.

(b) MEMBERSHIP.—As soon as practicable after the date of enactment of this Act, the Chairman shall appoint individuals who have the technical knowledge and engineering expertise to serve on the Advisory Committee in the fulfillment of its duties, including the following:

(1) Representatives of distributors and providers of video programming or national organizations representing such distributors and providers.

(2) Representatives of vendors, developers, and manufacturers of systems, facilities, equipment, and capabilities for the provision of video programming delivered using Internet protocol or a national organization representing such vendors, developers, or manufacturers.

(3) Representatives of manufacturers of consumer electronics or information technology equipment or a national organization representing such manufacturers.

(4) Representatives of national organizations representing accessibility advocates, including individuals with disabilities and the elderly.

(5) Representatives of the broadcast television industry or a national organization representing such industry.

(6) Other individuals with technical and engineering expertise, as the Chairman determines appropriate.

(c) COMMISSION OVERSIGHT.—The Chairman shall appoint a member of the Commission's staff to moderate and direct the work of the Advisory Committee.

(d) TECHNICAL STAFF.—The Commission shall appoint a member of the Commission's technical staff to provide technical assistance to the Advisory Committee.

(e) DEVELOPMENT OF RECOMMENDATIONS.—

(1) CLOSED CAPTIONING REPORT.—Within 6 months after the date of the first meeting of the Advisory Committee, the Advisory Committee shall develop and submit to the Commission a report that includes the following:

(A) An identification of the performance objectives for protocols, technical capabilities, and technical procedures needed to permit content providers, content distributors, Internet service providers, software developers, and device manufacturers to reliably encode, transport, receive, and render closed captions of video programming delivered using Internet protocol.

(B) An identification of additional protocols, technical capabilities, and technical procedures beyond those available as of the date of enactment of this Act for the delivery of closed captions of video programming delivered using Internet protocol that are necessary to meet the performance objectives identified under subparagraph (A).

(C) A recommendation for any regulations that may be necessary to ensure compatibility between video programming delivered using Internet protocol and devices capable of receiving and displaying such programming in order to facilitate access to closed captions.

(2) VIDEO DESCRIPTION, EMERGENCY INFORMATION, USER INTERFACES, AND VIDEO PROGRAMMING GUIDES AND MENUS.—Within 18 months after the date of enactment of this Act, the Advisory Committee shall develop and submit to the Commission a report that includes the following:

(A) An identification of the performance objectives for protocols, technical capabilities, and technical procedures needed to permit content providers, content distributors, Internet service providers, software developers, and device manufacturers to reliably encode, transport, receive, and render video descriptions of video programming and emergency information delivered using Internet protocol or digital broadcast television.

(B) An identification of additional protocols, technical capabilities, and technical procedures beyond those available as of the date of enactment of this Act for the delivery of video descriptions of video programming and emergency information delivered using Internet protocol that are necessary to meet the performance objectives identified under subparagraph (A).

(C) A recommendation for any regulations that may be necessary to ensure compatibility between video programming delivered using Internet protocol and devices capable of receiving and displaying such programming in order to facilitate access to emergency information.

(D) With respect to user interfaces, a recommendation for the standards, protocols, and procedures used to enable the functions of apparatus designed to receive or display video programming transmitted simultaneously with sound (including apparatus designed to receive or display video programming transmitted by means of services using Internet protocol) to be accessible to and usable by individuals with disabilities.

(E) With respect to user interfaces, a recommendation for the standards, protocols, and procedures used to enable on-screen text menus and other visual indicators used to access the functions on an apparatus described in subparagraph (D) to be accompanied by audio output so that such menus or indicators are accessible to and usable by individuals with disabilities.

(F) A recommendation for the standards, protocols, and procedures used to enable the selection of video programming information on an apparatus or navigation device by means of a guide or menu to be accessible in real-time by individuals who are blind or have a visual impairment.

(3) CONSIDERATION OF STANDARDS, PROTOCOLS, AND PROCEDURES BY STANDARD-SETTING

ORGANIZATIONS.—The recommendations of the Advisory Committee shall, to the extent possible, incorporate the standards, protocols, and procedures that have been adopted by appropriate industry standard-setting organizations for the report requirements described in paragraphs (1) and (2).

(f) MEETINGS.—

(1) INITIAL MEETING.—The initial meeting of the Advisory Committee shall take place not later than 180 days after the date of the enactment of this Act.

(2) OTHER MEETINGS.—After the initial meeting, the Advisory Committee shall meet at the call of the Chairman.

(3) NOTICE; OPEN MEETINGS.—Any meeting held by the Advisory Committee shall be noticed at least 14 days before such meeting and shall be open to the public.

(g) PROCEDURAL RULES.—

(1) QUORUM.—The presence of one-third of the members of the Advisory Committee shall constitute a quorum for conducting the business of the Advisory Committee.

(2) SUBCOMMITTEES.—To assist the Advisory Committee in carrying out its functions, the Chairman may establish appropriate subcommittees composed of members of the Advisory Committee and other subject matter experts.

(3) ADDITIONAL PROCEDURAL RULES.—The Advisory Committee may adopt other procedural rules as needed.

(h) FEDERAL ADVISORY COMMITTEE ACT.—The Federal Advisory Committee Act (5 U.S.C. App.) shall not apply to the Advisory Committee.

SEC. 202. VIDEO DESCRIPTION AND CLOSED CAPTIONING.

(a) VIDEO DESCRIPTION.—Section 713 of the Communications Act of 1934 (47 U.S.C. 613) is amended—

(1) by striking subsections (f) and (g);

(2) by redesignating subsection (h) as subsection (j); and

(3) by inserting after subsection (e) the following:

''(f) VIDEO DESCRIPTION.—

''(1) REINSTATEMENT OF REGULATIONS.—On the day that is 1 year after the date of enactment of the Twenty-First Century Communications and Video Accessibility Act of 2010, the Commission shall, after a rulemaking, reinstate its video description regulations contained in the Implementation of Video Description of Video Programming Report and Order (15 F.C.C.R. 15,230 (2000)), modified as provided in paragraph (2).

''(2) MODIFICATIONS TO REINSTATED REGULATIONS.—Such regulations shall be modified only as follows:

''(A) The regulations shall apply to video programming, as defined in subsection (i), insofar as such programming is transmitted for display on television in digital format.

''(B) The Commission shall update the list of the top 25 Designated Market Areas, the list of the top 5 national nonbroadcast networks that have at least 50 hours per quarter of prime time programming that is not exempt under this paragraph, and the designation of the beginning calendar quarter for which compliance shall be calculated.

''(C) The regulations may permit a provider of video programming or a program owner to petition the Commission for an exemption from the requirements of this section upon a showing that the requirements contained in this section would be economically burdensome.

''(D) The Commission may exempt from the regulations established pursuant to paragraph (1) a service, class of services, program, class of programs, equipment, or class of equipment for which the Commission has determined that the application of such regulations would be economically burdensome for the provider of such service, program, or equipment.

''(E) The regulations shall not apply to live or near-live programming.

''(F) The regulations shall provide for an appropriate phased schedule of deadlines for compliance.

''(3) INQUIRIES ON FURTHER VIDEO DESCRIPTION REQUIREMENTS.—The Commission shall commence the following inquiries not later than 1 year after the completion of the phase-in of the reinstated regulations and shall report to Congress 1 year thereafter on the findings for each of the following:

''(A) VIDEO DESCRIPTION IN TELEVISION PROGRAMMING.—The availability, use, and benefits of video description on video programming distributed on television, the technical and creative issues associated with providing such video description, and the financial costs of providing such video description for providers of video programming and program owners.

''(B) VIDEO DESCRIPTION IN VIDEO PROGRAMMING DISTRIBUTED ON THE INTERNET.—The technical and operational issues, costs, and benefits of providing video descriptions for video programming that is delivered using Internet protocol.

''(4) CONTINUING COMMISSION AUTHORITY.—

''(A) IN GENERAL.—The Commission may issue additional regulations if the Commission determines, at least 2 years after completing the reports required in paragraph (3), that the need for and benefits of providing video descriptions for video programming, insofar as such programming is transmitted for display on television, are greater than the technical and economic costs of providing such additional programming. If the Commission makes such a determination and issues additional regulations, the Commission may increase, in total, the hours requirement for described video programming, insofar as such programming is transmitted for display on television, up to 75 percent of the requirement in the regulations reinstated under paragraph (1).

''(B) FURTHER REQUIREMENTS.—

''(i) REPORT.—Nine years after the date of enactment of the Twenty-First Century Communications and Video Accessibility Act of 2010, the Commission shall submit to the Committee on Energy and Commerce of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate a report assessing—

''(I) the types of described video programming that is available to consumers;

''(II) consumer use of such programming;

''(III) the costs to program owners, providers, and distributors of creating such programming;

''(IV) the benefits to consumers of such programming;

''(V) the amount of such programming currently available; and

''(VI) the need for additional described programming.

''(ii) INCREASED AVAILABILITY.—Ten years after the date of enactment of the Twenty-First Century Communications and Video Accessibility Act of 2010, the Commission shall have the authority, based upon the findings, conclusions, and recommendations contained in the report under clause (i), to increase the availability of such programming.

''(C) APPLICATION TO DESIGNATED MARKET AREAS.—

''(i) IN GENERAL.—After the Commission completes the study on video description, the Commission shall phase in the video description regulations for all designated market areas, except that the Commission may grant waivers to entities in specific designated market areas where it deems appropriate.

''(ii) PHASE-IN DEADLINE.—The phase-in described under clause (i) shall be completed not later than 6 years after the date of enactment of the Twenty-First Century Communications and Video Accessibility Act of 2010.

''(g) EMERGENCY INFORMATION.—Not later than 1 year after the Video Programming and Emergency Access Advisory Committee report under section 201(e)(2) of the Twenty-First Century Communications and Video Accessibility Act of 2010 is submitted to the Commission, the Commission shall complete a proceeding to—

''(1) identify methods to convey emergency information (as that term is defined in section 79.2 of title 47, Code of Federal Regulations) in a manner accessible to individuals who are blind or have a visual impairment; and

''(2) promulgate regulations that require certain designated video programming providers and video programming distributors (as those terms are defined in section 79.1 of title 47, Code of Federal Regulations) and program owners to convey such emergency information in a manner accessible to individuals who are blind or have a visual impairment.

''(h) RESPONSIBILITIES.—

''(1) VIDEO PROGRAMMING OWNER.—A video programming owner shall ensure that any closed captioning and video description required pursuant to this section is provided in accordance with the technical standards, protocols, and procedures established by the Commission.

''(2) VIDEO PROGRAMMING PROVIDER OR DISTRIBUTOR.—A video programming provider or video programming distributor shall be deemed in compliance with this section and the rules and regulation promulgated thereunder if such provider or distributor enables the rendering or the pass through of closed captions and video description signals.

''(i) DEFINITIONS.—For purposes of this section, section 303, and section 330:

''(1) VIDEO DESCRIPTION.—The term 'video description' means the insertion of audio narrated descriptions of a television program's key visual elements into natural pauses between the program's dialogue.

''(2) VIDEO PROGRAMMING.—The term 'video programming' has the meaning given such term in section 602.''.

(b) CLOSED CAPTIONING ON VIDEO PROGRAMMING DELIVERED USING INTERNET PROTOCOL.—Section 713 of such Act is further amended by striking subsection (c) and inserting the following:

''(c) DEADLINES FOR CAPTIONING.—

''(1) IN GENERAL.—The regulations prescribed pursuant to subsection (b) shall include an appropriate schedule of deadlines for the provision of closed captioning of video programming published or exhibited on television.

''(2) DEADLINES FOR PROGRAMMING DELIVERED USING INTERNET PROTOCOL.—

''(A) REGULATIONS ON CLOSED CAPTIONING ON VIDEO PROGRAMMING DELIVERED USING INTERNET PROTOCOL.—Not later than 6 months after the submission of the report to the Commission required by section 201(e)(1) of the Twenty-First Century Communications and Video Accessibility Act of 2010, the Commission shall promulgate regulations to require the provision of closed captioning on video programming delivered using Internet protocol.

''(B) SCHEDULE.—The regulations prescribed under this paragraph shall include an appropriate schedule of decoding for the provision of closed captioning, taking into account whether such programming is prerecorded and edited for Internet distribution, or whether such programming is live or near-live and not edited for Internet distribution.

''(C) COST.—The Commission may delay or waive the regulation promulgated under subparagraph (A) to the extent the Commission finds that the application of the regulation to live video programming delivered using Internet protocol would be economically burdensome to providers of video programming or program owners.

''(D) REQUIREMENTS FOR REGULATIONS.—

''(i) IN GENERAL.—The regulations prescribed under this paragraph—

''(I) shall contain a definition of 'near-live programming' and 'edited for Internet distribution';

''(II) may exempt any service, class of service, program, class of program, equipment, or class of equipment for which the Commission has determined that the application of such regulations would be economically burdensome to the provider of such service, program, or equipment;

''(III) shall provide that de minimis failure to comply with such regulations by a provider of video programming or program owner shall not be treated as a violation of the regulations; and

''(IV) shall only apply to video programming that is transmitted for display on television with closed captioning after the effective date of the regulations issued pursuant to this section.

''(ii) ALTERNATE MEANS.—An entity may meet the requirements of this section through alternate means than those prescribed by regulations pursuant to paragraph (1) if the requirements of this section are met, as determined by the Commission.''.

(c) CONFORMING AMENDMENT.—Section 713(d) of such Act is amended by striking paragraph (3) and inserting the following:

''(3)(A) a provider of video programming or program owner may petition the Commission for an exemption from the requirements of this section;

''(B) the Commission may grant such petition upon a showing that the requirements contained in this section would be economically burdensome;

''(C) during the pendency of such a petition, such provider or owner shall be exempt from the requirements of this section; and

''(D) the Commission shall act to grant or deny any such petition, in whole or in part, within 6 months after the Commission receives such petition, unless the Commission finds that an extension of the 6-month period is necessary to determine whether such requirements are economically burdensome.''.

(d) REPORTING REQUIREMENT.—Two years after the effective date of the regulations issued pursuant to this section, and biennially thereafter, each broadcast television network and each cable television network shall submit to the Commission a report containing the number of hours, in the applicable 2-year period, of video programming not published or exhibited on television after the date of enactment of this Act that was provided on the Internet with closed captioning.

(e) REPORT TO CONGRESS.—

(1) IN GENERAL.—Three years after the date of enactment of this Act, the Commission shall submit a report to the Committee on Energy and Commerce of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate—

(A) assessing the technical, economic, and operational issues regarding the captioning of video programming that is distributed only over the Internet, including the types and amounts of such video programming that is or could be captioned, the types of entities producing such programming, and the effects a closed captioning requirement may have on the producers of such programming;

(B) assessing the benefits to and use by consumers of closed captioning of video programming that is distributed only over the Internet for consumers; and

(C) making recommendations, if any, of whether Congress should adopt or the Commission should implement a closed captioning requirement for such programming.

(2) UPDATES.—The Commission shall periodically update the report to the Committees as it determines appropriate.

SEC. 203. CLOSED CAPTIONING DECODER AND VIDEO DESCRIPTION CAPABILITY.

(a) AUTHORITY TO REGULATE.—Section 303(u) of the Communications Act of 1934 (47 U.S.C. 303(u)) is amended to read as follows:

''(u) Require that—

''(1) apparatus designed to receive or play back video programming transmitted simultaneously with sound, if such apparatus is manufactured in the United States or imported for use in the United States and uses a picture screen of any size—

''(A) be equipped with built-in closed caption decoder circuitry or capability designed to display closed-captioned video programming;

''(B) have the capability to decode and make available the transmission and delivery of video description services as required by regulations reinstated and modified pursuant to section 713(f); and

''(C) have the capability to decode and make available emergency information (as that term is defined in section 79.2 of title 47, Code of Federal Regulations) in a manner that is accessible to individuals who are blind or have a visual impairment; and

''(2) notwithstanding paragraph (1) of this subsection—

''(A) apparatus described in such paragraph that use a picture screen that is less than 13 inches in size meet the requirements of subparagraphs (A), (B), and (C) of such paragraph only if the requirements of such subparagraphs are achievable (as defined in section 716);

''(B) any apparatus or class of apparatus that are display-only video monitors with no playback capability are exempt from the requirements of such paragraph; and

''(C) the Commission shall have the authority to waive the requirements of this subsection for any apparatus or class of apparatus.''.

(b) OTHER DEVICES.—Section 303 of the Communications Act of 1934 (47 U.S.C. 303) is further amended by adding at the end the following new subsection:

''(z) Require that—

''(1) if achievable (as defined in section 716), apparatus designed to record video programming transmitted simultaneously with sound, if such apparatus is manufactured in the United States or imported for use in the United States, enable the rendering or the pass through of closed captions, video description signals, and emergency information (as that term is defined in section 79.2 of title 47, Code of Federal Regulations) so that viewers are able to activate and de-activate the closed captions and video description as the video programming is played back on a picture screen of any size; and

''(2) interconnection mechanisms and standards for digital video source devices are available to carry from the source device to the consumer equipment the information necessary to permit the display of closed captions and to make encoded video description and emergency information audible.''.

(c) SHIPMENT IN COMMERCE.—Section 330(b) of the Communications Act of 1934 (47 U.S.C. 330(b)) is amended—

(1) by striking ''section 303(u)'' in the first sentence and inserting ''subsections (u) and (z) of section 303'';

(2) by striking the second sentence and inserting the following: ''Such rules shall provide performance and display standards for such built-in decoder circuitry or capability designed to display closed captioned video programming, the transmission and delivery of video description services, and the conveyance of emergency information as required by section 303 of this Act.''; and

(3) in the fourth sentence, by striking ''closed-captioning service continues'' and inserting ''closed-captioning service and video description service continue''.

(d) IMPLEMENTING REGULATIONS.—

(1) IN GENERAL.—The Federal Communications Commission shall, after consideration of the Advisory Committee reports required by section 201(e), prescribe such regulations as are necessary to implement the requirements of sections 303(u), 303(z), and 330(b) of the Communications Act of 1934, as amended by this section, needed for the transmission of—

(A) closed captioning within 6 months after the submission to the Commission of the Advisory Committee report required by section section 201(e)(1); and

(B) video description and emergency information within 12 months after the submission to the Commission of the Advisory Committee report required by section section 201(e)(2).

(2) ALTERNATE MEANS.—An entity may meet the requirements of sections 303(u), 303(z), and 330(b) of the Communications Act of 1934 through alternate means than those prescribed by regulations pursuant to paragraph (1) if the requirements of such sections are met, as determined by the Commission.

SEC. 204. USER INTERFACES ON DIGITAL APPARATUS.

(a) AMENDMENT.—Section 303 of the Communications Act of 1934 (47 U.S.C. 303) is further amended by adding after subsection (z), as added by section 203 of this Act, the following new subsection:

''(aa) Require—

''(1) if achievable (as defined in section 716), that digital apparatus designed to receive or play back video programming, that are shipped in interstate commerce or manufactured in the United States, transmitted in digital format simultaneously with sound, including apparatus designed to receive or display video programming transmitted in digital format using Internet protocol, be designed, developed, and fabricated so that control of all built-in apparatus functions are accessible to and usable by individuals with disabilities;

''(2) that if on-screen text menus or other visual indicators built in to the digital apparatus are used to access the functions of the apparatus described in paragraph (1), such functions shall be accompanied by audio output that is either integrated or peripheral to the apparatus, so that such menus or indicators are accessible to and usable by individuals who are blind or have a visual impairment in real-time;

''(3) that built-in user controls on such apparatus shall be capable of accessing closed captioning, including—

''(A) if a remote control is provided with the apparatus—

''(i) a button, key, or icon on the remote control of such apparatus designated for activating closed captioning; or

''(ii) any other mechanism that provides a substantially equivalent level of accessibility; and

''(B) if on-screen menus are displayed on such apparatus—

''(i) the inclusion of 'closed captions' and 'video description' on the first menu that appears; or

''(ii) any other mechanism that provides a substantially equivalent level of accessibility; and

''(4) that in applying this subsection the term 'apparatus' does not include a navigation device, as such term is defined in section 76.1200 of title 47, Code of Federal Regulations.''.

(b) IMPLEMENTING REGULATIONS.—

(1) IN GENERAL.—Within 12 months after the submission to the Commission of the Advisory Committee report required by section 201(e)(2), the Commission shall prescribe such regulations as are necessary to implement the amendments made by subsection (a).

(2) ALTERNATE MEANS.—An entity may meet the requirements of sections 303(aa) of the Communications Act of 1934 through alternate means than those prescribed by regulations pursuant to paragraph (1) if the requirements of such section are met, as determined by the Commission.

(c) DEFERRAL OF COMPLIANCE WITH ATSC MOBILE DTV STANDARD A/153.—A digital apparatus designed and manufactured to receive or play back the Advanced Television Systems Committee's Mobile DTV Standards A/153 shall not be required to meet the requirements of the regulations prescribed under subsection (b) for a period of not less than 24 months after the date on which the final regulations are published in the Federal Register.

SEC. 205. ACCESS TO VIDEO PROGRAMMING GUIDES AND MENUS PROVIDED ON NAVIGATION DEVICES.

(a) AMENDMENT.—Section 303 of the Communications Act of 1934 (47 U.S.C. 303) is further amended by adding after subsection (aa), as added by section 204 of this Act, the following new subsection:

''(bb) Require—

''(1) if achievable (as defined in section 716), that the on-screen text menus and guides provided by navigation devices (as such term is defined in section 76.1200 of title 47, Code of Federal Regulations) for the display or selection of multichannel video programming are audibly accessible in real-time upon request by individuals who are blind or have a visual impairment, except that the Commission may not specify the technical standards, protocols, procedures, and other technical requirements for meeting this requirement; and

''(2) for navigation devices with built-in closed captioning capability, access to such capability through a button, key, or icon designated for activating the closed captioning, or through any other mechanism that provides a substantially equivalent level of accessibility.''

(b) IMPLEMENTING REGULATIONS.—

(1) IN GENERAL.—Within 12 months after the submission to the Commission of the Advisory Committee report required by section 201(e)(2), the Commission shall prescribe such regulations as are necessary to implement the amendment made by subsection (a).

(2) EXEMPTION.—Such regulations may provide an exemption from the regulations for cable systems serving 50,000 or fewer subscribers.

(3) RESPONSIBILITY.—An entity shall only be responsible for compliance with the requirements added by this section with respect to navigation devices that such entity provides to a requesting individual who is blind or has a visual impairment and shall make reasonable efforts to make such requirements known to consumers.

(4) SEPARATE EQUIPMENT OR SOFTWARE.—

(A) IN GENERAL.—Such regulations shall permit but not require the entity providing the navigation device to the requesting individual who is blind or has a visual impairment to comply with section 303(bb)(1) of the Communications Act of 1934 (as added by subsection (a) of this section) through such entity's use of software, a peripheral device, specialized consumer premises equipment, a network-based service, or other solution, and shall provide such entity with the flexibility to select the manner of compliance.

(B) REQUIREMENTS.—If an entity complies with section 303(bb)(1) of the Communications Act of 1934 (as added by subsection (a) of this section) under subparagraph (A) of this paragraph, such entity shall provide any such software, peripheral device, equipment, service, or solution at no additional charge and within a reasonable time to such individual.

(5) USER CONTROLS FOR CLOSED CAPTIONING.—Such regulations shall permit the entity providing the navigation device maximum flexibility in the selection of means for compliance with section 303(bb)(2) of the Communications Act of 1934 (as added by subsection (a) of this section).

(6) PHASE-IN.—

(A) IN GENERAL.—The Commission shall provide affected entities with—

(i) not less than 2 years after the adoption of such regulations to begin placing in service devices that comply with the requirements of section 303(bb)(2) of the Communications Act of 1934 (as added by subsection (a) of this section); and

(ii) not less than 3 years after the adoption of such regulations to begin placing in service devices that comply with the requirements of section 303(bb)(1) of the Communications Act of 1934 (as added by subsection (a) of this section).

(B) APPLICATION.—Such regulations shall apply only to devices manufactured or imported on or after the respective effective dates established in subparagraph (A).

SEC. 206. DEFINITIONS.

In this title:

(1) ADVISORY COMMITTEE.—The term ''Advisory Committee'' means the advisory committee established in section 201.

(2) CHAIRMAN.—The term ''Chairman'' means the Chairman of the Federal Communications Commission.

(3) COMMISSION.—The term ''Commission'' means the Federal Communications Commission.

(4) EMERGENCY INFORMATION.—The term ''emergency information'' has the meaning given such term in section 79.2 of title 47, Code of Federal Regulations.

(5) INTERNET PROTOCOL.—The term ''Internet protocol'' includes Transmission Control Protocol and a successor protocol or technology to Internet protocol.

(6) NAVIGATION DEVICE.—The term ''navigation device'' has the meaning given such term in section 76.1200 of title 47, Code of Federal Regulations.

(7) VIDEO DESCRIPTION.—The term ''video description'' has the meaning given such term in section 713 of the Communications Act of 1934 (47 U.S.C. 613).

(8) VIDEO PROGRAMMING.—The term ''video programming'' has the meaning given such term in section 713 of the Communications Act of 1934 (47 U.S.C. 613).

TITLE III—PAYGO COMPLIANCE

SEC. 301. PAYGO COMPLIANCE.

The budgetary effects of this Act, for the purpose of complying with the Statutory Pay-As-You-Go Act of 2010, shall be determined by reference to the latest statement titled ''Budgetary Effects of PAYGO Legislation'' for this Act, submitted for printing in the Congressional Record by the Chairman of the House Budget Committee, provided that such statement has been submitted prior to the vote on passage.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Massachusetts (Mr. MARKEY) and the gentleman from Florida (Mr. STEARNS) each will control 20 minutes.

The Chair recognizes the gentleman from Massachusetts.

GENERAL LEAVE

Mr. MARKEY of Massachusetts. 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 materials in the RECORD.

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

There was no objection.

Mr. MARKEY of Massachusetts. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, it is great to see you, my colleague from New England, presiding in the chair today at this historic moment. You are always going to have a permanent place in the history of our country. You are a great leader and an inspiration to all of us. And everything that we are doing today is inspired by your incredible personal courage. With the incredible example that your service to the House is providing, I am confident that you will not be the last who will sit up there and preside, but only the first in a long line.

Now since I introduced the legislation before us today, we have engaged in a bipartisan, extensive, and constructive process with stakeholders to find common ground on the legislative language and to move forward with this bill. I want to thank the leadership of Chairman HENRY WAXMAN, without whom we would not be here today, RICK BOUCHER, who worked over the last year to construct this legislation before us, to CLIFF STEARNS from Florida, who worked in a bipartisan fashion to craft this historic legislation which we are about to consider, to JOE BARTON from Texas, who ensured that from the very beginning this would be a bipartisan effort that we would put together in order to pass the historic legislation that is today before us.

I would like to think that Helen Keller and Annie Sullivan are looking down on us here this afternoon and that they are smiling. This picture of the two of them was taken in 1888 in Brewster, Massachusetts, on Cape Cod. I am so proud to have the Perkins School for the Blind, where Annie Sullivan graduated and Helen Keller was educated, in my congressional district in Watertown, Massachusetts.

When they met 122 years ago, they were a stunning study in contrast: Alabama and Massachusetts, a daughter of the south, a young woman of Irish descent traveling south from Boston. Nevertheless, they changed the world together, these two miracle workers.

□ 1500

They shattered expectations about what a person who was deaf or blind could achieve. Now, I am an American of Irish heritage from Boston, and my

mother was a Sullivan. She always told me that her relatives were a particularly smart and determined lot, but I can only imagine the bottomless resolve and resilience Annie Sullivan must have needed to navigate her way in the South in the aftermath of the Civil War.

Whether it is a Braille reader or broadband connection access to technology, it is not a political issue. It is a participation issue. Each of us should be able to participate in the world to the fullest extent possible; and the latest communications, video services and devices can enrich and ennoble how Americans experience and enjoy their lives.

We are debating this bill today on the 20th anniversary of the Americans with Disabilities Act, which the first President George Bush signed into law, underscoring the nonpartisan nature of this vital issue. The 20th anniversary is an opportunity to look back and to reflect on the progress which we have made. Coming out of the Energy and Commerce Committee's Telecommunications Subcommittee over the last two decades have been a whole series of legislative initiatives aimed at broadening the disabled community's access to technologies that can help them do things that most Americans take for granted.

In 1990, we made sure that Americans who are deaf could make telephone calls. In 1990, we mandated that television shows be closed-captioned for the deaf so that they could enjoy the same entertainment and other programming as other Americans. Many deaf and hard-of-hearing people say that closed-captioning is the single modern accessibility technology that has changed their lives the most. Then, in 1996, we inserted language which required the accessibility of all telephone equipment, including telephones, telephone calls, call waiting, speed dialing, caller ID, and related services.

Two decades ago, Americans with disabilities couldn't get around if buildings weren't wheelchair accessible. Today, they can't get around without being Web accessible. That is what we are talking about here today. Twenty years ago, the ADA mandated physical ramps into buildings. Today, individuals with disabilities need online ramps to the Internet so that they can get to the Web from wherever they happen to be.

From the time of Heller Keller and Annie Sullivan through the Americans with Disabilities Act, to closed-captioning for television programming, to the ability of the deaf to make telephone calls, and now to the 21st Century Communications and Video Accessibility Act on the floor today, we have made important progress. We have moved from Braille to broadcast TV, from broadband to the BlackBerry. We have moved to ensure that, in each area and today, we move to the Internet to ensure that everyone in our country has access to this key information technology.

Annie Sullivan used special language. She spelled in Helen Keller's palm. In the 21st century, we have moved from tracing the letters of the alphabet in a palm to navigating a Palm-Pilot, and we must make sure that all of these modern devices are accessible. Annie Sullivan was an incredibly dedicated and determined teacher. Now technology needs to be the teacher—the constant companion providing instruction and access to the world and opportunities that otherwise would be out of reach.

By age 10, Helen Keller had mastered reading, Braille and manual sign language. She then wanted to learn how to speak. At the Horace Mann School for the Deaf in Boston, Helen took lessons. Then Annie took over and worked with Helen. Helen did learn to speak, and Helen Keller is still speaking to us today about how all of us should make the most of our abilities and participate in society to the fullest, but we need the technologies to make that possible for every American.

The bill we are considering today significantly increases accessibility for Americans with disabilities to the indispensable telecommunications and video technology tools of the 21st century by making Web access easier through improved user interfaces for smartphones; by enabling Americans who are blind to enjoy TV fully through audible descriptions of the on-screen action; by making cable TV program guides and selection menus accessible to people with vision loss; by providing Americans who are deaf the ability to watch new TV programs online with the captions included; by mandating that remote controls have a button or a similar mechanism to easily access the closed-captioning on broadcast and pay TV; by requiring that telecom equipment used to make calls over the Internet is compatible with hearing aids; and by providing a share of the total of $10 million per year of funding to purchase Internet access and telecom services for low-income Americans who are deaf and blind so that these individuals can more fully participate in society.

Today's miracle worker—today's technology, today's ability to be able to provide the technologies that people need today—is one that, as we move forward, we have to make sure has the accessibility for all Americans. That technology is the iPad. The iPad is something that today makes it possible for Annie Sullivan and Helen Keller to be able to access with a touch the technologies that the Helen Kellers and the Annie Sullivans of today need in order to be able to communicate with each other and with all of the rest of us. So it is not just like touching the palm like it was in Annie and Helen's day. It's about touching the pad, touching these devices, having them speak to them, and having the ability to be able to speak back in a way that has a conversation with all of the rest of us in society.

This morning, I did a teleconference with a group of phenomenal students from the Perkins School for the Blind and the Carroll Center for the Blind. These young people were born before President Bush signed the ADA into law. They were born before the BF era, before Facebook. That's how long ago all of this is. These two schools are led by two extraordinary visionaries who serve with amazing passion and commitment—Steve Rothstein of Perkins and Mike Festa of Carroll.

Opportunity, independence, equal access for all—that's what this legislation is all about. These are timeless American values that were as relevant when Annie Sullivan and Helen Keller were working together as they are today. When we maximize participation for all Americans, we move forward as a country. When we expand the circle of inclusion, we evolve as a people. When we increase accessibility for Americans with disabilities, we get closer to fulfilling the ideals of our Nation's Founders that all men and women are endowed by their Creator with certain inalienable rights. Among these are life, liberty and the pursuit of happiness.

This legislation which we are considering today is intended to increase access for all Americans with disabilities to the technological tools to succeed in today's interconnected world.

Again, I want to thank the entire disabled community, the deaf and the blind communities that have advocated for years for this incredible revolution that is happening here on the floor of the House of Representatives today. We are in your debt for being the advocates, for being the witnesses to history so that we make this change today.

Again, I want to thank Chairman WAXMAN, Mr. BOUCHER, Mr. BARTON, Mr. STEARNS, and all of the Members who worked together in order to make today the great historic success it is going to be.

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

□ 1510

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

Let me also, at this point, thank Mr. MARKEY for his eloquent remarks. But also, he is steadfast in pushing this bill. He has been working on this bill for almost 4 years.

Oftentimes, when you come to the floor on a suspension like this, many Members do not realize the amount of work that goes into a bill like this. And I know the ranking member before Mr. MARKEY had talked to us about the possibility of this 2 years ago, 3 years ago, 4 years ago, so I'm glad it's culminated as it is today, 20 years after the anniversary of the Americans with Disabilities Act.

And obviously, I'd also like to compliment the gentleman from Rhode Island for being in the chair. It's altogether appropriate, historic and important.

I think many of us have come out of the House floor and walked into the halls of Congress and saw veterans in wheelchairs. We've seen men and women without legs. We've seen men and women without arms, hands, some of them practically blind. Shouldn't they have the opportunity to come back from Afghanistan and Iraq and have the full benefits of the electronic media? Before this bill passed, they might not have had the complete opportunity, but now, with this bill they will.

So I rise in strong support of H.R. 3101, the Twenty-First Century Communications and Video Accessibility Act. We know there's all kinds of new devices coming on. Mr. MARKEY mentioned the iPad.

And as I mentioned, it's important that people with disabilities are not left behind, have access and are afforded the opportunity to enjoy this wide variety of technology. And in many cases, through the Internet it's going to be life saving, through telemedicine and from other ways that we can help the handicapped, the people that are at home through emergency calls, and, ultimately, the D spectrum, when we have that kind of spectrum set aside just for safety and security.

Whenever you do a bill like this, it gets complicated, because lots of people want to use a lot of mandates for the United States Government to mandate through the FCC. But I think, as Mr. MARKEY pointed out with the iPad, oftentimes industry can come to the front and voluntarily do it.

We, in the United States Congress, if we mandate certain technologies, we attempt to pick winners or losers. The best approach to ensuring accessibility is to establish accessibility goals, but not dictate how to accomplish them. We need to encourage innovation to flourish and, my colleagues, this bill does that.

Now, obviously, all legislation we bring up here is not perfect, and this bill, obviously, needs some additional improvements. Perhaps the FCC can do that. Nevertheless, I think, as Mr. MARKEY pointed out, through the bipartisan process we have had here, Republicans and Democrats, we achieved a consensus, which is not altogether an everyday occurrence here in Congress.

So I think, in many ways, we can compliment ourselves, both as Democrats and Republicans, that we came together on a very important issue which affects a huge number of manufacturing companies in this United States and throughout the world. We came together in a consensus.

And, of course, I would like to thank Chairman WAXMAN for doing this, Subcommittee Chairman BOUCHER from Virginia, JOE BARTON, the ranking member from Texas, and my staff, particularly Neil, who worked with the Democrat staff to bring this consensus together. A collaboration of this kind doesn't often happen in such a short amount of time.

My main concern was that the legislation was extremely broad in its original scope, and included unnecessary mandates. Changes that were adopted at the committee markup addressed many of my concerns. Language was added that explicitly states that the relevant section shall not be construed to require every feature and every function of every device or service to be accessible for every disability.

So that the record is clear regarding the intentions that underlie this bill, I want to offer some guidance to the FCC regarding the way it should view several key provisions in this legislation.

First, my colleagues, the bill creates a new achievable standard to guide manufacturers' and service providers' efforts to provide accessibility to the disabled. Under section 255 of the Communications Act, telecommunications services and equipment must be accessible if the provision of accessibility is ''readily achievable.''

As introduced, H.R. 3101 proposed moving to a significantly higher standard under which accessibility would be required unless it imposed an ''undue burden.'' The ''achievable'' standard we adopt today is a compromise, a very simple compromise, very important compromise, between these two positions.

The committee also recognized that it is not necessary for a manufacturer or service provider to make every piece of equipment or service accessible, if it offers or directs such person to functionally equivalent accessible alternatives to the equipment or service in question. This was a source of concern and confusion by many Members, and contention, early in the legislative process. And I'm pleased that this bill we are considering today resolves this issue by adopting clarifying language that makes this point in a clear and unambiguous manner.

Finally, my colleagues, the bill before us also recognizes that advanced communication services and applications may be offered by third parties, and that manufacturers and network operators should not be held responsible for ensuring these third party advanced communication services comply with the act.

Thus, section 2 makes clear that no person is liable for a violation of this Act to the extent that such person transmits, routes or provides intermediate or transient storage for content or communications, or provides an information location tool used to obtain access to content or information. These are the details that make for a sound bill.

As I said previously, this legislation is not perfect, but it is much, much improved due to the hard work of industry and the disability community who came together, and the staff on both sides of the aisle. This legislation, Mr. Speaker, goes a long, long way to ensuring that people with disabilities can utilize all the new and exciting products, services and applications in the years ahead. I urge its passage.

And for those veterans coming home, this will ensure that you have access to those new financial programs, those new video devices, those new devices that are going to make your life a lot easier.

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

Mr. MARKEY of Massachusetts. The legislation would not be here today without the incredible leadership of the Chairman of the Energy and Commerce Committee. He resolved the most nettlesome of issues in the final week in a way that has made it possible for us to bring this historic legislation here to the floor. I yield 3 minutes to the gentleman from California (Mr. WAXMAN).

Mr. WAXMAN. Mr. Speaker, I'm pleased to rise in support of this very important legislation.

It was in 1934 when the Communications Act was adopted that it set out that they would have the goal, in this country, of making available, so far as possible, to all people without discrimination on the basis of race, color, religion, national origin or sex, a rapid, efficient, nationwide, and worldwide wire and radio communications service.

Well, this legislation before us today furthers this core principle by ensuring that Americans with disabilities can access the latest communications technology. It's only fitting that we're taking this bill up today, the 20th anniversary of the landmark Americans with Disabilities Act.

Although the ADA remains a critical protection for Americans with disabilities, our communications laws have not been updated since 1996 when Congress required that plain old telephone service be accessible to individuals with disabilities.

Fourteen years is more than a lifetime in technology policy, especially in the Internet age. The world of communications has been transformed, and we need to update relevant laws so that individuals with disabilities can share in the amazing benefits these products and services have to offer.

□ 1520

H.R. 3101 updates these laws in a number of important ways. Among other things, the bill requires that advanced communications services such as videoconferencing and text messaging be accessible to individuals with disabilities. It ensures that Internet browsers on smartphones are accessible, and that TV programming distributed over the Internet contains captions. It reinstates video description rules designed to ensure that individuals with vision impairment have better access to TV programming, and it ensures the emergency alert scrolls that warn consumers of hazardous weather and other conditions can be heard by those who have vision impairments.

Although the legislation requires access to up-to-date communications devices and video programming for individuals with disabilities, it's crafted to

allow the industry great flexibility in achieving these goals. Given the pace of technological change, industry should be allowed to meet the bill's requirements by utilizing the best, least expensive technology or application. So not only is the legislation the right thing to do for the millions of Americans with disabilities, it is friendly to business and encourages innovative solutions.

I would like to recognize the bill's sponsor, Mr. MARKEY, for his ongoing dedication and passion for this cause. I want to commend Chairman BOUCHER for his leadership in guiding the bill through his subcommittee. I want to thank Ranking Member BARTON and Ranking Member STEARNS as well, and their staff, for their very significant contributions to this bill.

As I said when we marked up this legislation at the Energy and Commerce Committee, H.R. 3101 is truly bipartisan, a consensus measure. It demonstrates what Congress can accomplish when we work together. H.R. 3101 will improve the lives of millions of Americans. And on this 20th anniversary of the Americans with Disabilities Act, I urge every Member to vote in support of this measure.

Mr. STEARNS. Mr. Speaker, I just want to speak briefly and sort of follow up with the gentleman from Massachusetts when he displayed in his hand the iPad.

I think it's a good example of what Apple has done with the iPad and how they voluntarily went about to help the people who are impaired by sight and hearing. They took the necessary steps to make certain that their product and their applications are acceptable to all people.

For example, when you look at the iPad, all of us think it's sort of, in a way, revolutionary. It gives you, at a touch of the fingers, an opportunity to go through and look at newspapers and magazines, to go on the Internet, to check your email effortlessly. It's sort of using technology that's breakthrough.

Is it possible that this breakthrough technology could help people who are disabled? Absolutely.

For example, Mr. Speaker, the iPad comes with a screen reader, support for playback of the closed caption content, and other innovative universal access features. This was done right out of the box. Apple did this voluntarily. These features make iPad easier to use for people who have vision impairment, are deaf or hard of hearing, or if they have a physical or learning disability. In addition, the iPad includes VoiceOver, a gesture-based screen reader for the blind. Instead of memorizing keyboard commands or pressing tiny arrow keys, you can simply touch the screen to hear a description of the item under your finger, then double-tap, drag, or flip to control the iPad.

VoiceOver speaks 21 languages and works with all of the applications built into the iPad. Let me repeat that. The VoiceOver speaks 21 languages and works with all the applications built into the iPad—a phenomenon. Apple also enables software developers to create applications for iPad that work with VoiceOver.

Furthermore, every iPad can display subtitles and closed captioning for the deaf and hard of hearing when playing movies and podcasts that support it. Movies and podcasts with closed captioning are available on the iTunes Store, and can be downloaded directly to iPad or synced to the iPad using iTunes.

It is important for my colleagues to remember that a company like Apple included these features without any government mandate. This suggests that the broader market could be providing better access to people with disabilities than it does today. This bill will go a long way towards doing that.

The FCC should remember, when they come asking for comments, when they have responses, and they have an advisory committee that's all involved with this, the key for the FCC is for them to be flexible in their response so that industry, like Apple did with the iPad, has the flexibility to develop the most sound and comprehensive ways to help our disabled today.

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

Mr. MARKEY of Massachusetts. Mr. Speaker, would you advise us as to how much time is remaining on either side?

The SPEAKER pro tempore. The gentleman from Massachusetts has 3½ minutes remaining, and the gentleman from Florida has 8½ minutes remaining.

Mr. MARKEY of Massachusetts. I reserve the balance of my time.

Mr. STEARNS. In conclusion, I think, as has been pointed out by Mr. MARKEY, this is a historic day. Twenty years ago, the Americans with Disabilities Act passed. I voted for it, I supported it. I think many people in my district and many of my friends have children who have disabilities. It's important that these individuals do not feel left out.

I think the eloquent arguments that we had 20 years ago are no less important today, particularly in light of the fact that the veterans that are coming home from Iraq and Afghanistan are coming home with disabilities that will impair them. And they're in their twenties. These are young men and women that want to work. And for many of them, they'd like to go back to their team, but they can't. They must find employment. They must, in many ways, adjust and transition.

How much better will it be if they can use the Internet, if they can use the wireless devices that we have? And not to mention the myriad of new devices that are coming out. How important is this for them? Very important. So, today, I join with Mr. MARKEY and others to commend him for his hard work here and his effort, and I urge all my colleagues to support this bill.

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

Mr. MARKEY of Massachusetts. I yield myself such time as I may consume.

I thank the gentleman from Florida again for his work on this legislation, and to Mr. BARTON and to all of the Members on the minority, we could not be here without their cooperation today.

This is a very complex piece of legislation. It's historic, but it required a lot of bipartisan work to bring us to this point.

I want to thank Neil Fried and Will Carty on the minority staff for their work on this legislation. On the majority side, I want to thank Roger Sherman, Tim Powderly, Amy Levine, Sarah Fisher. For many years, Colin Crowell, on my staff, worked on this legislation. But over the last 1 year, Mark Bayer has worked every day on this bill. And I thank you, Mark, for your incredible effort on this issue. We could not be here without the incredible work that was put in by all of these people.

Back 20 years ago, we had a force of nature, Tony Coelho, the majority whip, who said it's time for us to ensure that all Americans have access to all this great bounty in our country. And he had a handicap himself, and he inspired all the rest of us. A force of nature. And former Congressman Tony Coelho is out here on the floor with us today, and he was an inspiration to us.

That inspiration was carried by STENY HOYER to ensure that that legislation did pass here in 1990. It was signed by President Bush into law. And all of the advances that were made thus far that make it possible for the historic moment where we have a Speaker who is sitting up there today, Mr. LANGEVIN from Rhode Island, and all the people who are using today's devices to gain access to the modern Internet technologies are benefited from the laws that have been put on the books today.

□ 1530

For the 21st century, this law may be the most important law. Because people now have wheelchair access, access to the Web. Access to information is what this century, this information century, is going to be all about. And the deaf and the blind, because of this legislation, will be able to make their contributions to our country and the world.

And let's not kid ourselves. The technologies that are developed here in the United States are going to spread across the whole world for every deaf and blind person. And that's quite a gift that the people who are here in the Congress can make.

So I thank the community. I thank you all. I know that so many of you are here and so many of you are watching and listening. I can only pledge to you that we will continue to ensure that access is something that we guarantee

as a right to be an American in every year that we will serve here in Congress.

Mr. Speaker, it's my honor to have been here on the floor with you presiding over this historic 21st century legislation. You are the right person to be here to create a ramp for the Internet, for the 21st century, for all Americans. I urge an ''aye'' vote on this legislation.

Mr. BOUCHER. Madam Speaker, today the House takes up a very important measure introduced by our colleague Mr. MARKEY that seeks to update the laws governing access to communications services by individuals with disabilities. Floor consideration of this measure marks the end of two years of effort by the gentleman from Massachusetts, and I commend him for his dedication to this critical issue.

I would also like to recognize the gentleman from Rhode Island, Mr. LANGEVIN, who is presiding over the House of Representatives for the first time today. Mr. LANGEVIN co-chairs the Bipartisan Disabilities Caucus and has been a champion of efforts to make the Capitol complex, including the Speaker's rostrum, accessible. It is therefore fitting that he is in the Chair as we consider this bipartisan, historic measure to make much needed updates to our communications laws.

Today marks the 20th anniversary of the Americans with Disabilities Act. It is a significant milestone, and we have come a long way in the two decades since 1990.

We have also seen significant technological change since Congress enacted the ADA, including the emergence of the Internet as a core communications infrastructure; the daily use by many Americans of email, text messaging and video conferencing both at home and at work; and increasing use of the Internet to view video programming.

It is therefore timely to update our communications laws to ensure that new technologies are accessible to individuals with visual or hearing impairments.

As we learned at a legislative hearing before the Subcommittee on Communications, Technology, and the Internet on this measure last this month, there are close to one million Americans who have severe or profound hearing loss and more than one million who are legally blind. Four percent of our population has great difficulty hearing, and an additional three percent are visually impaired.

Moreover, as much as some of us might not want to admit it, Americans are aging. There are approximately 40 million people over the age of 65 living in the United States today, or 13 percent of the population. One estimate shows that by 2050, that number will more than double to 88.5 million, or an estimated one-fifth of the population. Naturally, this growth will be accompanied by an increase in the number of Americans who are vision or hearing-impaired and who will need accessible communications products and services.

With the explosion in Internet-delivered services, both the variety of information and entertainment offerings and the complexity and variety of the devices that receive those services have multiplied. Our challenge is to assure that all Americans can benefit from those advances, including individuals with vision or hearing impairments.

The measure we take up today:

Requires that advanced communications services, including voice over Internet protocol, electronic messaging and video conferencing services, are accessible to the disabled if doing so is achievable.

Sets forth a list of factors the Federal Communications Commission shall consider to determine if making a product or service accessible is achievable, including whether the manufacturer or service provider makes available a range of accessible products with varying functionality and offered at different price points. A manufacturer or service provider may make a product accessible either by embedding accessibility in the device or relying on third-party applications that are available to consumers at nominal cost. To avoid stifling innovation, H.R. 3101 also allows the Commission to waive the accessibility requirements for small entities.

Requires the closed captioning of video programming on the Internet that has been displayed on television.

Reinstates Commission regulations regarding the provision of video described video programming that were previously invalidated by the D.C. Circuit Court of Appeals on jurisdictional grounds and allows for future expansion of the video description requirements.

Requires that emergency information, such as screen crawls, be made accessible to persons with disabilities.

Ensures that Internet browsers on smart phones enable the disabled to navigate the Internet, if doing so is achievable.

Ensures that the Commission does not, in implementing the requirements of the Act, mandate the use of any technology that might result in one entity unfairly profiting from such a mandate or requirement.

These and other provisions in this measure will help ensure that persons with disabilities are not left behind as communications technology continues to advance.

I appreciate all of the stakeholders who have been working diligently with myself, Chairman WAXMAN, Mr. MARKEY, Ranking Members BARTON and STEARNS and our staffs on a bipartisan basis to reach consensus on this measure. I look forward to our continued work together to promote accessibility and innovation, as well as to House passage of this historic legislation.

Mr. MARKEY of Massachusetts. I yield back the balance of my time.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. The Chair will remind all persons in the gallery that they are here as guests of the House and that any manifestation of approval or disapproval of proceedings is in violation of the rules of the House.

The question is on the motion offered by the gentleman from Massachusetts (Mr. MARKEY) that the House suspend the rules and pass the bill, H.R. 3101, as amended.

The question was taken.

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

Mr. MARKEY of Massachusetts. 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.

RECESS

The SPEAKER pro tempore. Pursuant to clause 12(a) of rule I, the Chair declares the House in recess for a period less than 15 minutes.

Accordingly (at 3 o'clock and 31 minutes p.m.), the House stood in recess subject to the call of the Chair.

□ 1540

AFTER RECESS

The recess having expired, the House was called to order by the Speaker pro tempore (Ms. RICHARDSON) at 3 o'clock and 40 minutes p.m.

HONORING SOJOURN TO THE PAST ON ITS 10TH ANNIVERSARY

Mr. POLIS. Madam Speaker, I move to suspend the rules and agree to the resolution (H. Res. 1058) honoring and praising the Sojourn to the Past organization on the occasion of its 10th anniversary, as amended.

The Clerk read the title of the resolution.

The text of the resolution is as follows:

H. RES. 1058

Whereas the civil rights movement helped to better the lives of millions of people and secured equality, civil rights, and human rights for all people in the Nation;

Whereas in 1999, California public high school teacher Jeff Steinberg combined a civil rights history lesson and a field trip to civil rights movement landmarks to create the educational program Sojourn to the Past;

Whereas Sojourn to the Past takes high school students on a 10-day excursion along the path of the civil rights movement in the Southern United States, engaging them with historical sites and talks with prominent veteran leaders of the civil rights movement;

Whereas the goal of Sojourn to the Past is to inspire students to become civic leaders with a duty and ability to unite people in the communities in equality and justice, through knowledge, understanding, and compassion;

Whereas Sojourn to the Past is the longest running civil rights education and outreach program in the United States;

Whereas Sojourn to the Past has conducted 55 sojourns and introduced over 5,000 high school juniors and seniors to the lessons, locations, and leaders of the civil rights movement;

Whereas Sojourn to the Past teaches high school students how the history of the civil rights movement is relevant to ending discrimination, violence, hatred, bigotry, and inequity in schools and communities;

Whereas Sojourn to the Past's mission of making the civil rights movement relevant for younger generations strengthens society in the United States by promoting civil rights and equality; and

Whereas Sojourn to the Past continues to teach younger generations of people in the United States about the civil rights movement and challenges young people to define and defend individual conceptions of justice

in communities and classrooms: Now, therefore, be it

Resolved, That the House of Representatives—

(1) recognizes the 10th anniversary of the founding Sojourn to the Past; and

(2) honors and praises Sojourn to the Past on the occasion of its anniversary, and for its work in educating the next generation of people in the United States about the civil rights movement and the importance of social justice.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Colorado (Mr. POLIS) and the gentleman from Wisconsin (Mr. PETRI) each will control 20 minutes.

The Chair recognizes the gentleman from Colorado.

GENERAL LEAVE

Mr. POLIS. Madam Speaker, I request 5 legislative days during which Members may revise and extend and insert extraneous materials on House Resolution 1058 into the RECORD.

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

There was no objection.

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

Madam Speaker, I rise today in strong support of House Resolution 1058, which honors the 10th anniversary of Sojourn to the Past, an educational program dedicated to developing students' appreciation for an understanding of the Civil Rights Movement.

The Civil Rights Movement transformed the United States of America, ensuring legal equality and civil rights for all people in our country regardless of race or ethnicity.

Educator Jeff Steinberg understood the importance of teaching the meaning of the civil rights movement when, 11 years ago, he decided to lead a school trip to several civil rights landmarks. That field trip quickly grew into its own education and outreach program, engaging approximately 100 high school students in three trips each year through visits to historical sites and discussions with prominent veteran leaders of the civil rights era. The students visit five States and landmarks, including the Edmund Pettus Bridge; the site of the Bloody Sunday march of 1965, in Selma, Alabama; Central High School in Little Rock, Arkansas; and the National Civil Rights Museum in Memphis, Tennessee.

More than 10 years later, Sojourn to the Past has its own rich history, inspiring students to become civic leaders for the 21st century with a base of awareness of the importance of the civil rights movement of the 20th century. Newfound knowledge and personal understanding of the civil rights movement, these sojourners, these high school students, reflect on how they can fight to end discrimination, bigotry, and inequality in their own schools and their own communities.

Today, more than 5,000 high school juniors and seniors have learned these lessons through participation in Sojourn to the Past. Just like civil rights leaders before them, these students will take responsibility for ending discrimination and promoting equality for all Americans moving forward.

Madam Speaker, I would like to thank a great civil rights leader, who I am deeply honored to serve with in the House of Representatives, Representative JOHN LEWIS, for introducing this important resolution and serving on the Sojourn National Advisory Committee.

I reserve the balance of my time.

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

I rise in support of House Resolution 1048, honoring and praising the Sojourn to the Past organization on the occasion of its 10th anniversary. Since 1999, Sojourn to the Past, a nonprofit organization, has taken thousands of students out of the classroom and across the country for a life-changing educational experience via hands-on lessons on the civil rights movement. Through a sometimes emotional and eye-opening 10-day journey through a period of segregation in the Deep South, students learn the history of the civil rights movement in the United States.

Sojourn to the Past is the longest-running civil rights education and outreach program in the United States. It has conducted 55 sojourns and introduced over 5,000 high school juniors and seniors to the history of the civil rights movement. This organization teaches high school students how the lessons of the civil rights movement are still relevant today.

We recognize Sojourn to the Past for teaching younger generations of people about the history of the civil rights movement and challenging them to make a difference in their schools and their communities, and I support this resolution.

I reserve the balance of my time.

Mr. POLIS. Madam Speaker, it is my honor to yield such time as he may consume to the gentleman from Georgia (Mr. LEWIS).

Mr. LEWIS of Georgia. I want to thank my friend and colleague from Colorado and my friend and colleague from Wisconsin for bringing this resolution before us.

Madam Speaker, I want to thank the chairman and the ranking member of the Education and Labor Committee for their support of this bill, and the Majority Leader for his support and for bringing this resolution to the floor.

Madam Speaker, this year marks the 10th anniversary of an outstanding organization called Sojourn to the Past, the longest-running civil rights program in the United States. Sojourn to the Past was founded by Jeff Steinberg, an inspired American history high school teacher from northern California. He started by taking his students on a 10-day field trip to the South to see where the most important moments of the civil rights movement actually happened. He took them to places like Atlanta, Tuskegee, Montgomery, Birmingham, and Selma. He took them to Jackson, Little Rock, and Memphis.

While on these journeys, young people meet the leaders of the movement. They get out of the classroom and visit historic places that marked the time.

Through this program, I believe young people grow more informed about the movement. They learn how it changed our country and our society, and they are changed. They become better human beings and better citizens not just of the United States but of the world.

Since it began, Sojourn to the Past has taken over 5,000 high school students on these journeys, teaching them about the importance of social justice and the philosophy and the discipline of nonviolence. Like the civil rights movement itself, it challenges people to think about their own values and about what kind of country they want America to be.

Madam Speaker, I invite all of my colleagues to join with all of us in honor of this important organization.

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

Mr. POLIS. Madam Speaker, I once again express my support for House Resolution 1058, which honors the 10th anniversary of Sojourn to the Past, to help young Americans understand the importance and the history of the very recent civil rights movement in this country. I urge my colleagues to join me in supporting this resolution.

I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Colorado (Mr. POLIS) that the House suspend the rules and agree to the resolution, H. Res. 1058, as amended.

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

A motion to reconsider was laid on the table.

HONORING DR. JANE GOODALL

Mr. POLIS. Madam Speaker, I move to suspend the rules and agree to the resolution (H. Res. 1543) honoring the educational significance of Dr. Jane Goodall's work on this the 50th anniversary of the beginning of her work in Tanzania, Africa.

The Clerk read the title of the resolution.

The text of the resolution is as follows:

H. RES. 1543

Whereas, on July 14, 1960, Jane Goodall arrived at Gombe Stream Chimpanzee Reserve in western Tanzania, Africa;

Whereas Jane Goddall's research has led to numerous groundbreaking discoveries including the use of tools by chimpanzees;

Whereas these and other behavioral observations of chimpanzees forever changed human understanding of the differences between humans and other animal species;

Whereas between 1968 and 1986, Dr. Goodall published a collection of articles and books

that remain the foundational scientific works of chimpanzee and wildlife studies alike;

Whereas this included the publication by Harvard University Press of ''The Chimpanzees of Gombe: Patterns of Behavior'', which detailed the range of behaviors that make up the essential corpus of chimpanzee natural history and which remains today a critical reference of researchers in the field;

Whereas Dr. Goodall's writings not only formed the bedrock of the descriptive analytical study of chimpanzees, but they also altered the paradigm of the study of culture in chimpanzees and other animals, especially species with complex social behaviors;

Whereas in support of the research she began and to advance her vision, Dr. Goodall established the Gombe Stream Research Center in 1965 and the Jane Goodall Institute in 1977;

Whereas traveling the world approximately 300 days a year, she delivers dozens of lectures and engages with youth of all ages;

Whereas during the last half of the 20th century, she blazed a trail for and inspired other women primatologists, such that women now dominate long-term primate behavioral studies worldwide;

Whereas Dr. Goodall has been a role model for youth of all ages, inspiring boys and girls alike to take action for people, animals, and the environment; and

Whereas through her Jane Goodall Institute, she established the Roots & Shoots global youth program which now has members in more than 110 countries: Now, therefore, be it

Resolved, That the House of Representatives—

(1) recognizes the groundbreaking environmental education advancements by the Jane Goodall Institute's Roots and Shoots initiative on the 50th anniversary of the beginning of Dr. Jane Goodall's research;

(2) recognizes the significant role that the research done by Dr. Goodall has had on the knowledge and understanding of both the natural and human worlds, and its benefit to children and classrooms as they learn about the natural world; and

(3) recognizes the valuable role that nature and science education plays in the conservation of natural resources as evidenced through the work of Dr. Goodall.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Colorado (Mr. POLIS) and the gentleman from Wisconsin (Mr. PETRI) each will control 20 minutes.

The Chair recognizes the gentleman from Colorado.

GENERAL LEAVE

Mr. POLIS. Madam Speaker, I request 5 legislative days during which Members may revise and extend and insert extraneous materials on House Resolution 1543 into the RECORD.

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

There was no objection.

□ 1550

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

Madam Speaker, I rise today in support of House Resolution 1543, which honors my dear friend Dr. Jane Goodall on the 50th anniversary of the beginning of her important and ground breaking work in Tanzania, Africa. Dr. Goodall is an inspiring, world-renowned primatologist, and the world's foremost expert on chimpanzees. We celebrate the educational significance of her research launched at the Gombe Stream Chimpanzee Reserve 50 years ago and her continued scientific research and her environmental conservation of chimpanzees and other primates, as well as her role as a role model for young men and women in the sciences.

In keeping with her childhood fascination of chimpanzees, Dr. Goodall began studying the Kasakela chimpanzee community at Gombe Stream in 1960. In part because she didn't come from traditional research training, Dr. Goodall remained open to new ideas in the field and new approaches in primatology and research.

Her pioneering observations of primate behavior forever changed our understanding of the similarities between humans and other animal species, especially those with complex social behaviors. In particular, Dr. Goodall observed that chimpanzees construct and use tools, develop unique and affectionate relationships with family members and individuals in a complex social structure, exhibit reasoned thought and a concept of self, and occasionally eat food outside of a vegetarian diet.

A few years after her initial research, Dr. Goodall published a collection of articles and books that today remain the foundational scientific works of chimpanzee and wildlife studies. Her works, like the ''Chimpanzees of Gombe: Patterns of Behavior,'' and ''Through a Window: 30 Years Observing the Gombe Chimpanzees,'' detailed the range of behaviors that make up most of modern chimpanzee natural history, and they remain critical references for present-day students, researchers, and scientists. Dr. Goodall's research and publications also help inform the mission of the Jane Goodall Institute, which empowers individuals to improve the habitats of all living things through research, training, and increased awareness of animals, communities, and their environments.

Her efforts in education, including the Roots and Shoots program, which is available at elementary through secondary school levels to students across the world, has helped instill environmental learning and a whole new generation of future civic, scientific, and business leaders.

Dr. Jane Goodall was an inspiration to my own sister Jordana who acted as Jane Goodall in her fifth grade biology fair when we were growing up and went on to a career in science inspired in part like many millions of other young women by the example of Dr. Jane Goodall and her high-profile role at a time when there were very few women in the research sciences.

Madam Speaker, I would like to express my strong support for House Resolution 1543, which honors the 50th anniversary of Dr. Jane Goodall's research on chimpanzee behavior and celebrates her incredibly important educational and scientific contributions to the field. I urge my colleagues to join me in supporting this resolution.

I reserve the balance of my time.

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

I rise today in support of the resolution before us, House Resolution 1543, honoring the educational significance of Dr. Jane Goodall's work on this, the 50th anniversary of the beginning of her work in Tanzania, Africa.

Dr. Goodall is one of the world's foremost authorities on chimpanzees, having closely observed their behavior for the past quarter century in the jungles of the Gombe Game Reserve in Africa, living in the chimps' environment and gaining their confidence. Her observations and discoveries are internationally heralded. Her research and writings have made revolutionary inroads into scientific thinking.

Dr. Goodall received her Ph.D. from Cambridge University in 1965. She's been the science director of the Gombe Stream Research Center since 1967. In 1984, Dr. Goodall received the J. Paul Getty Wildlife Conservation Prize for ''helping millions of people understand the importance of wildlife conservation to life on this planet.'' Her other awards and international recognitions fill pages.

Dr. Goodall's scientific articles have appeared in many issues of National Geographic magazine. She has written scores of papers for internationally known scientific journals. Dr. Goodall has also written two books, ''Wild Chimpanzees'' and ''In the Shadow of Man.''

Dr. Goodall has expanded her global outreach with the founding of the Jane Goodall Institute based in Ridgefield, Connecticut. She now teaches and encourages young people to appreciate the conservation of chimpanzees and of all creatures, great and small. She lectures, writes, teaches and continues her missions in many inventive ways, including the Chimpanzee Guardian Project.

Today, we honor Dr. Jane Goodall for the significant role that her research has played in recognizing the behavioral differences in humans and other animal species.

I support this resolution and ask my colleagues to do the same.

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

Mr. POLIS. Madam Speaker, I once again would like to express my support for House Resolution 1543, which honors the 50th anniversary of Dr. Jane Goodall's research on chimpanzee behavior and celebrates her immense educational and scientific contributions to the field, as well as her life dedicated towards a sustainable future not only for humans but for all of the residents of our wonderful and fair planet.

Ms. JACKSON LEE of Texas. Madam Speaker, I rise today in strong support of H.

Res. 1543, "Honoring the educational significance of Dr. Jane Goodall's work on this the 50th anniversary of the beginning of her work in Tanzania, Africa."

Dr. Goodall once said: "Young people, when informed and empowered, when they realize that what they do truly makes a difference, can indeed change the world. They are changing it already." This is the creed in which Dr. Goodall has based her entire life's work. In May 1956, a friend of Dr. Goodall invited her to visit her farm in Kenya. She was so excited, she quit her job in London and moved back to Bournemouth so she could waitress and earn the fare she needed to get to Africa and back.

Dr. Goodall or "Jane," as she was known back then, was 23 years old at the time. Jane had a wonderful time seeing Africa but the single most important event of her time in Africa was meeting Dr. Louis Leakey, a famous anthropologist and paleontologist. Leakey hired Jane as his assistant and secretary at the Coryndon Museum and soon Jane and another young student were in the Olduvai Gorge digging up fossils with Dr. Leakey and his wife: anthropologist Mary Leakey.

Looking for someone to go to Tanzania and study the chimpanzees, Dr. Leakey found a willing assistant in Jane. Not much was known about wild chimpanzees at that time, Dr. Goodall figured that studying them would be a fascinating adventure.

With persistence, Dr. Jane developed a relationship with the chimpanzees and observed them doing things that only humans were thought to have done, such as creating tools to hunt for food and taking in orphan chimps to raise as their own. She also discovered that chimps were not primarily vegetarians, as first believed. After these discoveries, National Geographic decided to sponsor Jane's work and sent a photographer and filmmaker. Eventually, Dr. Goodall wrote a number of journals and books to document her experiences. One of her books in particularly, "In the Shadow of Man and Through a Window" gave a new outlook to chimpanzees of Tanzania to people all over the world.

In conclusion, I support H. Res. 1543 and commemorate the 50th year of the beginning of her groundbreaking research. Dr. Goodall has been a role model for youth of all ages, inspiring boys and girls alike to take action for people, animals, and the environment; and through her Jane Goodall Institute, Dr. Goodall established the Roots and Shoots global youth program which now has members in more than 110 countries. This resolution acknowledges the groundbreaking environmental education advancements by the Jane Goodall Institute's Roots and Shoots initiative on the 50th anniversary of the beginning of Dr. Jane Goodall's research, as well as the role that her research played in understanding both the natural and human world. It also recognizes the adventurous spirit of Dr. Goodall and the way she inspired children around the world explore this world and all its wonder.

Mr. POLIS. I urge my colleagues to join me in supporting this resolution, and I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Colorado (Mr. POLIS) that the House suspend the rules and agree to the resolution, H. Res. 1543.

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. POLIS. 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.

CONGRATULATING UNIVERSITY OF DAYTON MEN'S BASKETBALL TEAM

Mr. POLIS. Madam Speaker, I move to suspend the rules and agree to the resolution (H. Res. 1456) congratulating the University of Dayton men's basketball team for winning the 2010 National Invitation Tournament basketball championship.

The Clerk read the title of the resolution.

The text of the resolution is as follows:

H. RES. 1456

Whereas, on April 1, 2010, the University of Dayton Flyers men's basketball team won its third National Invitation Tournament basketball championship in school history;

Whereas the University of Dayton Flyers men's basketball team won their first National Invitation Tournament basketball championship in 1962, and their second in 1968;

Whereas the University of Dayton Flyers men's basketball team has 40 all-time victories in the National Invitation Tournament, second only to St. John's University in Queens, New York;

Whereas the University of Dayton Flyers men's basketball team has three regular season conference championships and one conference tournament championship since joining the Atlantic 10 Conference in 1995;

Whereas in addition to their success on the court, the University of Dayton men's basketball team upholds a high standard of academic excellence, achieving an overall graduation success rate of 100 percent every year since Brian Gregory was named head coach in 2003;

Whereas the University of Dayton Flyers men's basketball team won the championship game by defeating the 2009 NCAA Tournament National Champion University of North Carolina Tar Heels 79 to 68;

Whereas the roster of the championship Flyer team included Mickey Perry, London Warren, Rob Lowery, Chris Johnson, Dan Fox, Josh Parker, Paul Williams, Luke Fabrizius, Luke Hendrick, Logan Nourse, Marcus Johnson, Chris Wright, Devin Searcy, Matt Kavanaugh, Peter Zestermann, Kurt Huelsman, and Josh Benson;

Whereas head coach Brian Gregory and his coaching staff, including assistant coaches Billy Schmidt, Jon Borovich, and Cornell Mann, director of basketball operations Matt Farrell, strength and conditioning coach Mike Bewley, and athletic trainer Nate Seymour deserve tremendous credit for their outstanding determination and accomplishments; and

Whereas the students, alumni, administration, faculty, and supporters of the University of Dayton are to be congratulated for their loyalty and pride in their championship caliber basketball team: Now, therefore, be it

Resolved, That the House of Representatives—

(1) congratulates the University of Dayton men's basketball team for winning the 2010 National Invitation Tournament Division I men's basketball championship; and

(2) recognizes the achievements of the players, coaches, students, and support staff who were instrumental in the Flyers' victory.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Colorado (Mr. POLIS) and the gentleman from Wisconsin (Mr. PETRI) each will control 20 minutes.

The Chair recognizes the gentleman from Colorado.

GENERAL LEAVE

Mr. POLIS. Madam Speaker, I request 5 legislative days during which Members may revise and extend and insert extraneous material on H. Res. 1456 into the RECORD.

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

There was no objection.

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

Madam Speaker, I rise today in support of House Resolution 1456, which congratulates the University of Dayton men's basketball team for winning the 2010 National Invitation Tournament Basketball Championship. The N.I.T. is the oldest tournament in college basketball. Started in 1938, it was the first postseason collegiate basketball tournament to be played in the country, 1 year before the NCAA.

The Dayton Flyers claimed victory over last year's champs, the University of North Carolina Tar Heels, with a 79–68 win that Thursday night at Madison Square Garden in New York City. It was the Flyers' first N.I.T. title in 42 years and their third in University of Dayton's history. Additionally, this was Dayton's 22nd appearance in the N.I.T., second only to St. John's at 27.

This Dayton men's basketball season marked Head Coach Brian Gregory's seventh season with the Flyers. He led the time to the 2004 NCAA tournament and the 2009 NCAA tournament as well as the 2008 N.I.T.

Dayton players showed excellent offense against the Tar Heels. Reserve guard Paul Williams scored 16 points for Dayton, while Chris Wright and Chris Johnson both had 14 points for the Flyers. With a strong lineup, Dayton beat four teams from major conferences en route to the championship.

I also want to congratulate the Flyers for their excellence off the court. The Dayton team had a 100 percent graduation rate in 2010, a rate they have maintained every year since Brian Gregory was named head coach in 2003. I join the students, alumni, faculty, and staff at the University of Dayton in celebrating these impressive student-athletes.

Madam Speaker, I once again congratulate the Dayton Flyers on winning the 2010 National Invitation Tournament, and I thank Representative TURNER for bringing this resolution forward.

I reserve the balance of my time.

□ 1600

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

I rise today in support of House Resolution 1456, congratulating the University of Dayton's men's basketball team for winning the 2010 National Invitation Tournament basketball championship.

On April 1, 2010, the University of Dayton Flyers defeated the University of North Carolina Tarheels 79–68 in the finals of the National Invitation Men's Basketball Tournament. The Flyers men's basketball team now holds 40 all-time victories in the National Invitation Tournament, or NIT, the second-most victories in tournament history.

Flyers Coach Brian Gregory led the team to victory in his seventh season as Dayton's head coach, every season of which has been a winning season. Head Coach Brian Gregory has also led the team to two NCAA tournaments and two National Invitation Tournaments.

Flyers player Chris Johnson earned the 2010 NIT most outstanding player, and Marcs Johnson was selected to the NIT All-Tournament team. The Dayton Flyers finished the 2009–2010 season with 29 wins and 14 losses, ending the season with the team's third NIT title.

Although we are celebrating the University of Dayton's athletic excellence, we should take a moment to recognize the quality of the University of Dayton's academic programs as well. The University of Dayton is a top-tier national doctoral-level university, and one of the 10 best Catholic universities in the Nation, according to U.S. News & World Report.

Founded in 1850, the University of Dayton's offerings include 70 high-quality undergraduate programs in four divisions and graduate programs at the master's and doctoral level, as well as a law degree. The largest private university in Ohio, the University of Dayton, is a leader in higher education. So I extend my congratulations to University of Dayton President Daniel Curran, Head Coach Brian Gregory and his staff, the hardworking players, and of course the fans. I wish all continued success and ask my colleagues to support this resolution.

Madam Speaker, I yield such time as he may consume to the author of the resolution, a representative of Dayton and surrounding areas in Ohio, MIKE TURNER.

Mr. TURNER. Madam Speaker, I rise today in strong support of House Resolution 1456, congratulating the University of Dayton men's basketball team for winning the 2010 National Invitation Tournament basketball championship.

This past season, the Dayton Flyers men's basketball team won its third NIT championship in school history. The team won the championship on April 1, defeating the 2009 NCAA Tournament national champion North Carolina Tarheels 79–68. The University of Dayton men's basketball team is second in all-time wins in the NIT with 40.

In addition to their success off the court, as has been stated, the University of Dayton academically is also very successful with its student athletes. The men's basketball team upholds a high standard of academic excellence. The program has graduated every senior student athlete since Brian Gregory was named head coach in 2003, including seven players this season. But in addition, UD graduated 96 percent of all its student athletes in 2008, the most of any Atlantic 10 Conference school, and it tied for 10th in the Nation.

In 2006, the Savior of Our Cities national survey of community revitalization ranked the University of Dayton number one among Catholic universities and number three overall in helping save America's cities from blight. They are very active in our community revitalization. The University of Dayton is also a center of research excellence, with UDRI being a major contributor to research that affects our national security.

Not only does the men's basketball program serve as a significant aspect of campus life, it also plays a major role in bringing people from the surrounding area into the city. The Flyers men's basketball team has been one of the biggest sports attractions in the Dayton area for years. Since UD Arena opened in 1969, Dayton has been in the NCAA's top 35 in home attendance every season. This past season, the Flyers led the Atlantic 10 Conference in attendance for its 13th straight season.

The University of Dayton is one of the 10 largest Catholic schools in the United States and is the largest of the three Marianist universities in the Nation. The students, alumni, administration, faculty, and supporters of the University of Dayton are to be congratulated for their loyalty and pride in their championship-caliber basketball team.

I would like to thank my Ohio colleagues, all of whom are original cosponsors of this resolution. As a proud alumnus of the University of Dayton MBA program, I urge all of my colleagues to support this resolution congratulating the University of Dayton's men's basketball team on their successful season.

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

Mr. POLIS. Once again, I congratulate the Dayton Flyers on winning the 2010 NIT tournament, and I thank Representative TURNER for bringing this resolution forward.

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

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Colorado (Mr. POLIS) that the House suspend the rules and agree to the resolution, H. Res. 1456.

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

A motion to reconsider was laid on the table.

SUPPORTING ARTS IN EDUCATION WEEK

Mr. POLIS. Madam Speaker, I move to suspend the rules and agree to the concurrent resolution (H. Con. Res. 275) expressing support for designation of the week beginning on the second Sunday of September as Arts in Education Week, as amended.

The Clerk read the title of the concurrent resolution.

The text of the concurrent resolution is as follows:

H. CON. RES. 275

Whereas arts education, comprising a rich array of disciplines including dance, music, theatre, media arts, literature, design, and visual arts, is a core academic subject and an essential element of a complete and balanced education for all students;

Whereas according to Albert Einstein, ''After a certain high level of technical skill is achieved, science and art tend to coalesce in esthetics, plasticity, and form. The greatest scientists are artists as well.'';

Whereas arts education enables students to develop critical thinking and problem solving skills, imagination and creativity, discipline, alternative ways to communicate and express ideas, and cross-cultural understanding, which supports academic success across the curriculum as well as personal growth outside the classroom;

Whereas the nonprofit arts sector contributes to the economy and plays an important role in the economic health of communities large and small with direct expenditures of wages and benefits as well as goods and services;

Whereas to succeed in today's economy, students must masterfully use words, images, sounds, and movement to communicate;

Whereas as the Nation works to strengthen its foothold in the 21st century global economy, the arts equip students with a creative, competitive edge;

Whereas where schools and communities are delivering high-quality learning opportunities in, through, and about the arts for children, extraordinary results occur;

Whereas studies have shown that schools with large populations of students in poverty can be transformed into vibrant hubs of learning through arts education;

Whereas studies have also found that eighth graders from underresourced environments who are highly involved in the arts have better grades, less likelihood of dropping out by grade ten, have more positive attitudes about school, and are more likely to go onto college;

Whereas attracting and retaining the best teachers is vital and can be achieved by ensuring that schools embrace the arts, becoming havens for creativity and innovation;

Whereas arts education has the power to make students want to learn not just within the arts, but other areas of study;

Whereas art is integral to the lives of many United States citizens and can improve the vitality of communities and the Nation; and

Whereas the week beginning on the second Sunday of September would be an appropriate week to designate as Arts in Education Week: Now, therefore, be it

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

(1) supports the designation of Arts in Education Week;

(2) calls on governors, mayors, and other elected officials from across the United States to issue proclamations to raise awareness of the value and importance of arts in education; and

(3) encourages the President to issue a proclamation encouraging the people of the United States to observe such week with appropriate activities.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Colorado (Mr. POLIS) and the gentleman from Wisconsin (Mr. PETRI) each will control 20 minutes.

The Chair recognizes the gentleman from Colorado.

GENERAL LEAVE

Mr. POLIS. Madam Speaker, I request 5 legislative days during which Members may revise and extend and insert extraneous material on House Concurrent Resolution 275 into the RECORD.

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

There was no objection.

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

Madam Speaker, I rise today in support of House Concurrent Resolution 275, which expresses support for designating the week beginning on the second Sunday of September as Arts in Education Week.

The arts serve a critical role in the advancement of our students' education, creativity, and intellectual development. A well-rounded education that includes arts education is extremely important in our schools and communities, helping students think creatively and critically. When students leave the classroom, they use their understanding of dance, music, theater, literature, design, and visual arts to communicate in new ways, to build intellectual capital, to express themselves within and across cultures and mediums. The arts also add a new dimension of thinking to social and hard scientists, in keeping with Albert Einstein's assertion that ''the greatest scientists are artists as well.''

Arts education has a positive effect on students' academic careers. Many studies have shown that students participating in visual and performing arts had better grades and a lower likelihood of dropping out. Students who participate in arts programs are at least three times more likely to be recognized for academic achievement, elected to class office within their schools, participate in a math and science fair, win an award for school attendance, or win an award for writing an essay or a poem. These students also maintain more positive attitudes about school and are more likely to go on to college. And yet, despite the proven benefits of arts education, the 2008 National Assessment of Educational Progress, the NAEP result, found that only 58 percent of eighth-graders attended schools where music instruction was offered at least three times a week, and only 47 percent attended schools where visual arts were offered more than three times a week.

Arts in Education Week helps us highlight the importance of giving our students expanded opportunities to participate in the visual and performing arts in school. I took advantage of those opportunities growing up myself, participating in several school plays, and throughout lower school, in elementary school, in a music program. I know that I take many of those lessons today that have helped make me a better rounded person and a more effective representative in Congress for the people of Colorado.

□ 1610

I strongly encourage my colleagues to join Representative SPEIER, the sponsor of this bill, in supporting Arts in Education Week.

I reserve the balance of my time.

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

Madam Speaker, I rise in support of House Concurrent Resolution 275, expressing support for designation of the week beginning on the second Sunday of September as Arts in Education Week.

Arts in Education Week highlights the benefits of exposing students to the arts, and it recognizes that arts can play a role in educating youth. Many localities have rich art communities. Exposing youth to the museums, artists, and workers of art within these communities can help to provide cultural experiences, foster creativity, and support classroom learning about the arts.

Many States and communities are taking efforts to ensure students are exposed to the arts. Most States, specifically 43 States, require schools to provide art instruction, and many schools have integrated art education into their other areas of study. Many instructors in schools take advantage of the local art industry by introducing students to the various points of access to the arts within their communities.

Parents play a vital role in exposing youth to the arts as well. Weekend trips to a local art museum or a night out to see a local play are just two examples of ways in which parents can educate their children about and ensure their children's participation in the arts.

I urge my colleagues to support this resolution.

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

Mr. POLIS. Madam Speaker, it is my honor to yield such time as he may consume to the gentleman from New Jersey (Mr. PASCRELL).

Mr. PASCRELL. Madam Speaker, as the gentlewoman from California is not here yet, who is the primary sponsor of this legislation, I rise in support of House Concurrent Resolution 275.

I want to commend both Mr. POLIS and Mr. PETRI for their very succinct words.

I know firsthand the benefits that our children receive from a robust arts education program, whether it is music, theater, visual arts, photography, poetry, or dance. This is not simply an outlet. This is part and parcel of the essential features of what a good education is all about. Unfortunately, the current state of the economy has now put these classes and the further enrichment of our students at risk, and I would ask us to address this issue.

What is the first to be cut? Go right across the Nation. Arts, libraries and sports—the things our kids love best. Arts are not just sought to get away from things. Arts are part of their lives. They enrich them. They contribute to one's total being when one has an appreciation of the arts.

I taught an arts course, History through the Arts. They were mostly students who could care less about American history; so I had to find a way to get to them. I taught the course by going through all of those fine arts I just talked about. I asked them to learn about our Nation through different periods of time through the artwork, the poetry and the music of that individual time, not unlike what we would do when studying the Renaissance.

This is particularly evident in New Jersey. The city of my district, West Orange, has announced its intentions to cut its music and arts departments in addition to laying off almost 90 staff members in order to reduce its budget. It is forced to do that. Yet we take no action. Last year, in the stimulus package, we saved a lot of jobs, necessary jobs. This year, we are reluctant to do that. We are frightened. The word ''deficit'' is in all capital letters. Yet for 8 years we saw this accumulate and accumulate and said nothing.

In my town of Paterson, where I grew up and still live, 50 music teachers and 38 art teachers got their pink slips. John F. Kennedy High School in Paterson performed just its second spring musical in 30 years in April. Talk about austerity. Due to the cuts, it could be another 30 years. I'm not exaggerating. These are the numbers. You can't make this stuff up.

Before this crisis a 2007 study found out more than 75,000 students in New Jersey have been attending school every day with no arts education. If we want to encourage arts in education, then we can't talk out of both sides of our mouths. So it is nice to recognize the arts in a week, a month, a year. That's fine. That's great. If we were to fire all the arts teachers, what would that be like?

It looks like the Senate has decided to strip the $10 billion that this House voted for to keep our teachers in their classrooms. I don't know what is happening at the other end of the building. By failing to provide our children with

opportunities to supplement their classes, we are robbing them of a complete education. We must consider the arts, which enrich our lives, the lives of our youth, which spark a life-long love and passion for creativity, not as a secondary priority in our educational system but as an essential pillar of its foundation.

So I urge the support of H. Con. Res. 275, which expresses the support for the designation of this week beginning on the second Sunday of September, and I urge the Senate to keep up with the House on some issues at least.

Mr. POLIS. Madam Speaker, once again, I want to thank Representative SPEIER of California for introducing this concurrent resolution, and I, once again, express my strong support for designating the week beginning on the second Sunday of September as Arts in Education Week.

I urge my colleagues to join me in supporting this resolution of arts in education.

I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Colorado (Mr. POLIS) that the House suspend the rules and agree to the concurrent resolution, H. Con. Res. 275, as amended.

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

A motion to reconsider was laid on the table.

SUPPORTING SPIRIT OF '45 DAY

Ms. NORTON. Madam Speaker, I move to suspend the rules and agree to the concurrent resolution (H. Con. Res. 226) supporting the observance of ''Spirit of '45 Day''.

The Clerk read the title of the concurrent resolution.

The text of the concurrent resolution is as follows:

H. CON. RES. 226

Whereas on August 14, 1945, the people of the United States received word of the end of World War II;

Whereas on that day, people in the United States and around the world greeted the news of the Allies' noble victory with joyous celebration, humility, and spiritual reflection;

Whereas the victory marked the culmination of an unprecedented national effort that defeated the forces of aggression, brought freedom to subjugated nations, and ended the horrors of the Holocaust;

Whereas these historic accomplishments were achieved through the collective service and personal sacrifice of the people of the United States, both those who served in uniform and those who supported them on the home front;

Whereas more than 400,000 Americans gave their lives in service to their country during World War II;

Whereas, August 14, 1945, marked not only the end of the war, but also the beginning of an unprecedented era of rebuilding in which the United States led the effort to restore the shattered nations of the Allies and their enemies alike and to create institutions to work towards a more peaceful global community;

Whereas the men and women of the World War II generation created an array of organizations and institutions during the postwar era which helped to strengthen American democracy by promoting civic engagement, volunteerism, and service to community and country;

Whereas the courage, dedication, self-sacrifice, and compassion of the World War II generation have inspired subsequent generations in the United States Armed Forces, including the men and women currently in service in Iraq, Afghanistan, and around the world;

Whereas the entire World War II generation, military and civilian alike, has provided a model of unity and community that serves as a source of inspiration for current and future generations of Americans to come together to work for the continued betterment of the United States and the world; and

Whereas the second Sunday in August has been proposed as ''Spirit of '45 Day'' to commemorate the anniversary of the end of World War II on August 14, 1945: Now, therefore, be it

Resolved by the House of Representatives (the Senate concurring), That Congress supports the observance of ''Spirit of '45 Day''.

The SPEAKER pro tempore. Pursuant to the rule, the gentlewoman from the District of Columbia (Ms. NORTON) and the gentleman from Alabama (Mr. BONNER) each will control 20 minutes.

The Chair recognizes the gentlewoman from the District of Columbia.

GENERAL LEAVE

Ms. NORTON. Madam 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 the District of Columbia?

There was no objection.

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

Madam Speaker, on behalf of the Committee on Oversight and Government Reform, I present House Concurrent Resolution 226 for consideration, supporting the observance of Spirit of '45 Day to commemorate the anniversary of the end of World War II on August 14, 1945.

□ 1620

H. Con. Res. 226 was introduced by our colleague, Representative FILNER of California, in January 2010. It was referred to the Committee on Oversight and Government Reform, which ordered it reported favorably by unanimous consent in July. H. Con. Res. 226 enjoys the strong bipartisan support of over 70 cosponsors.

Madam Speaker, communities across the country will commemorate the 65th anniversary of the end of World War II on August 14 by establishing an annual day of remembrance in honor of the legacy of the men and women of America's so-called ''Greatest Generation.''

August 14, 1945, is a day that changed history. It marked the end of World War II and ushered in a new era of peace, prosperity and unity made possible by the heroic efforts of men and women who risked their freedom to give us ours.

The goal of this resolution is to inspire a renewed sense of community and national unity in our country by establishing a day when America will stop to reflect on the achievements of the men and women who endured the Great Depression, preserved freedom and democracy in the most devastating war in history, and then went on to rebuild their shattered world. Their example of courage, self-sacrifice and commitment to community can inspire a renewed sense of national unity at a time when our country must again come together to meet common challenges.

Spirit of '45 Day will engage young and old in a shared, intergenerational project that will preserve forever an important part of the Nation's history and heritage, while reinvigorating an awareness of the importance of coming together as a community, honoring service to others, and creating a sense of national unity at a time when our Nation is facing major challenges once again.

Madam Speaker, this year marks the 65th anniversary of the end of World War II. And it may be one of the last times Americans can say thank you to our ''Greatest Generation'' for their legacy of service. Let us now honor them and encourage others to follow their example through the passage of H. Con. Res. 226.

Madam Speaker, I reserve the balance of my time.

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

I rise today in support of House Concurrent Resolution 226, supporting the observance of Spirit of '45 Day.

Madam Speaker, August 14, 2010, marks the 65th anniversary of the end of World War II. It was on this day in 1945 that the Japanese informed the United States that they had agreed to the terms of the surrender agreement, and after some six horrific years, the Second World War was over.

The Allied victory marked the culmination of an unparalleled national effort that defeated the Axis Powers, liberated oppressed nations, and ended the horrors of the Holocaust. The victory was achieved by the collective service and individual sacrifice of the people of the United States, both those who served on the front lines overseas, as well as those who supported them here at home.

Japan's surrender came some 3 years and 8 months after the bombings at Pearl Harbor, and marked the beginning of an unprecedented era of global rebuilding. The United States was the leader in this effort to not only rebuild the war-ravaged nations of our allies, but of our enemies as well.

Madam Speaker, during World War II, more than 400,000 Americans lost their lives in the ultimate act of sacrifice to our great Nation. The men and

women who were fortunate enough to survive and served so bravely, both on the home front and overseas, make up a generation that many Americans consider the ''Greatest Generation,'' a generation that has and continues to dedicate themselves to service and sacrifice to their communities and to our great country. This generation has promoted civic engagement and created numerous organizations and institutions in the post-war years that have truly made America and the world a better place.

Today, the sacrifice, courage and dedication of those who served during World War II still inspires those who wear the uniform and defend our Nation each and every day. The men and women in our Armed Forces who fight for our freedoms every day in Iraq, Afghanistan and all over the world are the children and grandchildren of those who gave so much in World War II. Undoubtedly, today's soldiers have been influenced and motivated by those who served during the great World War.

Madam Speaker, as we move further away from this historic anniversary, and with many of this generation passing away on a daily basis, it is so easy to forget both the sacrifices that this generation made during the war, and what they did after the war. America's victory catapulted our Nation to become the predominant world superpower, and allowed the children, grandchildren and great-grandchildren of this generation to grow up in a more prosperous and safe country.

Like my colleagues and all Americans, I am truly thankful for the sacrifices endured by so many during the war and after August 14, 1945. And on the second Sunday in August, the proposed Spirit of '45 Day, I urge each and every American to reflect on the importance of this day and what it means to our country.

Madam Speaker, I strongly support this resolution and urge all Members to join me in supporting H. Con. Res. 226.

I reserve the balance of my time.

Ms. NORTON. Madam Speaker, I yield such time as he may consume to the gentleman from California (Mr. FILNER), the author of the resolution.

Mr. FILNER. Madam Speaker, as the chairman of the House Veterans' Affairs Committee, I ask all my colleagues to support H. Con. Res. 226, to honor our great heroes of the Second World War.

We all know that this was the war that was carried out by the ''Greatest Generation.'' And the Spirit of '45 Memorial Day is to set aside for us and our children and our grandchildren and their children to think about the courage and the heroism and of course the victory of the troops who fought on the Allied side in the Second World War.

This day of remembrance was celebrated several months ago in San Diego on the aircraft carrier *Midway*, which is stationed as both a learning environment and as a tourist attraction in the San Diego harbor.

One of the great spirits of that day was the nurse, Edith Shain, who was the one who was pictured on the iconic Life Magazine cover of the sailor coming home and kissing the nurse that we all remember as emblematic of the joyous spirit at the end of the war. Edith would go around the country talking about our great heroes. Unfortunately, before we could pass this bill today, she passed away at the age of 91 a few weeks ago.

So in her spirit, and in the spirit of all of those incredible people of the ''Greatest Generation,'' we offer this resolution so our country can always remember their bravery and courage.

I rise in support of this resolution: H. Con. Res. 226 which supports the Spirit of '45, a year-long national campaign to raise public awareness of the 65th anniversary of the end of World War II and the Spirit of '45 Day.

1945 was a defining year in the last century. Even after victory in Europe, our nation still faced many hard-fought battles in the Pacific and the decision to drop the atomic bomb. In August of that year, Japan surrendered, the war was over, and America joined the world to begin the work of peace.

The United States started with the job of rebuilding allies and former enemies alike, leading the effort to form the United Nations, and helping millions of returning veterans begin their civilian lives with the G.I. Bill.

This resolution calls on Congress to support the observance of the "Spirit of '45 Day." A national day of observance is planned for the second Sunday in August to ensure that future generations remember the inspiring courage, sacrifice, and service of what has been called the "greatest generation."

To raise awareness about this 65th anniversary, the Spirit of '45 has encouraged communities across the nation to hold commemorative events on August 14 of this year to honor the legacy of the World War II generation whose members are rapidly passing into history. Everyone is asked to collect first-hand memories of those who experienced August 14, 1945, memories that will be preserved on a web site and shared with schools, libraries, museums, memorials and the public as a permanent reminder of a time when people came together to face common challenges as a united country. Many of the memories can also be provided to the Veterans History Project of the Library of Congress.

We officially kicked off this year's activities at a reunion of World War II veterans on the USS *Midway* in San Diego, on January 18. We were joined by families, students, active duty military personnel, and veterans of WWII and other conflicts.

Also joining us at that momentous event was Edith Shaht, the nurse who was photographed being kissed by a joyous sailor in Times Square on August 14, 1945. This photograph became an iconic reminder of the joy and enthusiasm felt by an entire generation who had sacrificed to bring an end to WWII, and who would take that same energy and devotion to rebuild in the war's aftermath.

Edith was a devoted spokesperson for the Spirit of '45, and I am sad to say that Edith recently passed away on June 20, 2010, at the age of 91. Although Edith is not here today to join us as we pass this resolution, I am pleased to know that by honoring the Spirit of '45 we are honoring the devotion of Edith Shain and millions of others like her whose dedication and actions changed the world.

The Spirit of '45 campaign focuses on how to assure that our "latest generation" of veteran gets the kind of welcome home as did their forefathers of the World War II generation, through education and training under the newly-passed "Post 9/11 G.I. Bill," employment opportunities, and ensuring they receive the care and support to reconnect with their families and communities.

I urge my colleagues to join me in supporting the legacy and ideals of the Spirit of '45 by supporting this resolution.

Mr. PETRI. Madam Speaker, I rise today in support of H. Con. Res. 226, to commemorate the end of World War II by observing "Spirit of '45 Day." On August 14, 1945, the people of the United States received word of the long awaited end of the war. While there was celebration, there also was recognition of the 400,000 Americans who gave their lives to this effort.

This day marks the gratitude we have for our veterans, their families, and their sacrifice. We reflect on the beginning of a new era following the war, and the rebuilding of nations with the common goal of developing and maintaining a more peaceful global community. We celebrate the strengthening of American democracy, freedom and service to community and country. We are proud of the unprecedented national effort to defeat forces of aggression.

The achievements of the past continue to be relevant today. The World War II generation, often referred to as the Greatest Generation, is a model of courage and determination that serves as a source of inspiration not only for the men and women serving in Iraq, Afghanistan and around the world, but for civilians as well. It is important we recognize and honor their dedication and self-sacrifice.

That is why as we approach the 65th anniversary of the end of World War II, I proudly support the observance of the second Sunday in August as "Spirit of '45 Day" to commemorate the end of World War II on August 14, 1945.

Mr. BONNER. Madam Speaker, I have no further speakers. I urge all Members to support passage.

I yield back the balance of my time.

Ms. NORTON. Madam Speaker, I strongly urge my colleagues to join me in supporting the observance of the Spirit of '45 Day.

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 agree to the concurrent resolution, H. Con. Res. 226.

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

A motion to reconsider was laid on the table.

□ 1630

RECOGNIZING 50TH ANNIVERSARY OF ''TO KILL A MOCKINGBIRD''

Ms. NORTON. Madam Speaker, I move to suspend the rules and agree to

the resolution (H. Res. 1525) honoring the 50th anniversary of the publication of ''To Kill a Mockingbird'', a classic American novel authored by Nelle Harper Lee of Monroeville, Alabama.

The Clerk read the title of the resolution.

The text of the resolution is as follows:

H. RES. 1525

Whereas Nelle Harper Lee was born on April 28, 1926, to Amasa Coleman Lee and Frances Finch in Monroeville, Alabama;

Whereas Nelle Harper Lee wrote the novel ''To Kill a Mockingbird'' portraying life in the 1930s in the fictional small southern town of Maycomb, Alabama, which was modeled on Ms. Lee's hometown of Monroeville, Alabama;

Whereas ''To Kill a Mockingbird'' addressed the issue of racial inequality in the United States by revealing the humanity of a community grappling with moral conflict;

Whereas ''To Kill a Mockingbird'' was first published in 1960 and was awarded the Pulitzer Prize in 1961;

Whereas ''To Kill a Mockingbird'' was the basis for the 1962 Oscar-winning film of the same name starring Gregory Peck;

Whereas ''To Kill a Mockingbird'' is one of the great American novels of the 20th century, having been published in more than 40 languages and having sold over 30 million copies;

Whereas in 2007, Nelle Harper Lee was inducted into the American Academy of Arts and Letters;

Whereas in 2007, President George W. Bush awarded the Presidential Medal of Freedom to Nelle Harper Lee for her great contributions to literature and observed '' 'To Kill a Mockingbird' has influenced the character of our country for the better'' and ''As a model of good writing and humane sensibility, this book will be read and studied forever''; and

Whereas ''To Kill a Mockingbird'' is celebrated each year in Monroeville, Alabama, through annual public performances featuring local amateur actors: Now, therefore, be it

Resolved, That the House of Representatives—

(1) recognizes the historic milestone of the 50th anniversary of the publication of ''To Kill a Mockingbird''; and

(2) honors Nelle Harper Lee for her outstanding achievement in the field of American literature in authoring ''To Kill a Mockingbird''.

The SPEAKER pro tempore. Pursuant to the rule, the gentlewoman from the District of Columbia (Ms. NORTON) and the gentleman from Alabama (Mr. BONNER) each will control 20 minutes.

The Chair recognizes the gentlewoman from the District of Columbia.

Ms. NORTON. Madam Speaker, on behalf of the Committee on Oversight and Government Reform, I am pleased to present H. Res. 1525 for consideration. This measure honors the 50th anniversary of the publication of ''To Kill a Mockingbird.''

H. Res. 1525 was introduced by our colleague, Representative JO BONNER of Alabama, on July 15, 2010. It was referred to the Committee on Oversight and Government Reform, which waived consideration of the measure in order to expedite its consideration on the floor today. It enjoys the bipartisan support of over 80 cosponsors.

Madam Speaker, ''To Kill a Mockingbird'' is one of the greatest works of 20th century American literature. The novel has sold over 30 million copies in its 50-year history and remains a staple in classrooms all over the country. For years, students have studied this coming-of-age tale, giving teachers the opportunity to facilitate frank discussions of its dark and challenging scenes.

The story deals with difficult issues of injustice and racial prejudice, but also provides an uplifting portrayal of courage, morality, and human decency. In particular, Atticus Finch continues to serve as a moral hero for many readers, as well as a model of integrity for the legal profession. Notably, in 1997, the Alabama State Bar erected a monument to the character in Harper Lee's hometown of Monroeville outside their historic Old Courthouse.

The novel is set in the 1930s, but it is closely associated with the civil rights movement, and some scholars believe some of the events and characters of the novel are based on events and figures from that very movement. The novel is a product of that period in our Nation's history in which we began to make serious progress addressing racial inequality and injustice. The hope, courage, and morality that the novel inspired during the civil rights movement helped motivate leaders to support it, bringing national attention to these difficult issues through the eyes of the narrator, a young child.

Harper Lee has won many awards for ''To Kill a Mockingbird,'' including the Pulitzer Prize in 1961, after 41 weeks on the bestseller list. Lee was named to the National Council on the Arts by President Johnson in 1966, inducted into the Alabama Academy of Honor in 2001, received an honorary doctorate from the University of Notre Dame in 2006, and was awarded the Presidential Medal of Freedom by President Bush in 2007.

Her novel's impact on the world will be felt for generations to come as people around the country and around the world continue to read, study, and learn from the work.

Madam Speaker, let us now take the time to honor Harper Lee and her classic American novel through the passage of H. Res. 1525.

I urge my colleagues to join me in supporting H. Res. 1525, and I reserve the balance of my time.

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

Madam Speaker, I thank my colleague from the District of Columbia for her assistance today as well, as we bring this American classic to the floor of the House of Representatives.

On behalf of my colleagues in the Alabama delegation, Mr. ADERHOLT, Mr. BACHUS, Mr. BRIGHT, Mr. DAVIS, Dr. GRIFFITH, and Mr. ROGERS—as well as our two United States Senators from Alabama, Senator SHELBY and Senator SESSIONS—I am extremely proud to rise today in support of House Resolution 1525, honoring the 50th anniversary of the publication of a truly great American novel, ''To Kill a Mockingbird.''

It was 50 years ago this month when Nelle Harper Lee of Monroeville penned what is today considered one of the most beloved American stories of all time.

Before I speak further about Ms. Lee and her masterpiece, however, I'd like to take just a minute to thank Chairman TOWNS and Ranking Member ISSA of the Oversight and Government Reform Committee and their staffs for working with my staff and me to get this resolution brought to the House floor before Congress breaks for the August district work period. If approved, I hope to present a copy of this resolution to the people of Monroe County when I return home later this week.

I would also like to thank the Speaker of the House, the majority leader, and the majority whip, Mr. HOYER and Mr. CLYBURN, as well as the minority leader, Mr. BOEHNER, and minority whip, Mr. CANTOR, not to mention all of the other Members of Congress who have cosponsored this resolution, for their encouragement and support in finding an appropriate way to honor Ms. Lee, her family, as well as the wonderful people of Monroeville, Alabama, a town of approximately 7,000 people, which I am proud to say I represent in Alabama's First Congressional District.

Without a doubt, the people of Monroeville and Monroe County all join with me and this body as we will celebrate this proud moment. For as people all across America know, Monroeville provided the real-life setting for the fictional town of Maycomb, where the story of ''To Kill a Mockingbird'' comes to life.

Madam Speaker, I am pleased to offer this resolution, which also honors the remarkable achievements of a Pulitzer Prize-winning south Alabama author, whose words have not only inspired generations, but in a very real way have helped to change our Nation and the world for the better.

Born on April 28, 1926, to A.C. and Frances Finch Lee, Nelle Harper completed her first and only novel in 1960. In fact, it appeared for the very first time on July 11 of that year. Upon its publication, Nelle, as she is affectionately known to her family and close friends, reportedly remarked that she hoped that her book would win some encouragement for what was a budding writing career. Fifty years later, it is safe to say that her hopes have been more than realized.

In many ways, Harper Lee could not have foreseen that her brilliantly worded prose would one day become a literary beacon for equality and justice, not to mention an inspiration for the advancement of civil rights all across our land. Not only would ''To Kill a Mockingbird'' become one of the great books of the 20th century, but the 1962 movie version, starring Gregory Peck, has been immortalized in celluloid. In

fact, the courtroom interior shown in the movie is the exact replica of the interior of the Old Monroe County Courthouse, which people can visit today, and is part of the Monroe County Heritage Museum.

For her efforts, Ms. Lee's book won the Pulitzer Prize for fiction in 1961. Today, as the gentlelady from the District of Columbia pointed out, ''Mockingbird'' has sold more than 30 million copies and has been published in more than 40 different languages.

In survey after survey asking which one book civilized people should read, ''To Kill a Mockingbird'' routinely finishes second only to the Holy Bible. And the movie, which premiered in 1962, won three Oscars, including best actor for Mr. Peck, who brought the character of Atticus Finch to life.

We know the characters as though they lived just down the street from us. There is Scout, Ms. Lee's 6-year-old narrator, as well as her father, Atticus, who held every one of us with each word as he paced the courtroom floor while delivering his impassioned argument in defense of Tom Robinson. How many young lawyers today credit Atticus Finch with inspiring them to go into law? There is Scout's older brother, Jem; their housekeeper, Calpurnia; their neighbor Dill; and, of course, Tom Robinson, the black man who was wrongly accused of rape.

□ 1640

Madam Speaker, this month as we celebrate the 50th anniversary of ''To Kill a Mockingbird,'' we also use this fitting occasion to honor the remarkable life of its author, Harper Lee.

The people of Monroeville have warmly embraced Miss Lee's legacy by staging annual public performances of her famous book to the delight of audiences in Monroeville and throughout the south, as well as at the Kennedy Center in Washington, D.C.—not to mention standing-room only crowds in England and Israel.

In fact, just a few weeks ago, Monroeville hosted a special 50th anniversary tribute to Ms. Lee and her famous novel, attracting admiring fans from all across the country. A half century after the ink has dried on this first edition of ''To Kill a Mockingbird,'' its pages still call to our better instincts of decency and fairness to our fellow man, while reminding us that prejudice, though too common, must continue to be confronted.

On a personal note, I was honored to attend the 2007 White House ceremony during which Nelle Harper Lee was presented the Presidential Medal of Freedom—America's highest civilian honor—by President George W. Bush. In presenting this award to Ms. Lee, the President noted ''To Kill a Mockingbird'' has influenced the character of our country for the better. It's been a gift to the entire world. As a model of good writing and humane sensibility, this book will be read and studied forever. After the medal ceremony in the East Room and after a brief reception in the State Dining Room, I was truly touched as people stood literally the length of the White House—including some of the other recipients of the award ceremony that day—just for the opportunity to thank Ms. Lee for her gift to mankind.

And in a moment that I will truly never forget, I remember as the ceremony was winding down standing next to Ms. Lee in the foyer of the White House while the conductor of the President's own, the United States Marine Band, led the orchestra in the musical score from the opening credits of the movie, ''To Kill a Mockingbird,'' by Elmer Bernstein.

There were few dry eyes in the White House that afternoon, and it was a fitting close to a spectacular day.

Madam Speaker, here on the 50th anniversary of ''To Kill a Mockingbird,'' the people of Monroeville, Monroe County, and all the people across Alabama could not be more proud of our favorite daughter and her lasting legacy.

To Miss Nelle, her sister Miss Alice, and the many others who helped inspire this story, America offers our warmest congratulations and love on this special occasion. And no doubt for the generation to come that will also be touched and inspired by this timeless story, we have a special word of thanks for the gift that has never stopped giving.

Madam Speaker, I urge all of the Members to support H. Res. 1525.

I reserve the balance of my time.

Ms. NORTON. Madam Speaker, one further word on this resolution.

I commend the gentleman from Alabama for coming forward with this resolution honoring Harper Lee, who is perhaps one of the most-esteemed constituents he or any before him have had in his home State. Harper Lee's novel teaches us something about the American novel and indeed about fiction throughout human time: that fiction often tells us what history books cannot convey. This is what Harper Lee managed to do at a time when writing about her subject was anything but popular literature until she had put it on paper, in which case, it rose out of her skill to be embraced by the American people and many across the world.

This book is very interesting because it is a product of a very distinct era in American history and life, and yet the novel continues to reverberate and inspire our very different era, an era revising itself from that era. Unadulterated racial prejudice of a kind described in this novel has abated. It certainly is no longer openly celebrated as it once was.

Yet, what Harper Lee writes about has left a mark so deep in American history that it will never be entirely erased. That's why the novel continues to speak to us. It's not that we believe anything like what she writes about is what we find in American courtrooms, even in the old South today. It is that it reminds us of the distance we have come and for many the distance we have to go.

Harper Lee, it is said over and over again, wrote this one great novel. My response is if you write this novel, you never need to write another single novel. You have said it perhaps all for yourself, and in many ways she said it all for that era in our country.

Mr. JOHNSON of Georgia. Madam Speaker, I rise today to express my support for House Resolution 1525, honoring the 50th anniversary of the publication of To Kill A Mockingbird, a classic American novel authored by Nelle Harper Lee of Monroeville, Alabama. I would also like to commend my colleague, Representative JO BONNER and all of the cosponsors of this legislation. Your support for H. Res. 1525 ensures that our nation continues to recognize the importance of this landmark novel which examines both race relations and the human condition in the United States.

In 1960 Nelle Harper Lee published To Kill A Mockingbird, a novel that would soon transform the character of our nation and play a major influence in the discussion of race relations. Her novel focused on a small, rural Alabama town riveted by prejudice. Her novel served as a commentary on the tense and unequal relations between blacks and whites in the South. As a Representative for the state of Georgia I am constantly aware of the history of the state that I represent. I recognize that prior to the Civil Rights Movement the conditions in my district were similar to those described in Harper Lee's novel. I also recognize that her novel served as a catalyst for the national conversation on racial injustice during the Civil Rights Movement.

Harper Lee produced a controversial novel during the height of racial tension in the 1960s, and for that she deserves to be commended and her work should be forever praised, studied, and read by all. In 2007, President George W. Bush awarded the Presidential Medal of Freedom to Nelle Harper Lee for her great contributions to literature and observed the positive influence her work has had on the character of our country. The novel was also proclaimed as a model of good writing and human sensibility.

Madam Speaker, on the 50th anniversary of To Kill A Mockingbird I urge all of my colleagues to support this resolution. The story is an American story and it deserves to be recognized. Today we honor the remarkable achievement of Nelle Harper Lee and her novel To Kill A Mockingbird.

I ask the gentleman if he has any other speakers.

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

Ms. NORTON. Madam Speaker, I would again like to urge my colleagues to join me in honoring Harper Lee and her novel through the passage of H. Res. 1525.

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 the District of Columbia (Ms. NORTON) that the House

suspend the rules and agree to the resolution, H. Res. 1525.

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

A motion to reconsider was laid on the table.

FEDERAL ADVISORY COMMITTEE ACT AMENDMENTS OF 2010

Ms. NORTON. Madam Speaker, I move to suspend the rules and pass the bill (H.R. 1320) to amend the Federal Advisory Committee Act to increase the transparency and accountability of Federal advisory committees, and for other purposes, as amended.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 1320

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 ''Federal Advisory Committee Act Amendments 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. Ensuring independent advice and expertise.
Sec. 3. Preventing efforts to circumvent the Federal Advisory Committee Act and public disclosure.
Sec. 4. Increasing transparency of advisory committees.
Sec. 5. Comptroller General review and reports.
Sec. 6. Application of Federal Advisory Committee Act to Trade Advisory Committees.
Sec. 7. Definitions.
Sec. 8. Effective date.

SEC. 2. ENSURING INDEPENDENT ADVICE AND EXPERTISE.

(a) BAR ON POLITICAL LITMUS TESTS.—Section 9 of the Federal Advisory Committee Act (5 U.S.C. App.) is amended—

(1) in the section heading by inserting ''MEMBERSHIP;'' after ''ADVISORY COMMITTEES;'';

(2) by redesignating subsections (b) and (c) as subsections (e) and (f), respectively; and

(3) by inserting after subsection (a) the following:

''(b) APPOINTMENTS MADE WITHOUT REGARD TO POLITICAL AFFILIATION OR ACTIVITY.—All appointments to advisory committees shall be made without regard to political affiliation or political activity, unless required by Federal statute.''.

(b) MINIMIZING CONFLICTS OF INTEREST.—Section 9 of the Federal Advisory Committee Act (5 U.S.C. App.) is further amended by inserting after subsection (b) (as added by subsection (a)) the following:

''(c) PUBLIC NOMINATIONS OF COMMITTEE MEMBERS.—Prior to appointing members to an advisory committee, the head of an agency shall give interested persons an opportunity to suggest potential committee members. The agency shall include a request for comments in the Federal Register notice required under subsection (a) and provide a mechanism for interested persons to comment through the official website of the agency. The agency shall consider any comments submitted under this subsection in selecting the members of an advisory committee.

''(d) DESIGNATION OF COMMITTEE MEMBERS.—

''(1) An individual appointed to an advisory committee who is not a full-time or permanent part-time officer or employee of the Federal Government shall be designated as—

''(A) a special government employee, if the individual is providing advice based on the individual's expertise or experience; or

''(B) a representative, if the individual is representing the views of an entity or entities outside of the Federal Government.

''(2) An agency may not designate committee members as representatives to avoid subjecting them to Federal ethics rules and requirements.

''(3) The designated agency ethics official for each agency shall review the members of each advisory committee that reports to the agency to determine whether each member's designation is appropriate, and to redesignate members if appropriate. The designated agency ethics official shall certify to the head of the agency that such review has been made—

''(A) following the initial appointment of members; and

''(B) at the time a committee's charter is renewed, or, in the case of a committee with an indefinite charter, every 2 years.

''(4) The head of each agency shall inform each individual appointed to an advisory committee that reports to the agency whether the individual is appointed as a special government employee or as a representative. The agency head shall provide each committee member with an explanation of the differences between special government employees and representatives and a summary of applicable ethics requirements. The agency head, acting through the designated agency ethics official, shall obtain signed and dated written confirmation from each committee member that the member received and reviewed the information required by this paragraph.

''(5) The Director of the Office of Government Ethics shall provide guidance to agencies on what to include in the summary of ethics requirements required by paragraph (4).

''(6) The head of each agency shall, to the extent practicable, develop and implement strategies to minimize the need for written determinations under section 208(b)(1) of title 18, United States Code. Strategies may include such efforts as improving outreach efforts to potential committee members and seeking public input on potential committee members.''.

(c) REGULATIONS IMPLEMENTING FACA.—Section 7(c) of the Federal Advisory Committee Act (5 U.S.C. App.) is amended by inserting after ''(c)'' the following: ''The Administrator shall promulgate regulations as necessary to implement this Act.''.

SEC. 3. PREVENTING EFFORTS TO CIRCUMVENT THE FEDERAL ADVISORY COMMITTEE ACT AND PUBLIC DISCLOSURE.

(a) DE FACTO MEMBERS.—Section 4 of the Federal Advisory Committee Act (5 U.S.C. App.) is amended by adding at the end the following:

''(d) TREATMENT OF INDIVIDUAL AS MEMBER.—An individual who is not a full-time or permanent part-time officer or employee of the Federal Government shall be regarded as a member of a committee if the individual regularly attends and fully participates in committee meetings as if the individual were a member, even if the individual does not have the right to vote or veto the advice or recommendations of the advisory committee.''.

(b) SUBCOMMITTEES.—Section 4 of the Federal Advisory Committee Act (5 U.S.C. App.) is amended by striking subsection (a) and inserting the following:

''(a) APPLICATION.—The provisions of this Act or of any rule, order, or regulation promulgated under this Act shall apply to each advisory committee, including any subcommittee or subgroup thereof, except to the extent that any Act of Congress establishing any such advisory committee specifically provides otherwise. Any subcommittee or subgroup that reports to a parent committee established under section 9(a) is not required to comply with section 9(f). In this subsection, the term 'subgroup' includes any working group, task force, or other entity formed for the purpose of assisting the committee or any subcommittee of the committee in its work.''.

(c) COMMITTEES CREATED UNDER CONTRACT.—Section 3(2) of the Federal Advisory Committee Act (5 U.S.C. App.) is amended in the matter following subparagraph (C) by adding at the end the following: ''An advisory committee is considered to be established by an agency, agencies, or the President if it is formed, created, or organized under contract, other transactional authority, cooperative agreement, grant, or otherwise at the request or direction of an agency, agencies, or the President.''.

(d) ADVISORY COMMITTEES CONTAINING SPECIAL GOVERNMENT EMPLOYEES.—Section 4 of the Federal Advisory Committee Act (5 U.S.C. App.) is further amended by adding at the end the following new subsection:

''(e) SPECIAL GOVERNMENT EMPLOYEES.—Committee members appointed as special government employees shall not be considered full-time or permanent part-time officers or employees of the Federal Government for purposes of determining the applicability of this Act under section 3(2).''.

SEC. 4. INCREASING TRANSPARENCY OF ADVISORY COMMITTEES.

(a) INFORMATION REQUIREMENT.—Section 11 of the Federal Advisory Committee Act (5 U.S.C. App.) is amended—

(1) by striking the section designation and heading and inserting the following:

''SEC. 11. DISCLOSURE OF INFORMATION.'';

(2) by redesignating subsection (a) as subsection (d) and in that subsection—

(A) by inserting the following subsection heading: ''AVAILABILITY OF PAPER COPIES OF TRANSCRIPTS.—''; and

(B) by inserting after ''duplication,'' the following: ''paper'';

(3) by striking ''(b)'' and inserting ''(e) AGENCY PROCEEDING DEFINED.—''; and

(4) by inserting before subsection (d), as redesignated by paragraph (2), the following new subsections:

''(a) IN GENERAL.—With respect to each advisory committee, the head of the agency to which the advisory committee reports shall make publicly available in accordance with subsection (b) the following information:

''(1) The charter of the advisory committee.

''(2) A description of the process used to establish and appoint the members of the advisory committee, including the following:

''(A) The process for identifying prospective members.

''(B) The process of selecting members for balance of viewpoints or expertise.

''(C) The reason each member was appointed to the committee.

''(D) A justification of the need for representative members, if any.

''(3) A list of all current members, including, for each member, the following:

''(A) The name of any person or entity that nominated the member.

''(B) Whether the member is designated as a special government employee or a representative.

''(C) In the case of a representative, the individuals or entity whose viewpoint the member represents.

''(4) A list of all members designated as special government employees for whom

written certifications were made under section 208(b) of title 18, United States Code, a copy of each such certification, a summary description of the conflict necessitating the certification, and the reason for granting the certification.

''(5) Any recusal agreement made by a member or any recusal known to the agency that occurs during the course of a meeting or other work of the committee.

''(6) A summary of the process used by the advisory committee for making decisions.

''(7) Transcripts or audio or video recordings of all meetings of the committee.

''(8) Any written determination by the President or the head of the agency to which the advisory committee reports, pursuant to section 10(d), to close a meeting or any portion of a meeting and the reasons for such determination.

''(9) Notices of future meetings of the committee.

''(10) Any additional information considered relevant by the head of the agency to which the advisory committee reports.

''(b) MANNER OF DISCLOSURE.—

''(1) Except as provided in paragraph (2), the head of an agency shall make the information required to be disclosed under this section available electronically on the official public internet site of the agency at least 15 calendar days before each meeting of an advisory committee. If the head of the agency determines that such timing is not practicable for any required information, he shall make the information available as soon as practicable but no later than 48 hours before the next meeting of the committee. An agency may withhold from disclosure any information that would be exempt from disclosure under section 552 of title 5, United States Code.

''(2) The head of an agency shall make available electronically, on the official public internet site of the agency, a transcript or audio or video recording of each advisory committee meeting as required by subsection (a)(6) not later than 30 calendar days after the meeting.

''(c) PROVISION OF INFORMATION BY ADMINISTRATOR OF GENERAL SERVICES.—The Administrator of General Services shall provide, on the official public internet site of the General Services Administration, electronic access to the information made available by each agency under this section.''.

(b) CHARTER FILING.—Section 9(f) of the Federal Advisory Committee Act (5 U.S.C. App.), as redesignated by section 2, is amended—

(1) by striking ''with (1) the Administrator,'' and all that follows through '', or'' and inserting ''(1) with the Administrator and'';

(2) by striking ''and'' at the end of subparagraph (I);

(3) by striking the period and inserting a semicolon at the end of subparagraph (J); and

(4) by adding at the end the following new subparagraphs:

''(K) the authority under which the committee is established;

''(L) the estimated number of members and a description of the expertise needed to carry out the objectives of the committee;

''(M) a description of whether the committee will be composed of special government employees, representatives, or members from both categories; and

''(N) whether the committee has the authority to create subcommittees and if so, the agency official authorized to exercise such authority.''.

SEC. 5. COMPTROLLER GENERAL REVIEW AND REPORTS.

(a) REVIEW.—The Comptroller General of the United States shall review compliance by agencies with the Federal Advisory Committee Act, as amended by this Act, including whether agencies are appropriately appointing advisory committee members as either special government employees or representatives.

(b) REPORT.—The Comptroller General shall submit to the committees described in subsection (c) two reports on the results of the review, as follows:

(1) The first report shall be submitted not later than one year after the date of promulgation of regulations under section 2.

(2) The second report shall be submitted not later than five years after such date of promulgation of regulations.

(c) COMMITTEES.—The committees described in this subsection are the Committee on Oversight and Government Reform of the House of Representatives and the Committee on Homeland Security and Governmental Affairs of the Senate.

SEC. 6. APPLICATION OF FEDERAL ADVISORY COMMITTEE ACT TO TRADE ADVISORY COMMITTEES.

Section 135(f)(2)(A) of the Trade Act of 1974 (19 U.S.C. 2155) is amended by striking ''subsection (a) and (b) of sections 10 and 11 of the Federal Advisory Committee Act'' and inserting ''subsections (a) and (b) of section 10 and subsections (a)(7), (a)(8), (a)(9), (d), and (e) of section 11 of the Federal Advisory Committee Act''.

SEC. 7. DEFINITIONS.

Section 3 of the Federal Advisory Committee Act (5 U.S.C. App.) is amended by adding at the end the following new paragraph:

''(5) The term 'special Government employee' has the same meaning as in section 202(a) of title 18, United States Code.''.

SEC. 8. EFFECTIVE DATE.

This Act shall take effect 30 days after the date of the enactment of this Act.

The SPEAKER pro tempore. Pursuant to the rule, the gentlewoman from the District of Columbia (Ms. NORTON) and the gentleman from Alabama (Mr. BONNER) each will control 20 minutes.

The Chair recognizes the gentlewoman from the District of Columbia.

Ms. NORTON. Madam Speaker, I yield myself such time as I may consume.

H.R. 1320, the Federal Advisory Committee Act Amendments, was introduced by Representative CLAY, chairman of the Oversight Committee's Information Policy Subcommittee, on March 5, 2009.

Representative CLAY introduced a similar bill last Congress that passed the House by voice vote. This legislation amends the Federal Advisory Committee Act, known as FACA, which is a cornerstone of open government. It was enacted in 1972 in response to concerns that Federal advisory committees were not objective and had little oversight or accountability.

FACA requires that committees be balanced, transparent, and independent from the influence of special interests.

Agencies have not consistently implemented FACA, and the courts have created loopholes that undermine the purposes of the act. H.R. 1320 closes those loopholes and strengthens FACA, H.R. 1320 promotes independent advisory committees by requiring committee members to be appointed without regard to political affiliation. It will also provide that the committee members who are appointed as experts must comply with conflict of interest and other ethics requirements.

H.R. 1320 improves the transparency of advisory committees by requiring agencies to disclose more information about committees. For example, agencies are required to provide information about the process used to identify and appoint committee members, the process of selecting members for balance, and a justification of need for any members that represent stakeholder interests.

Agencies must disclose when a committee member is issued a conflict of interest waiver and provide a copy of the waiver, a summary of the need for the waiver, and a reason for granting it.

Agencies also must disclose when meetings are taking place, and following a committee meeting, the agency must provide a transcript or recording of the meeting. Currently, advisory committees can avoid having public meetings and other requirements of FACA by conducting business through subcommittees.

□ 1650

The bill closes that loophole and makes it clear that FACA applies to subcommittees. The bill also clarifies that committees set up by contractors are subject to FACA. This bill is the epitome of good government. I urge my colleagues to support it.

HOUSE OF REPRESENTATIVES,
COMMITTEE ON WAYS AND MEANS,
Washington, DC, July 21, 2010.

Hon. EDOLPHUS TOWNS,
Chairman, Committee on Oversight and Government Reform, Rayburn House Office Building, Washington, DC.

DEAR MR. CHAIRMAN: I am writing regarding H.R. 1320, the ''Federal Advisory Committee Act Amendments of 2009.'' As you know, the Committee on Ways and Means had concerns regarding this bill because the Federal Trade Advisory Committees are established under the Trade Act of 1974, as amended.

In 2008, our two Committees exchanged letters regarding similar legislation introduced in the 110th Congress, H.R. 5687. Recently, an understanding was reached on modifications to the current bill, H.R. 1320, that would address my Committee's concerns. I appreciate your willingness, and the willingness of your staff, to work with me and my staff on this important legislation.

To expedite this legislation for Floor consideration, the Committee will forgo action on this bill. This is being done with the understanding that it does not in any way prejudice the Committee with respect to the appointment of conferees or the full exercise of its jurisdictional prerogatives on this bill or similar legislation in the future.

I would appreciate your response to this letter, confirming this understanding with respect to H.R. 1320, and would ask that a copy of our exchange of letters on this matter be included in the Committee report on the bill and in the Congressional Record during House Floor consideration of this bill.

Once again, thank you for your work and cooperation on this legislation.

Sincerely,

SANDER M. LEVIN,
Acting Chairman.

HOUSE OF REPRESENTATIVES, COMMITTEE ON OVERSIGHT AND GOVERNMENT REFORM,
Washington, DC, July 21, 2010.

Hon. SANDER M. LEVIN,
Chairman, Committee on Ways and Means, Longworth House Office Building, Washington, DC.

DEAR CHAIRMAN LEVIN: Thank you for your letter regarding your Committee's interest in H.R. 1320, the Federal Advisory Committee Act Amendments of 2009.

I appreciate your willingness to support early floor consideration of this important legislation. I understand and agree that this is without prejudice to your Committee's jurisdictional interests in this legislation as amended or similar legislation in the future. In the event a House-Senate conference on this or similar legislation is convened, I would support your request for an appropriate number of conferees.

I will include a copy of your letter and this response in the committee report on the bill and in the Congressional Record during floor consideration of this bill. Thank you for your cooperation as we work towards enactment of this legislation.

Sincerely,

EDOLPLUS TOWNS,
Chairman.

I reserve the balance of my time.

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

I rise today in support of H.R. 1320, the Federal Advisory Committee Act Amendments of 2010.

The Federal Advisory Committee Act, first signed into law in 1972, is an important safeguard of the public's right to know. Congress originally passed FACA to formally establish Federal advisory committees and set guidelines for their creation and management in response to beliefs by many citizens and Members of Congress that such committees were duplicative, inefficient, and lacked adequate control or oversight. FACA required formal reporting and oversight procedures, balanced membership, open meetings, and ensured the advice provided by committees be objective and accessible to the public.

Federal advisory committees bring together private and governmental experts to examine issues and recommend statutory, regulatory, or other actions. There are over 900 active committees with nearly 64,000 total members that provide advice and recommendations to 50 Federal agencies. These committees make key decisions affecting every American on vital issues such as health care, civil rights, and national security.

Congress intended FACA to shed some light into how agencies make decisions based upon advice and recommendations from individuals outside of government. It also ensures that the benefits received from such committees are justified to taxpayers.

As originally introduced and reported, H.R. 1320 enhanced the advisory committee selection process and expanded the disclosure of conflicts of interest of committee members. The introduced and reported version of H.R. 1320 was essentially the same bill that many of my colleagues supported last Congress when it passed by a voice vote. However, Madam Speaker, over the past year the bill that many of our colleagues supported in the last Congress was watered down by the majority; and until recent changes, Madam Speaker, we would have been asked to support a bill that was promoting less transparency. Following talks with the administration, the majority proposed a revised version of H.R. 1320 this spring that reduced transparency, limited disclosure, and weakened the prohibition on conflicts of interest. This came as a shock to many of my Republican colleagues on the Committee on Oversight and Government Reform, as a 2004 GAO investigation found that agencies were using advisory committees to avoid disclosing conflicts of interest.

Thankfully, at the urging of Republican members on the Committee on Oversight and Government Reform, Democrat and Republican members of that committee were able to work together and have given this body today a bill that increases transparency and accountability of both the committees and the agencies that they advise. H.R. 1320 provides strong protections against conflicts of interest and robust transparency into the workings of these committees. The bill also closes a loophole that many agencies were using to get around financial disclosure requirements and ethics requirements for members of those committees.

I commend Mr. CLAY, Chairman TOWNS, Ranking Member ISSA, and other distinguished members of the committee for their hard work and desire to make the Federal Government more transparent and open and accountable to the American people.

I urge all Members to support H.R. 1320.

I reserve the balance of my time.

Ms. NORTON. Madam Speaker, I'm pleased to yield such time as he may consume to the gentleman from Missouri (Mr. CLAY), the chairman of the Oversight and Government Reform Committee's Subcommittee on Information Policy, Census, and National Archives, the author of the bill before us.

Mr. CLAY. I thank my colleague from the District of Columbia for yielding.

Madam Speaker, H.R. 1320, the Federal Advisory Committee Act Amendments, strengthens one of our central open-government laws.

Advisory committees provide the President and agencies with expert advice on complex issues. Current examples include the National Commission on Fiscal Responsibility and Reform that was established to advise the President on policies to achieve fiscal sustainability and the National Commission on the BP Deepwater Horizon Oil Spill.

FACA is intended to ensure that advisory committees like these provide objective advice and operate in a way that is open and accessible to the public. But over time, FACA has been undermined by inconsistent implementation. This bill closes loopholes that allow agencies to get around the act and makes the advisory committee process more transparent.

This bill is being brought up with an amendment that addresses feedback we received from the Office of Government Ethics. The primary change addresses how agencies appoint members to advisory committees. The GAO has identified improper designation of committee members as one of the primary problems with implementation of FACA.

GAO found that some agencies are avoiding Federal ethics rules by appointing members that should be appointed as special government employees as representative members.

The amendment to H.R. 1320 will require agencies to properly designate committee members and require agency ethics officials to certify the designation. If an agency appoints a member to represent a specific interest, the agency has to put information on its Web site justifying its decision and identify the interest the member represents.

The amendment also makes improvements to the bill proposed by Oversight and Government Reform Committee Ranking Member ISSA. Specifically, these changes include requiring agencies to establish a process that allows the public to nominate potential committee members and requiring agencies to disclose when a committee member is recused because of a conflict of interest.

A section has also been added to the bill to make the bill consistent with the way trade advisory committees are treated under the Trade Act. Trade committees are exempt from FACA's open meetings requirement and H.R. 1320 will preserve that exemption.

H.R. 1320 will shed light on who is advising the government, how they are advising the government, and what they are saying. I urge any colleagues to support this important open-government legislation.

□ 1700

Mr. BONNER. Madam Speaker, I am happy to encourage our Members to support passage of this bill.

I yield back the balance of my time.

GENERAL LEAVE

Ms. NORTON. Madam 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 H.R. 1320, as amended.

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

There was no objection.

Ms. NORTON. I have no further speakers, and I ask my colleagues to join me in supporting this measure.

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. 1320, as amended.

The question was taken.

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

Mr. BONNER. 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.

RECESS

The SPEAKER pro tempore. Pursuant to clause 12(a) of rule I, the Chair declares the House in recess until approximately 6 p.m. today.

Accordingly (at 5 p.m.), the House stood in recess until approximately 6 p.m.

□ 1800

AFTER RECESS

The recess having expired, the House was called to order by the Speaker pro tempore (Mr. LANGEVIN) at 6 p.m.

GENERAL LEAVE

Mr. SCOTT of Georgia. Mr. Speaker, I ask unanimous consent that all Members have 5 legislative days to revise and extend their remarks on House Resolution 1525 and include any extraneous materials.

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

There was no objection.

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:

H.R. 1320, by the yeas and nays;

H. Res. 1504, by the yeas and nays;

H.R. 3101, by the yeas and nays.

Proceedings on H. Res. 1543 will resume later in the week.

The first electronic vote will be conducted as a 15-minute vote. Remaining electronic votes will be conducted as 5-minute votes.

FEDERAL ADVISORY COMMITTEE ACT AMENDMENTS OF 2010

The SPEAKER pro tempore. The unfinished business is the vote on the motion to suspend the rules and pass the bill (H.R. 1320) to amend the Federal Advisory Committee Act to increase the transparency and accountability of Federal advisory committees, and for other purposes, as amended, 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, as amended.

The vote was taken by electronic device, and there were—yeas 250, nays 124, not voting 58, as follows:

[Roll No. 467]

YEAS—250

Ackerman
Adler (NJ)
Altmire
Andrews
Arcuri
Baca
Baird
Baldwin
Barrow
Bean
Becerra
Berkley
Berman
Berry
Bilbray
Bishop (NY)
Blumenauer
Boccieri
Bonner
Boswell
Boucher
Boyd
Brady (PA)
Brown, Corrine
Buchanan
Butterfield
Capps
Capuano
Cardoza
Carnahan
Carney
Carson (IN)
Castor (FL)
Chaffetz
Chandler
Childers
Clarke
Clay
Cleaver
Clyburn
Coffman (CO)
Cohen
Connolly (VA)
Cooper
Costa
Costello
Courtney
Critz
Crowley
Cuellar
Culberson
Cummings
Dahlkemper
Davis (CA)
DeFazio
DeGette
DeLauro
Dent
Deutch
Dicks
Dingell
Djou
Doggett
Donnelly (IN)
Doyle
Driehaus
Edwards (MD)
Edwards (TX)
Ellison
Emerson
Engel
Eshoo
Etheridge
Farr
Fattah
Filner
Fortenberry
Foster
Frank (MA)
Fudge
Garamendi
Gerlach
Giffords
Gohmert
Gonzalez
Gordon (TN)
Green, Al
Green, Gene
Grijalva
Guthrie
Hall (NY)
Hall (TX)
Halvorson
Hare
Harman
Hastings (FL)
Heinrich
Herseth Sandlin
Higgins
Hill
Himes
Hinchey
Hinojosa
Hirono
Holden
Holt
Honda
Hoyer
Inslee
Israel
Issa
Jackson (IL)
Jackson Lee (TX)
Johnson, E. B.
Jones
Kagen
Kanjorski
Kaptur
Kildee
Kilroy
Kind
Kirk
Kirkpatrick (AZ)
Kissell
Klein (FL)
Kratovil
Kucinich
Langevin
Larsen (WA)
Larson (CT)
LaTourette
Lee (CA)
Levin
Lewis (GA)
Loebsack
Lofgren, Zoe
Lowey
Luján
Lynch
Maffei
Maloney
Markey (CO)
Markey (MA)
Marshall
Matheson
Matsui
McCarthy (NY)
McCollum
McDermott
McGovern
McHenry
McIntyre
McMahon
McNerney
Meeks (NY)
Melancon
Michaud
Miller (NC)
Miller, George
Minnick
Mitchell
Mollohan
Moore (KS)
Moore (WI)
Moran (VA)
Murphy (CT)
Murphy (NY)
Murphy, Patrick
Murphy, Tim
Nadler (NY)
Napolitano
Neal (MA)
Nye
Oberstar
Obey
Olver
Ortiz
Owens
Pallone
Pascrell
Pastor (AZ)
Paulsen
Payne
Perlmutter
Perriello
Peters
Peterson
Pingree (ME)
Platts
Polis (CO)
Pomeroy
Price (NC)
Quigley
Rahall
Rangel
Reichert
Reyes
Richardson
Rodriguez
Ross
Rothman (NJ)
Roybal-Allard
Ruppersberger
Ryan (OH)
Salazar
Sánchez, Linda T.
Sanchez, Loretta
Sarbanes
Schakowsky
Schauer
Schiff
Schock
Schrader
Schwartz
Scott (GA)
Scott (VA)
Serrano
Sestak
Shea-Porter
Sherman
Sires
Skelton
Slaughter
Snyder
Spratt
Stark
Sutton
Tanner
Taylor
Teague
Thompson (CA)
Tierney
Titus
Tonko
Tsongas
Van Hollen
Velázquez
Visclosky
Walz
Wasserman Schultz
Watt
Waxman
Welch
Wilson (OH)
Wittman
Wolf
Woolsey
Wu
Yarmuth
Young (AK)

NAYS—124

Aderholt
Austria
Bachmann
Bachus
Bartlett
Barton (TX)
Biggert
Bilirakis
Blackburn
Blunt
Boehner
Bono Mack
Boozman
Boustany
Brady (TX)
Broun (GA)
Brown (SC)
Brown-Waite, Ginny
Burgess
Burton (IN)
Calvert
Camp
Campbell
Cantor
Capito
Carter
Cassidy
Castle
Coble
Conaway
Crenshaw
Davis (KY)
Diaz-Balart, L.
Diaz-Balart, M.
Dreier
Duncan
Ehlers
Flake
Fleming
Foxx
Franks (AZ)
Frelinghuysen
Gallegly
Garrett (NJ)
Gingrey (GA)
Goodlatte
Granger
Graves (GA)
Harper
Hastings (WA)
Hensarling
Herger
Hunter
Inglis
Jenkins
Johnson, Sam
Jordan (OH)
King (IA)
King (NY)
Kingston
Kline (MN)
Lamborn
Lance
Latham
Latta
Lee (NY)
Lewis (CA)
LoBiondo
Lucas
Luetkemeyer
Lummis
Lungren, Daniel E.
Mack
Manzullo
Marchant
McCarthy (CA)
McCaul
McClintock
McCotter
McKeon
McMorris Rodgers
Mica
Miller (MI)
Miller, Gary
Myrick
Neugebauer
Nunes
Olson
Paul
Pence
Petri
Pitts
Posey
Price (GA)
Rehberg
Roe (TN)
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rooney
Ros-Lehtinen
Roskam
Royce
Ryan (WI)
Scalise
Schmidt
Sensenbrenner
Sessions
Shuster
Simpson
Smith (NE)
Smith (NJ)
Smith (TX)
Stearns
Terry
Thompson (PA)
Thornberry
Tiberi
Turner
Upton
Walden
Westmoreland
Whitfield
Wilson (SC)

NOT VOTING—58

Akin
Alexander
Barrett (SC)
Bishop (GA)
Bishop (UT)
Boren
Braley (IA)
Bright
Buyer
Cao
Chu
Cole
Conyers
Davis (AL)
Davis (IL)
Davis (TN)
Delahunt
Ellsworth
Fallin
Forbes
Graves (MO)
Grayson
Griffith
Gutierrez
Heller
Hodes
Hoekstra
Johnson (GA)
Johnson (IL)
Kennedy
Kilpatrick (MI)
Kosmas
Linder
Lipinski
Meek (FL)
Miller (FL)
Moran (KS)
Poe (TX)
Putnam
Radanovich
Rohrabacher
Rush
Shadegg
Shimkus
Shuler
Smith (WA)
Space
Speier
Stupak
Sullivan
Thompson (MS)
Tiahrt
Towns
Wamp
Waters
Watson
Weiner
Young (FL)

□ 1833

Messrs. DAVIS of Kentucky, GALLEGLY, CRENSHAW, BURTON of Indiana, Ms. ROS-LEHTINEN, Messrs. UPTON, LINCOLN DIAZ-BALART of Florida, CARTER, Ms. JENKINS, Messrs. REHBERG, TURNER, Ms. GRANGER, Messrs. MARIO DIAZ-BALART of Florida and WHITFIELD changed their vote from ''yea'' to ''nay.''

Messrs. ISSA, YOUNG of Alaska, KIRK, CHAFFETZ, GUTHRIE, COFFMAN of Colorado, and SCHOCK changed their vote from ''nay'' to ''yea.''

So (two-thirds being in the affirmative) the rules were suspended and the bill, as amended, was passed.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

Stated for:

Mr. MILLER of Florida. Mr. Speaker, on roll-call No. 467, had I been present, I would have voted "nay."

RECOGNIZING 20TH ANNIVERSARY OF AMERICANS WITH DISABILITIES ACT

The SPEAKER pro tempore. The unfinished business is the vote on the motion to suspend the rules and agree to the resolution (H. Res. 1504) recognizing and honoring the 20th anniversary of the enactment of the Americans with Disabilities Act of 1990, as amended, on which the yeas and nays were ordered.

The Clerk read the title of the resolution.

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

This is a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 377, nays 0, not voting 55, as follows:

[Roll No. 468]

YEAS—377

Ackerman
Aderholt
Adler (NJ)
Alexander
Altmire
Andrews
Arcuri
Austria
Baca
Bachmann
Bachus
Baird
Baldwin
Barrow
Bartlett
Barton (TX)
Bean
Becerra
Berkley
Berman
Berry
Biggert
Bilbray
Bilirakis
Bishop (NY)
Bishop (UT)
Blackburn
Blumenauer
Blunt
Boccieri
Boehner
Bonner
Bono Mack
Boozman
Boswell
Boucher
Boustany
Boyd
Brady (PA)
Brady (TX)
Brown (SC)
Brown, Corrine
Brown-Waite, Ginny
Buchanan
Burgess
Burton (IN)
Butterfield
Calvert
Camp
Campbell
Cantor
Capito
Capps
Capuano
Cardoza
Carnahan
Carney
Carson (IN)
Carter
Cassidy
Castle
Castor (FL)
Chaffetz
Chandler
Childers
Clarke
Clay
Cleaver
Clyburn
Coble
Coffman (CO)
Cohen
Conaway
Connolly (VA)
Cooper
Costa
Costello
Courtney
Crenshaw
Critz
Crowley
Cuellar
Culberson
Cummings
Dahlkemper
Davis (CA)
Davis (KY)
DeFazio
DeGette
DeLauro
Dent
Deutch
Diaz-Balart, L.
Diaz-Balart, M.
Dicks
Dingell
Djou
Doggett
Donnelly (IN)
Doyle
Dreier
Driehaus
Duncan
Edwards (MD)
Edwards (TX)
Ellison
Emerson
Engel
Eshoo
Etheridge
Farr
Fattah
Filner
Flake
Fleming
Fortenberry
Foster
Foxx
Frank (MA)
Franks (AZ)
Frelinghuysen
Fudge
Gallegly
Garamendi
Garrett (NJ)
Gerlach
Giffords
Gingrey (GA)
Gohmert
Gonzalez
Goodlatte
Gordon (TN)
Granger
Graves (GA)
Green, Al
Green, Gene
Grijalva
Guthrie
Hall (NY)
Hall (TX)
Halvorson
Hare
Harman
Harper
Hastings (FL)
Hastings (WA)
Heinrich
Hensarling
Herger
Herseth Sandlin
Higgins
Hill
Himes
Hinchey
Hinojosa
Hirono
Holden
Holt
Honda
Hoyer
Hunter
Inglis
Inslee
Israel
Issa
Jackson (IL)
Jackson Lee (TX)
Jenkins
Johnson (GA)
Johnson, E. B.
Johnson, Sam
Jones
Jordan (OH)
Kagen
Kanjorski
Kaptur
Kildee
Kilroy
Kind
King (IA)
King (NY)
Kingston
Kirk
Kirkpatrick (AZ)
Kissell
Klein (FL)
Kline (MN)
Kratovil
Kucinich
Lamborn
Lance
Langevin
Larsen (WA)
Larson (CT)
Latham
LaTourette
Latta
Lee (CA)
Lee (NY)
Levin
Lewis (CA)
Lewis (GA)
Linder
LoBiondo
Loebsack
Lofgren, Zoe
Lowey
Lucas
Luetkemeyer
Luján
Lummis
Lungren, Daniel E.
Lynch
Mack
Maffei
Maloney
Manzullo
Marchant
Markey (CO)
Markey (MA)
Marshall
Matheson
Matsui
McCarthy (CA)
McCarthy (NY)
McCaul
McClintock
McCollum
McCotter
McDermott
McGovern
McHenry
McIntyre
McKeon
McMahon
McMorris Rodgers
McNerney
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, Patrick
Murphy, Tim
Myrick
Nadler (NY)
Napolitano
Neal (MA)
Neugebauer
Nunes
Nye
Oberstar
Obey
Olson
Olver
Ortiz
Owens
Pallone
Pascrell
Pastor (AZ)
Paulsen
Payne
Pence
Perlmutter
Perriello
Peters
Peterson
Petri
Pingree (ME)
Pitts
Platts
Polis (CO)
Pomeroy
Posey
Price (GA)
Price (NC)
Quigley
Rahall
Rangel
Rehberg
Reichert
Reyes
Richardson
Rodriguez
Roe (TN)
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rooney
Ros-Lehtinen
Roskam
Ross
Rothman (NJ)
Roybal-Allard
Royce
Ruppersberger
Ryan (OH)
Ryan (WI)
Salazar
Sánchez, Linda T.
Sanchez, Loretta
Sarbanes
Scalise
Schakowsky
Schauer
Schiff
Schmidt
Schock
Schrader
Schwartz
Scott (GA)
Scott (VA)
Sensenbrenner
Serrano
Sessions
Sestak
Shea-Porter
Sherman
Shimkus
Shuster
Simpson
Sires
Skelton
Slaughter
Smith (NE)
Smith (NJ)
Smith (TX)
Snyder
Spratt
Stark
Stearns
Sutton
Tanner
Taylor
Teague
Terry
Thompson (CA)
Thompson (PA)
Thornberry
Tiberi
Tierney
Titus
Tonko
Tsongas
Turner
Upton
Van Hollen
Velázquez
Visclosky
Walden
Walz
Wasserman Schultz
Watt
Waxman
Welch
Westmoreland
Whitfield
Wilson (OH)
Wilson (SC)
Wittman
Wolf
Woolsey
Wu
Yarmuth
Young (AK)

NOT VOTING—55

Akin
Barrett (SC)
Bishop (GA)
Boren
Braley (IA)
Bright
Broun (GA)
Buyer
Cao
Chu
Cole
Conyers
Davis (AL)
Davis (IL)
Davis (TN)
Delahunt
Ehlers
Ellsworth
Fallin
Forbes
Graves (MO)
Grayson
Griffith
Gutierrez
Heller
Hodes
Hoekstra
Johnson (IL)
Kennedy
Kilpatrick (MI)
Kosmas
Lipinski
Meek (FL)
Moran (KS)
Paul
Poe (TX)
Putnam
Radanovich
Rohrabacher
Rush
Shadegg
Shuler
Smith (WA)
Space
Speier
Stupak
Sullivan
Thompson (MS)
Tiahrt
Towns
Wamp
Waters
Watson
Weiner
Young (FL)

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (during the vote). There are 2 minutes remaining in this vote.

□ 1842

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

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

COMMEMORATING 20TH ANNIVERSARY OF ADA AND RECOGNIZING SPEAKER PRO TEMPORE LANGEVIN

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

Ms. PELOSI. Mr. Speaker, I rise to call to the attention of our colleagues the historic moment that we are all enjoying right now. Today is the 20th anniversary of the Americans with Disabilities Act. What better way for us to observe that important legislation's anniversary than to have this be the day that, for the first time in our country's history, a gentleman with the challenges that Mr. LANGEVIN faces is presiding as Speaker of the House of Representatives. Congratulations to you, Mr. Speaker.

It is appropriate for us to address our remarks to the Speaker and, in this case, the outpouring of appreciation for this special occasion is marked, not just because you are a person with disabilities, but because you are JIM LANGEVIN of Rhode Island, who it is an honor for all of us to call colleague.

It's important that you are the first, because when you came to the Congress, you inspired us, you transformed our thinking about respecting people for what they can do without hesitating about any limitations they may have.

My colleagues, many of you were present when I took the gavel from Mr. BOEHNER as the first woman Speaker of the House, and it was a highly emotional day for some of us.

Today is a similar day. It is a day when we are making history in this body. Thanks to the work of the Architect of the Capitol, but practically invisible to the eye, a system has been developed so that Mr. LANGEVIN, with great dignity, can take the chair to preside.

Any one of us in our families or in this body is one phone call away from, or a diagnosis, news of an accident, whatever it may be that may physically limit our participation here. But that should not deprive anyone of the honor and the prestige of presiding over the House. And from this day forward, this House will be an example to the rest of the country that these physical obstacles of three stairs, and to the extent that you may be interested in the engineering of it all, it's very interesting.

But not to take away from the fact that the person who is the first to do so is Mr. LANGEVIN. His leadership in the Congress is recognized. And so it is

with great emotion, with great pride, with a great sense of history that today we are making history and making progress for the American people.

I am pleased to yield to the distinguished Republican leader, the gentleman from Ohio.

Mr. BOEHNER. I thank the Speaker for yielding.

On this day 20 years ago, the Americans with Disabilities Act became law. And to the majority leader, who played a big role in making that happen, and Mr. SENSENBRENNER and other Members, I want to say congratulations to all of you.

And congratulations to those who, through no fault of their own, have had their capacities limited.

And to our colleague from Rhode Island (Mr. LANGEVIN), it's on behalf of the millions of Americans who have been helped by the Americans with Disabilities Act, we too want to congratulate you for the great honor that you have the ability today to be the first person with disabilities to sit in the Speaker's chair. Congratulations.

Ms. PELOSI. Reclaiming my time, I want to concur with the sentiments of the distinguished Republican leader in acknowledging the bipartisan support that the Americans with Disabilities Act received in the House. Mr. SENSENBRENNER, a champion for civil rights across the board, a champion on this issue, inspired by his wife, Cheryl; in the Senate, Senator Ted Kennedy, Senator Robert Dole in the leadership of the Senate was such. So it has been bipartisan in both Houses. Senator HARKIN was with us earlier today. PATRICK KENNEDY acknowledged his and his father's participation.

But our champion on this side of the aisle and, I think, really in the entire Congress, has been our majority leader, STENY HOYER, who not only was instrumental in passing the legislation, he was instrumental in its enforcement and implementation of the amendments to correct misunderstandings that the Supreme Court may have had about it.

He has been a champion. And it is appropriate on this, the 20th anniversary, that we acknowledge his tremendous leadership as well.

And if I may, because he won't say it, and Mr. LANGEVIN is in the chair, so he can't say it. But earlier today at a reception, Mr. LANGEVIN said, because of the leadership of Mr. HOYER, Mr. SENSENBRENNER and others, but he pointed out Mr. HOYER, on this ADA legislation, well, that legislation enabled Mr. LANGEVIN to be successful in what he did and to be our colleague, and now preside over the Congress today.

I am pleased to yield to the gentleman from Maryland, the distinguished majority leader.

□ 1850

Mr. HOYER. I thank the Speaker for yielding.

Mr. Speaker, JIM LANGEVIN of Rhode Island, thank you. Thank you for the courage that you have shown.

I don't know how many of you know JIM LANGEVIN's story. Involved in the police boys club, 16 years of age, at a police station in Rhode Island. Someone was cleaning his gun. It went off by mistake, accidentally, ricocheted off the wall, and went into Mr. LANGEVIN's spine. At 16 years of age, he was rendered unable to walk.

Some people could have given up. Some people could have lamented that accident which rendered them unable to walk and have limited mobility. JIM LANGEVIN, of course, as we all see, did not do that. JIM LANGEVIN decided that he was going to succeed and persevere and overcome. And JIM LANGEVIN sits in the chair today presiding over the people's House.

Think of what an extraordinary example that is to every person of whatever age who has a mobility impairment for whatever reasons, injured in Iraq, Afghanistan, or someplace at the point of the spear, comes back to this country.

My friend WALT MINNICK and MIKE SIMPSON just introduced me to a young fellow who in May was injured in Afghanistan and lost both his legs. What an example JIM LANGEVIN must be to him and to millions of others who are similarly situated.

The promise of the Americans with Disabilities Act in July of 1990 was that we would open up the doors of opportunity in a country that prides itself on being the land of opportunity. As I have said a number of times this week, Thomas Jefferson indicated that the pursuit of happiness was a God-given right. But Thomas Jefferson, in his time, had a limited view. And we have found, in generation after generation, that we had to perfect that view.

African Americans, of course, were not given the land of opportunity's opportunities. We fought a Civil War, and we adopted the 13th and 14th and 15th Amendments. Notwithstanding that, however, we did not, at that point in time, realize the full scope of the opportunity that we provided in that Declaration of Independence and, theoretically, in that beloved document of ours, the pride of our country, the United States Constitution.

So again we perfected it, and in the early part of the last century we said to those who are women in this body and around the country, no, what we really should have said is men and women are created equal and endowed by their Creator, and we want to include you and give you the right to vote. It's almost amazing that 90 years ago, or some 100 years ago that women didn't have the right to vote in this country. And we perfected our country by amending our Constitution to expand, further, the opportunities.

And then in 1964 and 1965 and 1957 and further, we passed acts which have said, look, we said that African Americans were equal, but we still see discrimination. And Martin Luther King, Jr., called our attention to the fact that this was not yet a perfect Union and that work needed to be done.

And 25 years after the 1965 act, we saw a large group of people—we then said 45 million; we now use the figure 50 million people—who have a disability, and because of that disability are excluded, are shut out, are not welcomed in, are not given what this lift is, a reasonable accommodation in the Americans with Disabilities Act. It simply says there are some things we can do to enhance somebody who is challenged with a disability to fully participate. We know that.

ED MARKEY is right next to me. We are going to pass a bill that we know that technology now is providing greater access to people who can't hear, and indeed to people who can't see, to fully participate in our society.

JIM LANGEVIN is the example of the realization of the promise of the July 26, 1990, signing by George Herbert Walker Bush that said that we're going to knock down the walls of discrimination that confront the disabled. But what we were talking about was not the disability. We were talking about the discrimination. Unfortunately, the Supreme Court missed that. But fortunately for our country and those with disabilities, the Congress did not.

In every step of the way, this has been a bipartisan effort, led by a Republican President, made better by another Republican President, his son, George W. Bush. JIM SENSENBRENNER. But let me mention someone that many of you may not know who are recently here. Steve Bartlett, Congressman from Texas, became the mayor of Dallas, worked with me almost every day for almost a full year in making sure that when we adopted the Americans with Disabilities Act it would be workable, affordable, and effective.

JIM LANGEVIN, you are an example of that effectiveness. So I thank you, as I said at the beginning, because you are a representative of literally millions of Americans who had the courage, the tenacity, and the vision to come to Washington or to come to town meetings, to see people in their districts and talk to them about the challenges that they confronted.

So this is a great day to recognize what 20 years ago we, who had the privilege of being here, working with President George Herbert Walker Bush, had the opportunity to do.

The young man to which I referred was just brought in—you are his Congressman, or is MIKE? In any event, MIKE and WALT MINNICK represent this young man.

JIM SENSENBRENNER and I and JIM LANGEVIN were with the President a little earlier today. And I took out my cell phone and I punched ''D'' on my phone, and I dialed the phone and I said, ''Hello, Bob,'' because Senator Dole was a critical person in passing this legislation. I passed the phone to President Obama, and President Obama said, ''We're keeping the faith. What you wrought, we're going to continue to make even better.''

Thank you, JIM LANGEVIN. Thank all of those who have a disability who made this happen. God bless you.

Ms. PELOSI. Mr. Speaker, our distinguished majority leader referenced that we had a special guest here today. I want to acknowledge the presence of Mr. MINNICK's guest, Corporal Randal Wright. He lost both legs and a hand in Afghanistan.

I think it's important that we have this juxtapositioning. As Mr. PATRICK KENNEDY said today in his remarks, we have many of our brave men and women in uniform who are fighting the fight for our country. They come home, many of them, with physical disabilities. We want them all to think about serving in Congress.

So this, Corporal Randal Wright, is about you and your colleagues as well. Mr. LANGEVIN has led the way. We want to take this opportunity to thank you for your patriotism, your courage, and your sacrifice for our country.

□ 1900

I want to thank Mr. MINNICK and Mr. MARSHALL, the author of the Veterans Disabilities Act, for bringing Corporal Wright here. And STENY tells me that Corporal Wright got married this week as well.

So, my colleagues, once again let us congratulate Mr. LANGEVIN for presiding with such dignity over the House on this historic day. Congratulations and thank you.

TWENTY-FIRST CENTURY COMMUNICATIONS AND VIDEO ACCESSIBILITY ACT OF 2010

The SPEAKER pro tempore. Without objections, 5-minute voting will continue.

There was no objection.

The SPEAKER pro tempore. The unfinished business is the vote on the motion to suspend the rules and pass the bill (H.R. 3101) to ensure that individuals with disabilities have access to emerging Internet Protocol-based communication and video programming technologies in the 21st Century, as amended, on which the yeas and nays were ordered.

The Clerk read the title of the bill.

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

This is a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 348, nays 23, not voting 61, as follows:

[Roll No. 469]

YEAS—348

Ackerman
Aderholt
Adler (NJ)
Alexander
Altmire
Andrews
Arcuri
Austria
Baca
Bachus
Baird
Baldwin
Barrow
Barton (TX)
Bean
Becerra
Berkley
Berman
Berry
Biggert
Bilbray
Bilirakis
Bishop (NY)
Bishop (UT)
Blackburn
Blumenauer
Blunt
Boccieri
Boehner
Bonner
Bono Mack
Boozman
Boswell
Boucher
Boustany
Boyd
Brady (PA)
Brown (SC)
Brown, Corrine
Brown-Waite, Ginny
Buchanan
Burgess
Burton (IN)
Butterfield
Calvert
Camp
Cantor
Capito
Capps
Capuano
Cardoza
Carnahan
Carney
Carson (IN)
Carter
Cassidy
Castle
Castor (FL)
Chandler
Childers
Clarke
Clay
Cleaver
Clyburn
Coble
Coffman (CO)
Cohen
Connolly (VA)
Cooper
Costa
Costello
Courtney
Crenshaw
Critz
Crowley
Cuellar
Culberson
Cummings
Dahlkemper
Davis (CA)
Davis (KY)
DeFazio
DeGette
DeLauro
Dent
Deutch
Diaz-Balart, L.
Diaz-Balart, M.
Dicks
Dingell
Djou
Doggett
Donnelly (IN)
Doyle
Dreier
Driehaus
Duncan
Edwards (MD)
Edwards (TX)
Ehlers
Ellison
Emerson
Engel
Eshoo
Etheridge
Farr
Fattah
Filner
Fleming
Fortenberry
Foster
Frank (MA)
Frelinghuysen
Fudge
Gallegly
Garamendi
Gerlach
Giffords
Gingrey (GA)
Gonzalez
Goodlatte
Gordon (TN)
Granger
Green, Gene
Grijalva
Guthrie
Hall (NY)
Hall (TX)
Halvorson
Hare
Harman
Harper
Hastings (FL)
Hastings (WA)
Heinrich
Herger
Herseth Sandlin
Higgins
Hill
Himes
Hinchey
Hinojosa
Hirono
Holden
Holt
Honda
Hoyer
Hunter
Inglis
Inslee
Israel
Issa
Jackson (IL)
Jackson Lee (TX)
Jenkins
Johnson (GA)
Johnson, E. B.
Jones
Kagen
Kanjorski
Kaptur
Kildee
Kilroy
Kind
King (NY)
Kirk
Kirkpatrick (AZ)
Kissell
Klein (FL)
Kline (MN)
Kratovil
Kucinich
Lance
Langevin
Larsen (WA)
Larson (CT)
Latham
LaTourette
Latta
Lee (CA)
Lee (NY)
Levin
Lewis (CA)
Lewis (GA)
Linder
LoBiondo
Loebsack
Lowey
Lucas
Luetkemeyer
Luján
Lummis
Lungren, Daniel E.
Lynch
Maffei
Maloney
Manzullo
Marchant
Markey (CO)
Markey (MA)
Marshall
Matheson
Matsui
McCarthy (CA)
McCarthy (NY)
McCaul
McCollum
McCotter
McDermott
McGovern
McHenry
McIntyre
McKeon
McMahon
McMorris Rodgers
McNerney
Meeks (NY)
Melancon
Mica
Michaud
Miller (MI)
Miller (NC)
Miller, Gary
Miller, George
Minnick
Mitchell
Mollohan
Moore (KS)
Moore (WI)
Moran (VA)
Murphy (CT)
Murphy (NY)
Murphy, Patrick
Murphy, Tim
Myrick
Nadler (NY)
Napolitano
Neal (MA)
Neugebauer
Nunes
Nye
Oberstar
Obey
Olson
Olver
Ortiz
Owens
Pallone
Pascrell
Pastor (AZ)
Paulsen
Payne
Pence
Perlmutter
Perriello
Peters
Peterson
Petri
Pitts
Platts
Polis (CO)
Pomeroy
Posey
Price (NC)
Quigley
Rahall
Rangel
Rehberg
Reichert
Reyes
Richardson
Rodriguez
Roe (TN)
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rooney
Ros-Lehtinen
Roskam
Ross
Rothman (NJ)
Roybal-Allard
Ruppersberger
Ryan (OH)
Ryan (WI)
Salazar
Sánchez, Linda T.
Sanchez, Loretta
Sarbanes
Scalise
Schakowsky
Schauer
Schiff
Schmidt
Schock
Schrader
Schwartz
Scott (GA)
Scott (VA)
Sensenbrenner
Serrano
Sessions
Sestak
Shea-Porter
Sherman
Shimkus
Shuster
Simpson
Sires
Skelton
Slaughter
Smith (NE)
Smith (NJ)
Smith (TX)
Snyder
Spratt
Stearns
Sutton
Tanner
Taylor
Teague
Terry
Thompson (CA)
Thompson (PA)
Thornberry
Tiberi
Tierney
Titus
Tonko
Tsongas
Turner
Upton
Van Hollen
Velázquez
Visclosky
Walz
Wasserman Schultz
Watt
Waxman
Welch
Whitfield
Wilson (OH)
Wilson (SC)
Wittman
Wolf
Woolsey
Wu
Yarmuth

NAYS—23

Bartlett
Campbell
Chaffetz
Conaway
Flake
Foxx
Franks (AZ)
Garrett (NJ)
Graves (GA)
Hensarling
Johnson, Sam
Jordan (OH)
King (IA)
Kingston
Lamborn
Mack
McClintock
Miller (FL)
Paul
Price (GA)
Royce
Westmoreland
Young (AK)

NOT VOTING—61

Akin
Bachmann
Barrett (SC)
Bishop (GA)
Boren
Brady (TX)
Braley (IA)
Bright
Broun (GA)
Buyer
Cao
Chu
Cole
Conyers
Davis (AL)
Davis (IL)
Davis (TN)
Delahunt
Ellsworth
Fallin
Forbes
Gohmert
Graves (MO)
Grayson
Green, Al
Griffith
Gutierrez
Heller
Hodes
Hoekstra
Johnson (IL)
Kennedy
Kilpatrick (MI)
Kosmas
Lipinski
Lofgren, Zoe
Meek (FL)
Moran (KS)
Pingree (ME)
Poe (TX)
Putnam
Radanovich
Rohrabacher
Rush
Shadegg
Shuler
Smith (WA)
Space
Speier
Stark
Stupak
Sullivan
Thompson (MS)
Tiahrt
Towns
Walden
Wamp
Waters
Watson
Weiner
Young (FL)

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (during the vote). There are 2 minutes remaining in this vote.

□ 1911

Mr. ROONEY changed his vote from ''nay'' to ''yea.''

So (two-thirds being in the affirmative) the rules were suspended and the bill, as amended, was passed.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

PERSONAL EXPLANATION

Mr. CONYERS. Mr. Speaker, due to urgent business in the 14th congressional district, I was unable to vote today. If I were present, I would have voted ''aye'' to the following bills: H.R. 1320—Federal Advisory Committee Act Amendments; H. Res 1504—Recognizing and honoring the 20th anniversary of the enactment of the Americans with Disabilities Act of 1990; H.R. 3101—Twenty-first Century Communications and Video Accessibility Act.

PERSONAL EXPLANATION

Ms. KILPATRICK of Michigan. Mr. Speaker, I was unable to attend to several votes today. Had I been present, I would have voted ''aye'' on final passage of H.R. 1320; ''aye'' on final passage of H. Res. 1504 and ''aye'' on final passage of H.R. 3101.

PERSONAL EXPLANATION

Mr. GUTIERREZ. Mr. speaker, I was unavoidably absent in the House Chamber today. Had I been present, I would have voted ''yea'' on rollcall votes Nos. 467, 468 and 469.

PERSONAL EXPLANATION

Mr. AKIN. Mr. Speaker, on July 26, 2010, I was absent from the House and missed rollcall votes Nos. 467, 468, and 469.

Had I been present, I would have voted "no" on rollcall No. 467, "yes" on rollcall No. 468, and "yes" on rollcall No. 469.

DIRECTING THE CLERK OF THE HOUSE OF REPRESENTATIVES TO CORRECT THE ENROLLMENT OF H.R. 725

Mr. HEINRICH. Mr. Speaker, I send to the desk a concurrent resolution and ask unanimous consent for its immediate consideration.

The Clerk read the title of the concurrent resolution.

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

There was no objection.

The text of the concurrent resolution is as follows:

H. CON. RES. 304

Resolved by the House of Representatives (the Senate concurring), That, in the enrollment of the bill H.R. 725, the Clerk of the House of Representatives shall correct the bill—

(1) by striking section 1 (referring to the short title) and inserting the following:

"TITLE I—INDIAN ARTS AND CRAFTS AMENDMENTS

"SEC. 101. SHORT TITLE; TABLE OF CONTENTS.

''(a) SHORT TITLE.—This title may be cited as the 'Indian Arts and Crafts Amendments Act of 2010'.

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

''Sec. 101. Short title; table of contents.
''Sec. 102. Indian arts and crafts.
''Sec. 103. Misrepresentation of Indian produced goods and products.'';

(2) by striking ''**SEC. 2.**'' and inserting ''**SEC. 102.**'';

(3) by striking ''**SEC. 3.**'' and inserting ''**SEC. 103.**'';

(4) by striking the following:

"DIVISION B—TRIBAL LAW AND ORDER

"SECTION 1. SHORT TITLE; TABLE OF CONTENTS.

''(a) SHORT TITLE.—This Act may be cited as the 'Tribal Law and Order Act of 2010'.

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

''DIVISION B—TRIBAL LAW AND ORDER

''Sec. 1. Short title; table of contents.
''Sec. 2. Findings; purposes.
''Sec. 3. Definitions.
''Sec. 4. Severability.
''Sec. 5. Jurisdiction of the State of Alaska.
''Sec. 6. Effect.

''TITLE I—FEDERAL ACCOUNTABILITY AND COORDINATION

''Sec. 101. Office of Justice Services responsibilities.
''Sec. 102. Disposition reports.
''Sec. 103. Prosecution of crimes in Indian country.
''Sec. 104. Administration.

''TITLE II—STATE ACCOUNTABILITY AND COORDINATION

''Sec. 201. State criminal jurisdiction and resources.
''Sec. 202. State, tribal, and local law enforcement cooperation.

''TITLE III—EMPOWERING TRIBAL LAW ENFORCEMENT AGENCIES AND TRIBAL GOVERNMENTS

''Sec. 301. Tribal police officers.
''Sec. 302. Drug enforcement in Indian country.
''Sec. 303. Access to national criminal information databases.
''Sec. 304. Tribal court sentencing authority.
''Sec. 305. Indian Law and Order Commission.
''Sec. 306. Exemption for tribal display materials.

''TITLE IV—TRIBAL JUSTICE SYSTEMS

''Sec. 401. Indian alcohol and substance abuse.
''Sec. 402. Indian tribal justice; technical and legal assistance.
''Sec. 403. Tribal resources grant program.
''Sec. 404. Tribal jails program.
''Sec. 405. Tribal probation office liaison program.
''Sec. 406. Tribal youth program.
''Sec. 407. Improving public safety presence in rural Alaska.

''TITLE V—INDIAN COUNTRY CRIME DATA COLLECTION AND INFORMATION SHARING

''Sec. 501. Tracking of crimes committed in Indian country.
''Sec. 502. Criminal history record improvement program.

''TITLE VI—DOMESTIC VIOLENCE AND SEXUAL ASSAULT PROSECUTION AND PREVENTION

''Sec. 601. Prisoner release and reentry.
''Sec. 602. Domestic and sexual violence offense training.
''Sec. 603. Testimony by Federal employees.
''Sec. 604. Coordination of Federal agencies.
''Sec. 605. Sexual assault protocol.
''Sec. 606. Study of IHS sexual assault and domestic violence response capabilities.'';

and inserting:

"TITLE II—TRIBAL LAW AND ORDER

"SEC. 201. SHORT TITLE; TABLE OF CONTENTS.

''(a) SHORT TITLE.—This title may be cited as the 'Tribal Law and Order Act of 2010'.

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

''Sec. 201. Short title; table of contents.
''Sec. 202. Findings; purposes.
''Sec. 203. Definitions.
''Sec. 204. Severability.
''Sec. 205. Jurisdiction of the State of Alaska.
''Sec. 206. Effect.

''Subtitle A—Federal Accountability and Coordination

''Sec. 211. Office of Justice Services responsibilities.
''Sec. 212. Disposition reports.
''Sec. 213. Prosecution of crimes in Indian country.
''Sec. 214. Administration.

''Subtitle B—State Accountability and Coordination

''Sec. 221. State criminal jurisdiction and resources.
''Sec. 222. State, tribal, and local law enforcement cooperation.

''Subtitle C—Empowering Tribal Law Enforcement Agencies and Tribal Governments

''Sec. 231. Tribal police officers.
''Sec. 232. Drug enforcement in Indian country.
''Sec. 233. Access to national criminal information databases.
''Sec. 234. Tribal court sentencing authority.
''Sec. 235. Indian Law and Order Commission.
''Sec. 236. Exemption for tribal display materials.

''Subtitle D—Tribal Justice Systems

''Sec. 241. Indian alcohol and substance abuse.
''Sec. 242. Indian tribal justice; technical and legal assistance.
''Sec. 243. Tribal resources grant program.
''Sec. 244. Tribal jails program.
''Sec. 245. Tribal probation office liaison program.
''Sec. 246. Tribal youth program.
''Sec. 247. Improving public safety presence in rural Alaska.

''Subtitle E—Indian Country Crime Data Collection and Information Sharing

''Sec. 251. Tracking of crimes committed in Indian country.
''Sec. 252. Criminal history record improvement program.

''Subtitle F—Domestic Violence and Sexual Assault Prosecution and Prevention

''Sec. 261. Prisoner release and reentry.
''Sec. 262. Domestic and sexual violence offense training.
''Sec. 263. Testimony by Federal employees.
''Sec. 264. Coordination of Federal agencies.
''Sec. 265. Sexual assault protocol.
''Sec. 266. Study of IHS sexual assault and domestic violence response capabilities.''.

(5) by striking ''this division'' and inserting ''this title'' each place it appears;

(6) by redesignating sections 2 through 6 as sections 202 through 206, respectively;

(7) by striking ''**TITLE I—FEDERAL ACCOUNTABILITY AND COORDINATION**'' and inserting ''**Subtitle A—Federal Accountability and Coordination**'';

(8) by redesignating sections 101 through 104 as sections 211 through 214, respectively;

(9) in section 214(b) (as redesignated), by striking ''(as amended by section 103(b))'' and inserting ''(as amended by section 213(b))'';

(10) by striking ''**TITLE II—STATE ACCOUNTABILITY AND COORDINATION**'' and inserting ''**Subtitle B—State Accountability and Coordination**'';

(11) by redesignating sections 201 and 202 as sections 221 and 222, respectively;

(12) by striking ''**TITLE III—EMPOWERING TRIBAL LAW ENFORCEMENT AGENCIES AND TRIBAL GOVERNMENTS**'' and inserting ''**Subtitle C—Empowering Tribal Law Enforcement Agencies and Tribal Governments**'';

(13) by redesignating sections 301 through 306 as sections 231 through 236, respectively;

(14) in section 231(a) (as redesignated), by striking ''(as amended by section 101(b)(4))'' and inserting ''(as amended by section 211(b)(4))'';

(15) in section 235 (as redesignated), by striking ''(as amended by section 104(b))'' and inserting ''(as amended by section 214(b))'';

(16) by striking ''**TITLE IV—TRIBAL JUSTICE SYSTEMS**'' and inserting ''**Subtitle D—Tribal Justice Systems**'';

(17) by redesignating sections 401 through 407 as sections 241 through 247, respectively;

(18) in section 242(b)(3)(A) (as redesignated), by striking ''(as redesignated by section 104(a)(2)(A))'' and inserting ''(as redesignated by section 214(a)(2)(A))'';

(19) by striking ''**TITLE V—INDIAN COUNTRY CRIME DATA COLLECTION AND INFORMATION SHARING**'' and inserting ''**Subtitle E—Indian Country Crime Data Collection and Information Sharing**'';

(20) by redesignating sections 501 and 502 as sections 251 and 252, respectively;

(21) by striking ''**TITLE VI—DOMESTIC VIOLENCE AND SEXUAL ASSAULT PROSECUTION AND PREVENTION**'' and inserting ''**Subtitle F—Domestic Violence and Sexual Assault Prosecution and Prevention**'';

(22) by redesignating sections 601 through 606 as sections 261 through 266, respectively;

(23) in section 262 (as redesignated), by striking ''(as amended by section 101(a)(2))''

and inserting ''(as amended by section 211(a)(2))'';

(24) in section 263 (as redesignated), by striking ''(as amended by section 305)'' and inserting ''(as amended by section 235)''; and

(25) in section 265 (as redesignated), by striking ''(as amended by section 603)'' and inserting ''(as amended by section 263)''.

The concurrent resolution was agreed to.

A motion to reconsider was laid on the table.

REMOVAL OF NAME OF MEMBER AS COSPONSOR OF H.R. 3421

Mr. MARCHANT. Mr. Speaker, I ask unanimous consent that I be removed as a cosponsor from H.R. 3421.

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

There was no objection.

HONORING RICARDO PAU-LLOSA

(Ms. ROS-LEHTINEN asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Ms. ROS-LEHTINEN. Mr. Speaker, I would like to congratulate a great artist from my congressional district, Ricardo Pau-Llosa. Ricardo is a man of many talents. He is a poet, critic, curator, professor, and collector. Yet his generosity and desire to give back is what stands him apart from others.

Ricardo has graciously opened his personal art collection for an important exhibition that will take place soon. This August, the University of Notre Dame's Snite Museum of Art will open an exhibition of contemporary Latin American artwork. He has also been invited by the Museum of the Americas at the OAS to give a talk on the significance and themes of the exhibition.

Ricardo has been a renowned art critic for many years. He has been a senior editor of Art International, North American editor for Southward Art, and a contributor and adviser to the encyclopedic Dictionary of Art.

Ricardo is a frequent lecturer at major art museums such as the Art Institute of Chicago. He has published six books of poems and has been published in many literary magazines.

Ricardo, thank you for opening up your collection to us all in the hopes of educating and inspiring others. You are truly a renaissance man. Congratulations.

CONGRATULATING BENJAMIN SCHOOL BOYS LACROSSE

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

Mr. ROONEY. Madam Speaker, I rise tonight to honor the varsity boys lacrosse team of the Benjamin School in Palm Beach Gardens, Florida. The Benjamin Buccaneers won the Florida State lacrosse championship this spring against Tampa Jesuit in sudden death overtime.

Team members Matt Ferris, Scott Fricker, Kyle Gilmore, Taylor Smith, Nick Gardner, Josh Weinstein, Dylan Nugent, Roby Mendoza, Justin Boufford, Scott Slawson, Ryan O'Hare, Philip Benz, Nick Krar, Robby Dattolo, Josh Stauffer, Charlie Collins, Colby Kempe, Robert Jacobs, Evan Wesselman, Jay Ford and Charlie Nicklaus played with great determination and heart throughout the grueling tournament weekend to come from behind in the semifinals to beat defending State champions and local rival Dwyer High 18–16 to earn their spot against Tampa Jesuit in the finals.

The championship game was a hard fought see-saw scoring battle with the score tied eleven all at the end of the fourth quarter. Benjamin's Josh Stauffer scored the game-winning goal just 42 seconds into overtime.

I am proud to congratulate the Bucs and Coach Cheatham on their first of many State championships. Go Bucs.

AMERICANS WITH DISABILITIES ACT

(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, I rise today to commemorate the 20th anniversary of the Americans with Disabilities Act, which was designed in 1990 in an overwhelmingly bipartisan approach to implement laws that would provide a clear and comprehensive national mandate for the elimination of discrimination against individuals with disabilities.

Why did we wait so long? How grand it is to be able to respond to those disabled, who are challenged, who are intellectually challenged, physically challenged, and who are experiencing difficulties that they should not as a full American citizen. So this law provides them with the armor to prevent discrimination.

Today, in Houston, Texas, I was very proud to be with the City of Houston and their 20th celebration of the Americans with Disabilities Act at the West Gray Multi-Service Center. I can assure you that this evidence of serving people was a grand celebration. So many were there, celebrating at the West Gray Multi-Service Center in Houston, Texas.

HONORING THE SERVICE AND LIFE OF MR. NICK BACON

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

Mr. BOOZMAN. Madam Speaker, I rise today to honor and celebrate the life of Mr. Nick Bacon for his lifetime of dedicated service to America and Arkansas and to recognize his heroism as a veteran of the United States Army.

He served in the U.S. Army from 1963 to 1984. President Nixon awarded him the Medal of Honor for his heroism west of Tam Ky in the Republic of Vietnam. He was also awarded the Distinguished Service Cross, Legion of Merit, two Bronze Stars, and a Purple Heart over the course of his military service.

He was a hero not only on the battlefield but by the way he lived his life serving others. As the director of the Arkansas Department of Veterans Affairs for more than a decade, Mr. Bacon was incredibly influential in improving services and foundations for veterans and their families, including the Fayetteville VA Long-Term Care Facility and Arkansas State Veterans Cemetery in North Little Rock.

Mr. Bacon's lifetime of dedication to our country and American veterans is worthy of the many awards and recognitions he received throughout his life. A humble man who loved people and people loved to be around, Nick always had the veteran at heart. He will be greatly missed.

AMERICANS WITH DISABILITIES ACT

(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 week 20 years ago, the Americans with Disabilities Act was signed into law by President George H.W. Bush on July 26, 1990. To many of us, the ADA involved simple, tangible things like curb cuts, automatic doors, Braille signs, and those unimaginable buses that kneel to the ground.

To the millions of Americans with disabilities, the law marked a new sense of freedom, freedom to move about, to work, to contribute, to live one's life.

President Bush said it best as he signed this landmark law: ''Today, America welcomes into the mainstream of life all of our fellow citizens with disabilities. We embrace you for your abilities and for your disabilities, for our similarities and indeed for our differences, for your past courage and your future dreams. Last year, we celebrated a victory of international freedom. Even the strongest person couldn't scale the Berlin Wall to gain the elusive promise of independence that lay just beyond. And so, together, we rejoiced when that barrier fell.

''And now, I sign legislation which takes a sledgehammer to another wall, one which has for too many generations separated Americans with disabilities from the freedom they could glimpse, but not grasp.''

Congratulations on the 20th anniversary of the Americans with Disabilities Act.

□ 1920

NATIONAL MEDIA IGNORE FACTS ABOUT USDA FIRING

(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. Madam Speaker, the national media have been quick to blame conservative news outlets for the firing of Agriculture Department official Shirley Sherrod.

For example, a recent New York Times article points a finger at Fox News. The article, which mentions Fox seven times, describes the network as being in ''pursuit of Ms. Sherrod.'' However, Fox did not air any stories about Ms. Sherrod until after she had already resigned.

The New York Times and the rest of the national media have largely ignored the truth. The rush to judgment that led to Ms. Sherrod's firing came from the Obama administration, not conservative media outlets.

The Times article is another example of the media giving the White House a free pass. Media outlets should be more honest in their reporting if they want the trust of the American people.

REPORT ON RESOLUTION PROVIDING FOR CONSIDERATION OF HOUSE CONCURRENT RESOLUTION 301, PAKISTAN WAR POWERS RESOLUTION

Mr. CARDOZA, from the Committee on Rules, submitted a privileged report (Rept. No. 111–567) on the resolution (H. Res. 1556) providing for consideration of the concurrent resolution (H. Con. Res. 301) directing the President, pursuant to section 5(c) of the War Powers Resolution, to remove the United States Armed Forces from Pakistan, which was referred to the House Calendar and ordered to be printed.

SPECIAL ORDERS

The SPEAKER pro tempore (Mrs. DAHLKEMPER). 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.

RECTIFY MISTREATMENT OF NATIVE AMERICANS

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Massachusetts (Mr. LYNCH) is recognized for 5 minutes.

Mr. LYNCH. Madam Speaker, I rise this evening to talk about a United States Supreme Court decision that could have far-reaching social and economic impacts on the American Indian population.

Carcieri v. Salazar, a 6–3 decision by the United States Supreme Court issued on February 24, 2009, held that the Secretary of the Interior exceeded his authority in taking land into trust for an American Indian tribe that was not under Federal jurisdiction or recognized at the time the Indian Reorganization Act was enacted in 1934. I speak tonight to the injustice of that result and to the moral imperative that we as Members of the United States Congress have to see that that decision is corrected.

For centuries, now, the American Indians who called these lands home long before Europeans have arrived have been pushed to the geographic and societal fringes of this great country. They have suffered disruption, violence, and relocation to make way for continued expansion. The Indian Reorganization Act, ironically, of 1934 sought to actually rectify so many of those mistreatments.

From 1934 to 2009, the Department of the Interior has restored lands to enable tribal governments to build schools, health clinics, hospitals, housing, and community centers to serve the American Indian people. The Secretary of the Interior has approved trust acquisitions for approximately 5 million acres of former tribal homelands, far short of the more than 100 million acres of lands lost through the Federal policies of removal, allotment, and assimilation.

The Supreme Court decision in Carcieri v. Salazar, if left in place, has the potential to undo that effort. The decision threatens tribal sovereignty, economic self-sufficiency and self-determination, as the Indian Reorganization Act provides not only for the authority of the Secretary of the Interior to take lands into trust for tribes, but also for the establishment of tribal constitutions and tribal business structures.

The Carcieri decision also has the danger of establishing two classes of American Indian tribes in this country today: those recognized as of 1934 for whom land may be taken into trust, and those recognized after 1934, who would be unable to have land taken into trust for their benefit. This is simply unacceptable and contrary to the intent of Congress. In fact, the Federally Recognized Indian Tribe List Act, passed by Congress in 1994, provides that all tribes are treated equally regardless of their date of recognition.

Since 1934, the Department of the Interior has construed the Indian Reorganization Act to authorize the Secretary to place land into trust for all federally recognized tribes. Trying to right our Nation's wrong, Secretary Salazar and his predecessors have taken steps to return to American Indians a small portion, a fraction of the lands that their ancestors called home.

And for the Supreme Court—for any court for that matter—to render a narrow decision like this based on supposition that 76 years ago the writers of the act gave particular meaning to one word in their decision is a further slap in the face to this proud people.

Current history leaves many Americans to associate the restoration of American Indian tribal lands with the development of casinos and gaming, but it is about much more than that. It is about providing resources for a nation to survive. It is about restoring sacred lands on which their ancestors hunted, prayed, and were buried. It is about rebuilding communities, heritage, and proud nations.

I would like to acknowledge the gentleman from Michigan (Mr. KILDEE) and the gentleman from Oklahoma (Mr. COLE) for their efforts to amend this decision. I would like to acknowledge, also, the Senator from North Dakota, Mr. DORGAN, for his efforts in seeing that this miscarriage of justice is corrected.

While times have been bad for most Americans, they have been worse for a lot of our American Indian friends. Despite their own struggles during the economic downturn of the early 1980s, when I was traveling this country as an ironworker, they gave me a place to live. For 1 year, I was a guest of the Navajos on a reservation in New Mexico on the land that the United States Government put them on to simply survive. Over the years, I have worked alongside Navajo, Wampanoag, Apache, Navajo, and Mashpee ironworkers. I know them to be hardworking, honorable people.

The Carcieri decision serves only to further dishonor them and their ancestors, to deprive them of an opportunity to regain the dignity and the justice that they are owed.

As a Member of this body, I am now in a position to return the kindness of my Navajo hosts and say thank you to the many American Indians I have worked beside on the high iron all over this country. That's why I am a cosponsor of Mr. KILDEE's bill, H.R. 3742, which will make the necessary amendments to the Indian Reorganization Act.

The SPEAKER pro tempore (Ms. WOOLSEY). Under a previous order of the House, the gentleman from Kansas (Mr. MORAN) is recognized for 5 minutes.

(Mr. MORAN of Kansas addressed the House. His remarks will appear hereafter in the Extensions of Remarks.)

□ 1930

SUPREME COURT NOMINEE ELENA KAGAN

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, I spent 7½ years, before coming to Congress, as a criminal court judge in Tennessee trying felony criminal cases. I tried the attempted murder of James Earl Ray and many other high-profile cases, thus I have a great interest in our legal system, our courts, and especially appointments to the U.S. Supreme Court.

I realize that Elena Kagan will be confirmed very soon as our next Supreme Court justice, but I am very disappointed by her nomination. I certainly have nothing against her personally, but the Supreme Court is our highest appellate court. Courts of appeal basically second-guess trials. I wish our President and all future Presidents would appoint people who have actually tried cases. We should try to nominate justices who have had experience both as trial lawyers and as trial judges, people who understand the heat of the battle, the give and take, the decisions that have to be made on the spur of the moment both by lawyers and judges. Ms. Kagan may be a brilliant woman, but she has none of this experience.

I want to read a portion of an article in the June 28 issue of Human Events by a man who spent over 20 years as a judge before coming to Congress, our colleague, the gentleman from Texas (Mr. POE). Congressman POE wrote, ''Supreme Court nominee Elena Kagan has never been a judge. She's never seen a courtroom from the bench. She's never had a judge's responsibilities.

''Elena Kagan has never instructed a jury or ruled on a point of law—any point of law. She's never tried a criminal case or even a traffic case. She has not decided even one constitutional issue. We don't know whether she believes the Constitution is the foundation of American law or whether she thinks, like many, that the Constitution constantly changes based on personal opinions of Supreme Court justices. But either way, Elena Kagan has never had to make a constitutional call in a court of law in the heat of a trial. She has never admitted evidence or ruled out evidence or ruled on the chain of custody regarding evidence. She has never made even one decision regarding any rule of evidence. She has never ruled on the exclusionary rule, the Miranda doctrine, an unlawful search and seizure allegation, a due process claim, an equal protection violation, or any other constitutional issue.

''She has never impaneled a jury. She has never instructed on reasonable doubt or sentenced a person to the penitentiary. She has never had to decide whether a witness was telling the truth or not. As a judge, she has never heard a plaintiff, a defendant, a victim, or a child testify as a witness. She has never made that all-important decision of deciding whether or not a person is guilty or not guilty of a crime. She has never ruled on a life or death issue.

''Elena Kagan has never made a judgment call from the bench, not a single one. Yet, as a Supreme Court justice she would be second-guessing trial judges and trial lawyers who have been through the mud, blood, and tears of actual trials and actual courts of law. How can she possibly be qualified to fill the post of a Supreme Court justice?''

Mr. POE continued, ''Kagan is an elitist academic who has spent most of her time out of touch with the real world and with the way things really are. Being a judge would be an exercise to the new Supreme Court nominee. She has read about being a judge in books, I suppose. She might even have played pretend in her college classroom, but she has never held a gavel in a courtroom. Her first time to render judgment should not be as a member of the United States Supreme Court.

''Aside from being a judge, she has never even been a trial lawyer. She has never questioned a witness, argued a case to a jury, or tried any case to any jury anywhere in the United States. Real world experience makes a difference.'' This was written by our colleague, Mr. POE. And I agree with everything he wrote.

Finally, I want to commend a Member from the other body, the gentleman from Tennessee, Senator ALEXANDER, my own Senator, for his decision to vote against the nomination of Mrs. Kagan. It is a very poor nomination.

NOTHING IS TOO GOOD FOR WALL STREET

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Oregon (Mr. DEFAZIO) is recognized for 5 minutes.

Mr. DEFAZIO. Well, big surprise—last Friday, the Obama administration went after the greed and excess on Wall Street during the financial meltdown. They went after it in the form of their esteemed pay czar, Kenneth Feinberg. He got out a feather duster and he waived it vaguely in the direction of Wall Street saying, shame, shame on you. He identified 17 mega-firms on Wall Street who paid out $1.7 billion in bonuses and other emoluments to their executives while they were lining up at the same time with their hands out to take tens of billions of dollars of TARP bailout money to save their firms from the risky bets they had made that were endangering their future that had gone bad.

Now, he described some of these bonuses and payouts as ''ill-advised,'' ''poor judgment,'' ''lacking clear justification,'' but Mr. Feinberg, the all-powerful pay czar who talked so tough at the beginning, won't try and recoup the money. He says, ''It's not contrary to the public interest.'' Shaming, shaming will be penalty enough. But he won't name anybody who got the money. Can you imagine the guys at their really exclusive club or their private resort somewhere smoking their $500 cigars, drinking their expensive cognac, feeling really shamed when he won't even name the people who should be shamed? They don't even know they should be shamed. They got $10 million, they thought it was justified; they don't think he's talking about them.

Now he said, At what point are you piling onto poor old Wall Street, going beyond what is warranted? Not in the public interest, piling on. Just think about it. Some of these executives who drove their firms to the edge of collapse and bankruptcy and tanked the U.S. economy and put 8 million people out of work got $10 million. Now that $10 million little bonus, that's about 250 years pay for an Army captain in Afghanistan, 250 years for an Army captain, one day in the life of a failed Wall Street executive, and Mr. Feinberg says, ''They should be ashamed.''

He went on to say, well, if he had gone after them, it could have exposed them and their firms to lawsuits from shareholders. Now, wait a minute, public interest, isn't that the public part of the corporation, the shareholders? But Mr. Feinberg apparently doesn't care much about the shareholders. This is about the executives, because those poor executives in those firms, why, their shareholders might try and recapture some of the misbegotten gains that these people got.

Now, this all could happen because the original Bush-Paulson bailout didn't put any restrictions on executive pay and bonuses. Hundreds of billions of dollars to bail out Wall Street taken from the taxpayers, no restrictions on executive pay and bonuses; $1.7 billion paid out, ill-advised, poor judgment, lacking clear justification, they should be ashamed. But the pay czar isn't going to try and get it back.

There is one thing very consistent about this administration: Nothing is too good for Wall Street.

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.)

MARCELLUS SHALE

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Pennsylvania (Mr. THOMPSON) is recognized for 5 minutes.

Mr. THOMPSON of Pennsylvania. Madam Speaker, I am here today to speak about an incredible opportunity which is in the northeastern part of the United States, and that is the Marcellus shale natural gas. The Marcellus shale describes a natural gas play in Pennsylvania that has created jobs and economic growth, even in the most difficult of economic times. It is one of the largest deposits of natural gas in the world, and much of it is located in my district. However, the play is deep down and requires a process called fracking, in which water, sand, and approved chemicals are pressured into the play to fracture the shale to release the gas. Now it is this process that has come under criticism and has been the subject of a great deal of inaccurate information both in the media and a so-called documentary called ''Gasland.''

Fracking has been used for 100 years, hydro-fracking for 60 years. The safety is documented with zero confirmed cases of groundwater contamination in 1 million applications over that 60 years. The director of the Pennsylvania Department of Environmental Protection's Bureau of Oil and Gas Management said that he has never seen an impact to fresh groundwater directly from fracking.

Another piece of incorrect information is that no one knows what goes into fracking fluid. Well, first of all, more than 99.5 percent of the fluid is sand and water. For the remainder, Pennsylvania law requires companies to disclose all chemicals used in the fracking process, just not the specific formula. A complete list of those chemicals is available on the Pennsylvania Department of Environmental Protection Web site. They include materials that help deliver the water down the well bore and position the sand in the tiny fractures created in the formation.

□ 1940

One of the more prominent substances is guar gum, most commonly used as an emulsifier in ice cream.

You know, there are contentions that fracking is not well regulated. To the contrary, eight Federal and 11 Pennsylvania acts or laws regulate the impacts of drilling. The film ''Gasland'' goes so far as to assert that ''the 2005 energy bill pushed through Congress by Dick Cheney exempts the oil and natural gas industries from the Clean Water Act, the Clean Air Act, the Safe Drinking Water Act, the Super Fund law, and about a dozen other environmental and Democratic regulations.''

Well, that is patently false. It must comply with all of these laws with the caveat that the hydraulic fracturing process was never regulated under the Safe Drinking Water Act in its 60-year history, and that particular energy bill was supported by 74 ''yes'' votes in the Senate, including those at the time of Senators Obama and Salazar.

Most alarmingly, ''Gasland'' has a stunning scene of a man who is turning on a tap, sticking a lighter under it and watching it ignite. ''Gasland'' blames natural gas development for the flaming faucet, but the Colorado Oil and Gas Conservation Commission wrote: ''Dissolved methane in well water appears to be biogenic.'' Madam Speaker, that means naturally occurring in origin. ''There are no indications of oil- and gas-related impacts to well water.''

Though perhaps the most telling repudiation of this film comes from John Hanger, Secretary John Hanger of the Pennsylvania Department of Environmental Protection, who for 10 years was president and CEO of the environmental organization called Citizens for Pennsylvania's Future. He appears briefly in the film. John Hanger said the film was ''fundamentally dishonest'' and ''a deliberately false presentation for dramatic effect.'' He called the producer a ''propagandist.''

Now, I am 100 percent behind producing natural gas in a safe and environmentally sound way. If there are violations of the rules or laws, either State or Federal, we rely on the good offices of the Pennsylvania Department of Environmental Protection to do whatever is necessary to bring enforcement to the situation. They have proven to be capable and aggressive.

Gas drilling creates jobs and economic growth and contributes to our energy security in this country. It needs to be done right with environmental protection. It doesn't deserve a propaganda film which doesn't educate but which serves to simply demonize an industry for personal gain and political reasons.

KARZAI'S LIP SERVICE ON CORRUPTION

The SPEAKER pro tempore. Under a previous order of the House, the gentlewoman from California (Ms. WOOLSEY) is recognized for 5 minutes.

Ms. WOOLSEY. Madam Speaker, I think we have seen this movie before.

Last week, President Hamid Karzai of Afghanistan, before an audience of international leaders on whose support he depends, pledged to root out corruption, implement reforms and run a better government, but we heard the same promises at an earlier conference this January ;and we heard them again when President Karzai came to Washington for a state visit in May. There seems to be little accountability when he fails to keep his word, as he never comes away from any of these gatherings with more than a slap on the wrist, if that.

If Mr. Karzai is serious about cracking down, why doesn't he start by reining in his own brother, a strongman who rules Kandahar with iron-fisted intimidation? What does President Karzai have to say about the fact that billions of dollars in cash have been flown out of Kabul Airport in the last few years?

Lip service and vague promises are really not enough, Madam Speaker. What is sustaining the Taliban more than anything else is the Afghanistan Government's failure to have any competency or legitimacy. No one is more frustrated than the Afghan people, who voiced their displeasure with government corruption in a recent survey conducted by an Afghan watchdog group.

Bribery shakedowns are increasingly seen as a way of life. The cost of securing basic services from the government depends on paying somebody off. Even when the government isn't dishonest, it is slow and ineffective. Embarrassingly, in the provinces where they have established a foothold, the Taliban runs a tighter ship than does the Afghan Government, doing a competent job of making the trains run on time.

This cannot go on, Madam Speaker. Our continued support for a feckless regime is eroding our national credibility. The American people, who are fighting off a recession and who are badly in need of the money right here at home, resent sending that money to Afghanistan. They can't be expected to keep on doing this. They can't be expected to keep giving their bravest young people and their hard-earned tax dollars to prop up leaders who have no ability to govern responsibly.

Yet, even as skepticism about the war in Afghanistan grows here in our country, our leaders could be going in the opposite direction. There is legitimate concern that they might be going wobbly on the commitment to start the military redeployment out of Afghanistan 1 year from now.

At the conference in Kabul, Secretary of State Clinton said that the July 2011 date represented the start of a new phase, not the end of our involvement. She added that the United States has ''no intention of abandoning our long-term mission of achieving a stable, secure, peaceful Afghanistan.''

Well, Madam Speaker, if the Secretary means that we would achieve that mission with civilian resources—a Smart Security strategy which is focused on development projects, on humanitarian aid and on more support for anti-corruption efforts—then count me in, but if she means that our military commitment and occupation to Afghanistan will extend well beyond next summer, I think the American people will have something to say about that. In fact, they are saying it now. They are saying it loud and clear.

We have sacrificed enough for a failed war. It is time to bring our troops home.

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.)

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.)

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Arizona (Mr. FLAKE) is recognized for 5 minutes.

(Mr. FLAKE 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 Florida (Ms. ROS-LEHTINEN) is recognized for 5 minutes.

(Ms. ROS-LEHTINEN addressed the House. Her remarks will appear hereafter in the Extensions of Remarks.)

JOBS AND THE ECONOMY

The SPEAKER pro tempore. Under the Speaker's announced policy of January 6, 2009, the gentlewoman from Ohio (Ms. FUDGE) is recognized for 60 minutes as the designee of the majority leader.

GENERAL LEAVE

Ms. FUDGE. Madam Speaker, I ask unanimous consent that all Members be given 5 days to revise and extend their remarks in the RECORD on this topic.

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

There was no objection.

Ms. FUDGE. Madam Speaker, the Congressional Black Caucus, the CBC, is proud to anchor this hour on jobs and the economy.

Currently, the CBC is chaired by the Honorable BARBARA LEE from the Ninth Congressional District of California. My name is Congresswoman MARCIA L. FUDGE, and I represent the 11th Congressional District of Ohio.

CBC members are advocates for the human family, nationally and internationally, and have played a significant role as local and regional activists. We continue to work diligently to be the conscience of the Congress, but we understand that all politics are local. Therefore, we provide dedicated and focused service to the citizens and to the congressional districts we serve. The vision of the founding members of the Congressional Black Caucus to promote the public welfare through legislation, designed to meet the needs of millions of neglected citizens, continues to be a focal point for the legislative work and political activities of the Congressional Black Caucus today.

I would now yield to our leader, our chairwoman, the Honorable BARBARA LEE from California.

Ms. LEE of California. Thank you very much.

Thank you, Madam Speaker.

Let me thank the gentlelady, Congresswoman FUDGE of Ohio, for yielding and also for, once again, anchoring the Congressional Black Caucus' Special Order tonight. We are talking about job creation and how to turn this economy around, and I want to thank her for her consistent leadership and for her really taking so many issues she knows so well and for bringing them to the forefront so that the country can recognize and realize the work that the Congressional Black Caucus continues to do. I thank her for the way she represents her district, which has been hard hit by the economy, by the foreclosure crisis and by all of the issues that we all know so well. So thank you very much, Congresswoman FUDGE, for once again, on Monday night, anchoring this Special Order.

We are trying to again bring some attention to some of the most pressing issues confronting our country that often don't make headlines. As the chair of the 42-Member-strong Congressional Black Caucus, I rise this evening to continue sounding the alarm about the urgent and vital need to create jobs in America, especially in those communities that have been disproportionately hit, which are suffering the brunt of this economic crisis and which, as a result, are in desperate need of targeted, concrete and meaningful opportunities.

□ 1950

The statistics are staggering. While the national unemployment rate is about 9.5 percent, way too high, it is close to 16, 17 percent in the black and Latino communities. For young people, the national average is about 25 percent. Yet for black and Latino youth, it is nearly 40 percent; unacceptable for anyone.

For many months now, the Congressional Black Caucus has been and continues to be laser focused on stimulating the economy and creating jobs, especially for the chronically unemployed. We have sought to engage the Obama administration, House and Senate leaderships, committee chairs and our coalition partners to develop a legislative strategy to address the needs of millions of Americans who are struggling in this tough economic environment.

During this period, the House of Representatives has passed a series of bills that would move our economy from recession to recovery. However, Senate Republicans have consistently and flagrantly stymied passing similar measures. Just last week, 40 out of 41 Republican Senators voted to block extending unemployment benefits for 1.2 million Americans. Fortunately, there were enough votes in the United States Senate to pass this measure, which was followed the next day by the House of Representatives approving a similar measure once again.

But for several weeks, Republican Senators prevented Congress from providing necessary relief for the unemployed. The nonpartisan Economic Policy Institute recently released a report on the economic benefits of unemployment insurance. The report concluded that expanded unemployment benefits have added 1.15 million American jobs since 2007, promoted spending resulting in longer work hours for the employed, and resulted in a 1.7 percent boost in GDP. Economists have pointed to the economic value of unemployment insurance benefits. For every dollar we invest in unemployment insurance, there is a $1.60 return in economic output.

But people can't survive forever on unemployment. That is why the goal, of course, is to create jobs, workforce training programs, so that people who don't have the skills for the jobs of the new industries that we are creating these jobs for have the requisite skills and experience to get these jobs.

Fortunately, though, during the unemployment debate, we were really able to break the impasse and develop a proposal and extend unemployment so that many Americans now are receiving some relief. But let me just say, Republican Senators continue to block the $1 billion summer jobs program. Now, of course, it's the youth employment program because summer is almost over. These kids need to work for the rest of the year. We have $2.5 billion in emergency assistance for needy families working in the public and private sectors. Also, we want the Senate Republicans to really look at how to fund—and we found the pay-fors for $1 billion—for the National Housing Trust Fund, which will provide communities with funds to build, preserve and rehab rental homes that are affordable for low-income families.

I can't tell you how shocked and disappointed I am that so many Republican Senators with high rates of unemployment in their States are blocking legislation that will create jobs. The members of the Congressional Black Caucus went to the Senate several weeks ago to deliver letters laying it out. We wondered if they knew how many people in their States were unemployed, so we broke it down by unemployment rates. We told them where the unemployment rates were in their States, and we tried to convince them that these bills that are in the Senate now, which are languishing, will put their constituents back to work. We weren't sure if they really got that and so we wanted to make sure it was documented. We took it over to them. We don't know if they read the letters or not. We don't know if they really believe it or not, but it's really crucial that the United States Senate act swiftly and pass this legislation. It's appalling that they are opposed to providing jobs for their constituents, for millions of Americans, in these tough economic times.

The Congressional Black Caucus continues to fight for summer jobs and employment programs for young people. We want to keep teachers in classrooms. Of course the House passed in the emergency supplemental bill to keep 140,000 teachers in classrooms throughout the country. That still hasn't been voted on in the Senate. We want to increase lending to small businesses. We passed a bill that would make $30 billion, mind you, available to loans for community banks at a 5 percent rate which allows community banks to lend to small minority-owned, women-owned businesses that create jobs. We still can't get any movement in the Senate on that.

There are many pieces of good legislation that are really just sitting there. Madam Speaker, it's really shameful. It's really a shame and disgrace. It's hard to even explain why the Senate won't move when there are so many Americans who are hurting and need our help and we can do something and we can do it now.

I am urging everyone to call their Senators and to tell them to pass these bills so that we can get America back

to work. It's clear that we have a lot of work to do to get the economy revived again. The legislation and many other bills that are sitting over there need to be passed. Of course, this week local officials are here, thank goodness, advocating for the Local Jobs for America Act, the Miller bill, a comprehensive approach to creating jobs which the Congressional Black Caucus has worked on in a big way. Local government investment in transportation, water, sewer, and communications infrastructure provides excellent vehicles and ways to create jobs as well as helping to leverage the private sector by reducing private sector costs and creating opportunities for additional investment.

Madam Speaker, as I close, I just want to say thank you again to Congresswoman FUDGE and to the Congressional Black Caucus and to all of our colleagues and allies for staying vigilant on this, because it's going to be a hard road ahead of us if we don't figure out now how to create jobs for people who are unemployed. We're talking about opportunities. We're not talking about welfare or public assistance. We're talking about creating jobs. If you don't create jobs in this country, then what are we doing in terms of shattering really the American Dream for millions of Americans?

I think every member of the Congressional Black Caucus wants to see every member of our society live the American Dream, and you have to do that by creating jobs.

Ms. FUDGE. Madam Speaker, I would very much like to thank the gentlelady from California, who has been a tireless advocate for the jobless, the homeless, the helpless, the hopeless. This caucus is better for her being a member.

At this time I would like to yield to my colleague from the great State of Georgia (Mr. JOHNSON).

Mr. JOHNSON of Georgia. Thank you, Congresswoman FUDGE. It is indeed an honor to serve in Congress with you ladies who are all champions of regular working people and poor people of this country, regardless of geographical boundaries, and I salute you, in this age of women that we are living in.

I remember, Madam Speaker, just within the last 17 months, the leader of the Republican Party said publicly that he hopes that President Obama fails. Do y'all remember that? It was well publicized. It was not coming from Minority Leader BOEHNER of the House, and it was not uttered by Senator MITCH MCCONNELL, the minority leader in the Senate. It was uttered by the true leader of the Republican Party, and that is my good friend, Rush Limbaugh, who for every day, 5 days a week, 3 or 4 hours a day, sends that same message out to Americans who are hooked on that show, he sends it out to them relentlessly, and they remember it and they act on it.

But they are not the only ones who have acted on it. It has been the followers in the Senate who have acted upon it, and it has been the followers here in the House of Representatives on the other side of the aisle who have followed his leadership, and they have embarked upon this strategy of obstruction: Just say no. I don't care who it hurts. If it hurts the unemployed, fine.

□ 2000

We won't let it happen where they can get some relief. If it happens to a small business man or woman, we don't care on the other side of the aisle, because what we want is failure.

And why do the folks on the other side of the aisle in both the House and the Senate feel so strongly about that? It's just simply the naked grab for power. They want to resume control of the House of Representatives and the Senate, and they want to retake the White House so they can continue to do all of the things that ran this economy into the ditch; those things being characterized by trickle-down economics, the old Ronald Reagan trickle-down economics plan. And trickle-down economics resulted in eventually, over the last 10 years, 8 million jobs lost in America, 495,000 of those jobs in manufacturing sent overseas due to tax policies to benefit the rich and the wealthy.

So when President Reagan said it's morning in America, he was not referring to the working men and women in this country. He was referring to the gilded, the upper crust, the royalty, if you will. He wasn't referring to all of the little people. He was talking about his friends. And that policy has been followed relentlessly, and it has had a devastating effect on the men and women who try to work for a living in this country. So as a result, our economy has gone into, I don't want to say a ditch, but in a deep, dark hole. And it didn't take us long to get there, but it's taking us some time to climb out of.

That's why this discussion that we're having tonight is so important. Jobs for the American people, closing tax loopholes that benefit the rich and the wealthy and incentivize their movement of jobs offshore; those things must come to an end.

I know we have additional time, but I am going to yield back now to our anchor, the Honorable MARCIA FUDGE.

Ms. FUDGE. Thank you so much, my friend and colleague, Mr. JOHNSON, who is always on top of issues. I so much appreciate you joining us this evening. It is always a pleasure to hear your views on the various topics that we cover. Thank you so much.

Madam Speaker, I would now like to take an opportunity to, as well, yield to a person who has been very active in discussing the issue of jobs, who understands very, very well some of the legislation that has been passed by this House.

My friend and colleague from the State of Maryland has been active in every single issue that we have addressed in this body to deal with jobs and on the economy. And it's just, indeed, a real pleasure for me to yield some time to her this evening, because she is always very, very prepared and very knowledgeable, and I think very informative.

At this time, I would yield to my friend and colleague, the gentlelady from Maryland (Ms. EDWARDS).

Ms. EDWARDS of Maryland. I thank the gentlelady.

Madam Speaker, I have to tell you, it really troubles me to be here this evening because once again we have to point to action by House Democrats to bring jobs to the American people and inaction by our Republican colleagues, particularly those who sit in the United States Senate, who have failed to deliver on the promise of jobs to the American people.

Now, when President Obama came into office, I think that month, Madam Speaker, we lost something like 750,000 jobs that one month, after having hemorrhaged for over a year thousands and thousands of jobs, not creating a single job in this country. And so then the President comes in and we have to deal with a financial crisis, also inherited from the previous administration. Still, Americans are without jobs.

But this Congress didn't stand still. The Democratic leadership in this Congress didn't stand still. We passed significant jobs legislation. First, the stimulus package that created jobs across this country, saved or created 3.5 million jobs around this country in every single State, in every single congressional district, so that Americans could continue working.

But we said that wasn't enough. We need to be on the progress of building up our economy and creating more jobs for the American people, creating jobs that are about the 21st century, making sure that Americans don't just get extended unemployment benefits, which I agree we ought to have done. It was the right thing to do.

And it was wrong for Republicans to say that people who receive unemployment benefits don't deserve that because somehow that keeps them from looking for a job. Those aren't the Americans that I know. The Americans that I know get up every single day. They want to work hard, and they do work hard to take care of themselves and their families. And our job as Members of Congress is actually to deliver on that promise.

So what have we done in this Congress? We have delivered.

Democrats in the House of Representatives, almost without any Republican votes, have delivered jobs for the American people. But where is it? Sitting over in the Senate. At least five jobs bills that I can think of, and I know that there are more. Jobs for veterans, jobs for teachers, jobs for first responders, jobs in the 21st century economy and the green economy, all of these sitting over in the United

States Senate because Senate Republicans are standing in the way of job creation for this country.

I will tell you, Madam Speaker, it's not that they're standing in the way because these aren't good ideas. They're standing in the way because they have let politics get in the middle of whether Americans should have jobs or not. And so here we go. It's time for the Senate Republicans to actually deliver a paycheck and a payday for the American people, to stop standing in the way of job creation, to make sure that Americans can get paid an honest day's wages for an honest day's work, because Americans want to work.

Now, here we have bill after bill. We have House Resolution 5297, passed on June 17; 5019, passed May 26, May 28, March 21. I mean, it's been days and days and days since we have passed major jobs legislation that sits to this day in the United States Senate. It is not right. It's not right for the American people, and it's time for Senate Republicans to stop standing in the way and filibustering jobs for the American people because they believe in politics and not a paycheck.

So, Madam Speaker, let me just tell you something. We've done a lot of things in this Congress, but we have to draw attention to this. And I'm asking the American people, Madam Speaker, that they turn on their television screens at 2 o'clock in the afternoon to make sure that they know that House Democrats will be waiting on the Senate floor, waiting moment by moment, 2 o'clock every single afternoon this week so that we can bring jobs to the American people.

It's time for the Senate to get out of the way. It's time for Senate Republicans to stop standing in the way of a paycheck for the American people and to deliver the jobs that House Democrats have created over in this body. And we need to move them forward over in the other one.

So, Madam Speaker, I would say to you it is time that we deliver a paycheck for the American people, millions of jobs and a paycheck for the American people, that we stop standing in the way of job creation.

Madam Speaker, here's what we've done. It's really payday for the American workers. Small Business Jobs and Credit Act for small businesses and tax incentives. Home Star Jobs, incentives for energy-efficient homes and cutting energy bills and delivering jobs. America COMPETES. That's about what we do in the 21st century. It's about whether we're going to be competitive globally by creating jobs in this new economy. Jobs for Main Street, so we can boost small business, build highways, and hire and retain teachers, police, and firefighters.

You want to tell me that there are not police and firefighters and teachers who need jobs in every single State in this country, whether that State is led by a Senate Democrat or a Senate Republican? Of course they need jobs.

And finally, Madam Speaker, I'll tell you, the other side does a lot of talking about small business and infrastructure, but here we've passed H.R. 4849, small business and infrastructure that we know are going to create jobs, and who's sitting on that? Those Senate Republicans sitting on jobs, playing politics with the American people.

□ 2010

The American people want a job. American workers want to work, and it's time for us to deliver that work. Thank you.

Ms. FUDGE. Thank you so very much.

Again, as I expressed before you began your remarks that you are always informative and very accurate as to the situation we find ourselves in the House. It is certainly always a pleasure to work with you and for you to continue to fight for the American people because indeed they do deserve a payday. And I thank you.

I will now yield to my good friend and colleague, the dean of the Ohio delegation, a delegation of which I'm a member. It's always a pleasure to see you. I will now yield to the gentlelady from Ohio (Ms. KAPTUR).

Ms. KAPTUR. Congresswoman FUDGE, I want to thank you very much for organizing this Special Order this evening, and especially from the Buckeye State, being down here every week, using your voice, using your talents to fight for the American people, particularly those who are out of work. And don't we know that well in our beloved State of Ohio.

In fact, there was a billboard that was put up, paid for by anonymous donors in Ohio, that read as follows: Recession. Your self-worth is more important than your net worth. And what is happening around States like ours where the unemployment rate is above even the horrendous national unemployment rate, where we have 20 million people out of work, directly out of work, those who have run out of benefits or those who are working part time when they really want to work full time. This is an enormous amount of people.

And Congresswoman EDWARDS, who was down here a while ago, was talking about the fact that with the help of the Obama administration Congress has begun to dig out of this deep job-loss hole that the last administration left us. But the percents really don't tell the full story.

Where people finally say, I just simply can't find work. They send out 400 resumes—nothing back. They're told by some of our friends on the other side of the aisle, Well, you can't find a job? Start your own business. Create your own job. Where are they supposed to go for capital? How are they supposed to do this when they can barely feed their families at this point?

I mean there's a certain unreality and cruelty that attends those who are consistently voting against even extending unemployment benefits, which all of the studies show provide immediate consumer buying power and are the biggest bang for the buck that the Federal Government can actually provide out there in communities across this country to spur purchasing and to allow people to hang on to their homes, to make their car payments—barely, and to try to put food on the table for their families.

The situation in States like ours is very, very precarious. One of the communities that I represent has had a string of shootings that I have no doubt when the crimes are solved will probably point to a number of young people who just simply are idle.

There could be choices for them. There could be constructive work that they could be doing. But instead, they're getting caught up in the old expression, I guess, the idle mind and the idle hands are the devil's workshop. And it's important for us to think about that.

In the major city that I represent, we have had a string of arsons and fires—another one last night—across our community. Innocent lives threatened as these abandoned homes are burned down. Imagine if those who are doing this could be put to constructive ends. It isn't so complicated because all of the destruction takes money, in one way or another. And yet we could do something to help people reposition in this very difficult economy.

I favor all of the programs, as a member of the Jobs Now Caucus with my dear colleague BOBBY RUSH of Chicago and Congresswoman CANDICE MILLER of Michigan, all of those programs that we can't get through here dealing with the re-creation of a Civilian Conservation Corps so any person who'd want to make a positive contribution to our country would be given that opportunity. They wouldn't make wages like the head of those big banks on Wall Street. Nothing close to it. But they would get a living wage. They could at least, like Peace Corps, like VISTA, they could get a wage and maybe opportunity for education beyond. And they could do something constructive.

One of the last images I had this morning as I drove through Toledo, Ohio, we have a Mission right in the downtown area that tries to help people who are just falling out of regular society. And right next door they've now built an education and training center. It's small, but they're dealing with some of the most challenged human beings that are residing in our community now. But they're saying we're not giving up on anybody because everybody counts. Everybody has self-worth. Everybody should have self-worth. It isn't net worth, it's self-worth. And America, after all, isn't that what we're supposed to be as a country? We're supposed to be a place where every person matters.

Now I wanted to say on the jobs programs that are stalled over in the Senate—and it was embarrassing to watch

the laborious effort that the Senate had to go through just to pass extended unemployment benefits—which the people earned. These are benefits they worked for. This is no manna from heaven. I mean, this is something that people paid for.

In addition to the troubles they had over there, I'm getting a little bit worried about the trade agreements that we hear rumblings about. If we look back to agreements like NAFTA, China, we outsourced so many jobs to foreign places. If every label in America read ''made in America'' again, we'd have so many jobs we wouldn't know what to do. We would be so full up with production, with purchasing.

But we keep handing off jobs to all of these other countries where people work for slave wages. I just had another business person tell me yesterday that he will no longer go back to certain parts of Asia because he has to have a lot of protection when he goes there, and that the products that people are making are of more inferior quality, but they can't afford to buy what they make. Certainly in China, certainly in Malaysia, certainly in Indonesia.

How can we as a country make lasting friends in these other places when that stuff is sent over here, they don't even make a decent wage there. And they undercut our markets, these companies, by outsourcing our jobs and paying the people over there nothing. That doesn't seem like a long-term recipe for success for our country as a Republic as it makes its way felt in the world.

So I wanted to say to my dear colleague from Cleveland, we know what Mr. Coffee's loss of jobs in Cleveland meant. We know what the loss of jobs in Sandusky, Ohio, and Dixon Ticonderoga's move to Mexico, we know what that means. We know when Whirlpool jobs are outsourced to Mexico, we know what that means for Ohio's workers. And the list is endless of all of these products and services that we've outsourced.

This Congress should be renegotiating trade agreements. We should not be approving other trade agreements until we fix what's wrong with the ones we already have. And that's part of the jobs agenda as well because this year America will exact a $1 trillion trade deficit with the world. All of those jobs gone. Somebody else making what we used to make here. And this is costing us dearly.

So I want to thank the gentlelady for allowing us to put on the record the number of unemployed, the difficulty we've had in trying to get the Senate to pass its bills, the bills that we've sent over there, the impact of the job loss on people's self-worth and what that means to us as Americans. And finally, what this trade deficit means, over a long, long, period of time with the continued outsourcing of jobs and the efforts that we as a Congress are going to put forward even more for made-in-America again.

I think the American people will cheer for that coast to coast because they know that needs to be done.

So I want to thank the gentlelady for allowing us to convene this evening. And I know the Cleveland area and Parma and areas that you represent are just as challenged as those over in northwestern Ohio and northern Ohio, the parts that I represent. And our people deserve more fair treatment by their own government.

Thank you for allowing us this time this evening.

Ms. FUDGE. I absolutely agree with you 100 percent. If we don't start to make things again in this Nation, we may, in fact, have a permanent underclass of people who will never work again, people who grew up in blue collar communities like mine who work with their hands and by the sweat of their brow. It is going to be very difficult if we don't start to make things again.

□ 2020

It's going to be very difficult to come out of this recession if we don't start to look at some of the mistakes we've made in the past and try to correct them. We know how to create jobs. I know in the 8 years of the Clinton administration we created over 20 million jobs, less than 2 million under the Bush administration. We know what we're doing, if they would just allow us to do the work that the people have sent us here to do. I thank you so much.

Ms. KAPTUR. If the gentlelady would yield one second, there is one figure I could put on the record, that is, during the first 18 months of the Obama administration, we have already created more jobs than in the entire 8 years of the Bush administration, 18 months versus 8 years. We're digging ourselves out of that hole, not as fast as we would like in Ohio, but the damage was so great. We're moving in the right direction, and we need to keep your shoulder to the wheel; and I thank the gentlelady for yielding me the additional time

Ms. FUDGE. I thank you because we are making the right steps. We're moving in the right direction, and it's going to take some time; but we know that we're doing the right thing. So I thank you so much for being here.

I would now yield to my friend and colleague who joins me just about every week, who sheds new information and sheds light on things that sometimes the rest of us don't quite think about, and that is my dear friend, the gentlelady from Texas, Congresswoman SHEILA JACKSON LEE.

Ms. JACKSON LEE of Texas. Madam Speaker, let me thank the gentlelady from Ohio, and I'm very glad to follow on the theme that Congresswoman KAPTUR of Ohio spoke to and the note that she ended on, recognizing that we have to do more.

There is pain out there, but to actually say to the American public that our President, President Obama and this administration with this Democratic Congress has created more jobs in the last 18 months than were created in the tenure of the last administration, I don't know how many times we have to say that, but allow me to say it one more time, that this administration, President Obama's administration with this Democratic Congress, has created more jobs than the last administration in their entire tenure, and that was 8 years.

Let me also cite for my colleague and let me as well express my appreciation in joining the Congressional Black Caucus special hour that we have participated in and educated really the American public, and I thank you for your leadership.

Chairman Bernanke spoke last week in a number of hearings—and I think it's important to note—I know that many of our colleagues are either at hearings or they see the hearings. We try to twist and turn on our questions. If we don't like the answer, we try to throw it back at the witness. But the chairman of the Federal Reserve was very, very definitive when he said: It is important to invest in the economy, and if you want to use the term ''stimulus,'' I'd like to use the word ''investment,'' is the way to go, and all of those who are concerned about deficit, all of us we want to keep a balanced budget in our own personal homes. He said: The most important thing is to keep this economy churning and to not be so concerned about deficits as opposed to investing in our economy.

That investment has caused a churning of the economy, such that we see the growth of jobs. We see the private sector working, but yet we have obstacles. Those obstacles concern me, and that's why we've come to the floor of the House to let everyone know that the Congressional Black Caucus is fighting still on the cause of expanding job opportunity.

It baffles me how long we had to work to get the unemployment extension to be passed by the other body. Clearly, unemployment insurance is not a handout. It is a trust that is established with a working American. When they work and they fall upon hard times, they are due an unemployment insurance to carry them over the bridge of difficulty.

This bill that we passed was focused on the unemployment extension that finally got passed after constant advocacy by this caucus, after meeting with Senate leaders over a period of time by Chairwoman BARBARA LEE, after calling and prompting, that bill was passed. However, the component that would have added extra jobs, the component that would have provided youth jobs or summer jobs—and what date is it today, July 26. It saddens me; it saddens me. I remember us standing in the heat of summer in the month of June, standing with the constituents of Congresswoman ELEANOR HOLMES NORTON, teenagers from this region, standing with us and making a simple plea, put us to work, let us work.

The other body has stood as an obstruction. When I say that, let me clarify. The Senate Republicans have been very, very challenging.

But what we just had a chance to pass involved providing tax relief to businesses and State and local governments to help them invest and create jobs, provide important tax cuts to put money back in the pockets of working families to help restore the flow of credit to enable small businesses to expand and hire new workers by extending the small business loan program; extending eligibility for unemployment insurance, COBRA, health care tax credits and others; and close tax loopholes for wealthy investment fund managers and foreign operations of multinationals.

Work still to be done, and that kind of work will really provide for enhanced opportunities for our small businesses.

Our colleague from Maryland was saying that why can't we pass this small business lending bill that would make a huge difference coming out of the summer months, getting our small businesses ready to be the backbone of America and hiring those who need it.

But let me speak to the emotion of what is going on, if I may, to my friend and colleague from Ohio, and if I may, Madam Speaker, just comment a moment because it troubled me how long it took for the unemployment insurance.

People actually fell off the flat Earth. They literally fell off, 2.5 million, before we were able to pass this insurance; but more importantly, can you imagine as they were counting their dollars and they were not getting any word that we had passed it, can you imagine the stress that anyone who was having to be responsible for family members and children felt, the pressure, the intensity. I don't know why anyone doubts that people are looking for work.

Eight thousand people came to a job fair that I held last year; 10,000 came to another one that I held. But these are just pictures of everyday Americans around America who have been standing in line for jobs, for jobs. Does anyone have any sense that there is a need out there, that people are not serious, that we shouldn't have extended the unemployment as well as extend dollars to small businesses and provide them with lending opportunities? Does anyone not see that this is a serious issue when people are standing in the hot sun for long hours when there is a job fair?

Many people will tell us that there are thousands that come out when anyone has a job fair, when anyone has it; and what I focused on was the government opportunities because in many instances we're hiring, but let me just give some numbers that are so frightening.

The Houston Crisis Center is seeing a startling increase in the number of suicide-related calls this year. The economy and job losses are among the top reasons people say they need help. The Crisis Intervention Center of Houston noticed more calls were coming in, many of them related to unemployment. The executive director says they compared calls from January to June of 2010 to the same time period last year, 2009, and that it has been a 220 percent increase of suicide-related calls, 1,446 suicide-related calls this year, people saying I don't know where to turn.

Unemployment insurance that we fought so hard for, that could have been passed over a month ago, the realism of them understanding that people are impacted because they don't know how they're going to pay their mortgage, their rent, their food, college education for those whose children may still be in college, or other needs that they may have, medical bills.

Let me just add this: according to foreclosure crisis on July 1, online publication, the people are stressed out from layoffs, actual or feared, and underemployment with salaries being slashed. The foreclosure crisis has taken a toll on the mental health of the people in no certain way.

□ 2030

Take the story of Deanne Ross, for example, who was working full time, and she was a counselor dealing with the unemployed and helping them address their mental health situation. She was working with the national alliance dealing with mental illness and was a field operator, but she lost her job. Since that time, Ms. Ross, who is in her early forties and suffering from bipolar disorder, is battling urges to withdraw from social contact.

We found this story on a foreclosure crisis Web site. Apprehensions about becoming homeless are haunting her, anxiety is crushing down upon her. She has five children to care for. All her life she has been hardworking and managing things, even with the physical challenge that she has had, and, therefore, now she finds herself unemployed. Does anyone get it?

We need to pass a jobs bill to complement the hard work that you have already seen by this Congress and this administration in creating jobs. This is a public and private partnership. The private small businesses and large corporations who now are restraining themselves need to have confidence to invest in making and creating jobs.

How do they do it? With the help of the Federal Government, by focusing on what we Democrats will be leading with, making it in America, emphasizing manufacturing, and that expands to other markets to allow people to not be in foreclosure, to not be without rent money. This is the way to go.

Finally, Dan McCarthy of Magellan Health Services said, for many American workers, this financial stress, uncertainty, and anxiety can be significant, and it is important that they have places to turn for guidance and support. The services focus on managing benefits related to mental health.

My key point is to dispel the myth that these are people who don't care, are not looking for work, don't need any resources. These are hardworking Americans, and it is important to note that they should look for support systems. Don't go this alone. Don't be alone when you are struggling to pay bills. There are many support systems in your own community, from the faith community to United Way, to various mental health associations, to your State unemployment offices. Don't handle this alone. Don't go it alone.

But while you are working to survive, we in the United States Congress should do so.

Let me close, Madam Speaker, by suggesting that there is much work left for us to do: creating public job initiatives involving the Department of Labor, Employment and Training Administration, the Corporation for National and Community Service, locally directed programs for youth summer jobs.

To my disappointment, it is almost an embarrassment to stand on the floor of the House. This House passed it, and we cannot get the Senate that doesn't understand that the families of youth are standing in unemployment lines, and we can't pass a simple summer youth program or youth jobs of a billion dollars to put young people to work who may be providing for some extra income to these desperate families, locally directed funding, as I indicated, for our summer youth; enforcing the minority contracting requirements under the National Significance and National Corridor grants in an extension of the SAFETEA–LU; and strengthening apprentice and training programs, which I am working with in the city of Houston; expanding unemployment insurance, which we have done, and COBRA benefits; providing access to capital and technical assistance for capital for small businesses from SBA and MBDA.

There is work to be done, and I would simply say that this effort tonight is important to educate our colleagues to call upon our Senate Republicans to think about people and to care about those who desperately need our help.

I hope that we are inspiring our colleagues to be renewed in their vigor to fight for the jobless, and I hope that we are challenging Senate Republicans to recognize that they have a responsibility as well to the thousands and millions of individuals who are calling out to get jobs.

Ms. FUDGE. I want to thank my friend for being here. She always does bring a different view. Just to see those photographs says an awful lot, you know. They say a picture is worth a thousand words, and it's just important for people to understand that these are real people that we are talking about.

You talked about we need a jobs bill. We just don't need one; we need it now.

So I thank you for saying to our colleagues in the other body, especially the Republican Senators, it is time for them to understand that the American people need them now more than ever, and I thank you so much for being here.

Madam Speaker, in the fall of 2008, our economy was in its worst shape since the Great Depression. Predatory and subprime lending were at an all-time high. The housing bubble had just burst and many of our largest financial institutions had gone bankrupt. Retirement and savings accounts were cut in half, forcing many to stave off retirement and continue working well into their golden years. Over 200,000 American workers were being laid off each month. In the State of Ohio, unemployment was growing rapidly, quickly approaching double-digit numbers. In my district, the unemployment rate was even higher.

In October of 2008, I arrived in Congress with the goal to help struggling Americans. My number one priority has been to promote policies that create jobs and spur economic development. I have consistently advocated for such policies. The Congressional Black Caucus and the Democratic leadership made it our duty and our responsibility to advocate for jobs.

Earlier this year, the House passed H.R. 4213, the American Jobs and Closing Congress Tax Loopholes Act. In Ohio alone, Madam Speaker, this legislation would have extended unemployment and COBRA benefits to 86,000 workers. It would have provided college tuition deductions to 153,000 students and allocated over $42 million for youth summer jobs.

For the Nation, H.R. 4213 would have provided $500 million to restore credit to small businesses, the same small business that are creating most of the jobs in this Nation. It would extend the research and development tax credit. And, finally, it would have granted $25 billion in bonds for infrastructure development. However, Madam Speaker, there has been no action on the part of the Senate while Americans continue to suffer.

In May of 2010, the House Appropriations Committee drafted a war supplemental that included necessary funding that protected our soldiers abroad and our workers at home. This thoughtful legislation included $23 billion to save jobs for teachers, $5.7 billion for Pell Grants, $1.2 billion for COPS grants, and $500 million to save firefighter jobs. However, once again, Madam Speaker, the Senate passed the legislation without any of these necessary job creation measures. The Senate must act now to help hardworking Americans.

The Congressional Black Caucus and the House Democratic leadership fought to keep creation and job-saving measures in this bill. We fought back and sent legislation that included $10 billion to save teachers' jobs, almost $5 billion for Pell Grants, $4.6 billion for settlements of the Pigford and Cobell discrimination cases. On Thursday, this past Thursday, the Senate once again rejected these measures.

I have always believed that it is the job of government to help its people. If we are not helping the people that we represent, I don't know why we are here.

I asked the Senate, Where is your job creation legislation? What are you doing to help teachers, to help police officers and firefighters? What are you doing to get the American people back to work?

We cannot allow American families to suffer through these difficult times any longer. They are counting on job creation measures, and we cannot let them down. I urge the Senate, Madam Speaker, to move quickly to help create jobs to get Americans back to work.

If we do not allow Americans to go back to work and make people believe that because you are unemployed you are lazy, to make people believe that because you are unemployed that you don't want to work, it is the most ridiculous thing I have ever heard in my life. The people I meet in my district every day, every weekend that I am home, they talk about wanting jobs. They talk about how they have been laid off. They talk about wanting to get jobs for the young people.

Do you know, this may be the first summer in history where young people's jobs may, in fact, be feeding their families, but yet we can't pass a jobs bill that will allow young people to work for the summer. If young people have things to do, maybe we wouldn't have the kinds of issues that Marcy Kaptur talked about.

We have to find a way to say to the American people that we do, in fact, hear you; that we do, in fact, know that you are our neighbors, our friends; that we know that you are the people who are in most need.

If we can't help those who need it the most, we really are a group of people who has lost sight of what our role is. I mean, yes, there are people doing very, very well here. Corporations have made more money in the last year, I think it's something like 43 percent, their profits are running 43 percent higher than they did the year before, but yet we can't take care of the everyday person on Main Street? They are getting richer and the poor are getting poorer, and something needs to be done.

□ 2040

And so I would, at this time, Madam Speaker, yield back my time with the caveat that I expect that the Senate will do its job because certainly those of us in the House will continue to do ours.

Ms. EDDIE BERNICE JOHNSON of Texas. Madam Speaker, thank you very much, for allowing us the opportunity to give a statement on this very important issue this evening. I am very glad to be joined by a number of colleagues over the next hour to discuss the importance of putting Americans back to work. Unfortunately, we cannot override the devastating consequences that followed eight years of Republican with a simply snap of a finger. However, the Democratic Caucus is on its way to restoring this country's economic well-being.

I think it is very appropriate that we commence this Special Order hour in the midst of an incredibly important and critical debate about the short and long term economic future of this country. This evening we will address the fact that the economy has been on a downward spiral long before the crisis of this past summer. Millions of once financially sound American families and businesses—small and large—have been teetering on the edge of poverty and bankruptcy.

Prior to the Obama administration, our economy was set on a path of destruction never experienced by this generation. We were losing over 700,000 jobs a month and most families were struggling just to pay their bills. But, yes, what a difference a year has made.

This Democratic Congress, working with President Obama, has chartered a new direction. Americans are now paying the lowest amount of tax rates since the 1950s, deductions on property taxes are available, States are receiving help with bonds to rebuild critical infrastructure such as hospitals and sewers, students are receiving tax relief for tuition and teachers are eligible for tax deductions for their out-of-pocket expenses. Finally, we must protect our coasts and increase the oil spill liability trust fund.

The newest job numbers indicate that over 419,000 jobs were created last month. According to a recent Associated Press release, Texas has the greatest amount of job creation in 2010.

Texas employers expanded payrolls by 43,600 during the month of May, making it the State's largest monthly gain in more than three years. Companies like American Airlines, AT&T, and Texas Instruments are creating jobs in my district because North Texas is a good place to do business.

This Spring, the House passed the Small Business and Infrastructure Jobs Tax Act. This legislation will create 160,000 jobs and extends successful Build America Bonds for schools, roads and bridges. We also passed the Summer Jobs Act which creates 300,000 summer job opportunities for our youth. We have seen an increase in GDP, an increase in manufacturing, and a significant increase in economic indicators. As President Obama said, this is the Nation where anyone with a good idea and the will to work hard can succeed. Dallas, my hometown, is no stranger to good ideas, hard work, or small businesses. I commend Dallas' small businesses which have created hundreds of jobs, provided valuable goods and services, and helped drive our local economy.

Madam Speaker, on May 28, 2010, the House of Representatives passed the America COMPETES reauthorization Act of 2010, which authorizes nearly $86 billion over the next five years to strengthen our nation's competitiveness in science, technology, engineering and mathematics (STEM).

Our Nation is being outpaced by our competitors in graduating scientists and engineers. It is so important to invest wisely in programs

that truly make a difference in the achievement of our young people. It's about ensuring we are taking the right steps towards increasing American competitiveness and innovation.

We have an obligation to the future of our Nation to assure every segment of our population has equal access and opportunity to pursue careers in Science and Math. According to the Census Bureau, 39 percent of the population under the age of 18 is a racial or ethnic minority. Yet, in 2003, only 4.4 percent of U.S. science and engineering jobs were held by African Americans and only 3.4 percent by Hispanics. Further, women represent only little more than one quarter of our science and technology workforce.

As a senior Member of the committee on Science and Technology, I have attended hearings where recommendations were made to rapidly increase the number of federal undergraduate and graduate scholarships to persons from underrepresented groups in the sciences. Jobs created in the fields of science and engineering are the fastest growing and the highest paying. These are the jobs of the future.

I want to commend the Congressional Black Caucus for working with me to include many provisions authorized in America COMPETES which strives to achieve social and economic justice.

As a country, we are getting stronger and stronger, but we still have a long way to go. We must continue to invest in American businesses and in the American people. I urge my colleagues both in the House and Senate to come together to enact policies that create and encourage sustainable job creation for America's workforce.

JUSTICE FOR ALL

The SPEAKER pro tempore (Ms. MARKEY of Colorado). Under the Speaker's announced policy of January 6, 2009, the gentleman from Texas (Mr. CARTER) is recognized for 60 minutes as the designee of the minority leader.

Mr. CARTER. Madam Speaker, NANCY PELOSI became the first elected female Speaker of the House in the history of the United States. On November 16, 2006 she stated, ''This leadership team will create the most honest, most open, and most ethical Congress in history.'' She still serves as our Speaker and she also sits in the position in line to, in case of some horrible disaster, she is actually third in line to the Presidency.

The President of the United States said, ''I campaigned on changing Washington and bottom-up politics. I don't want to send a message to the American people that there are two sets of standards, one for powerful people and one for ordinary folks who are working every day and paying their taxes.'' President Barack Obama said this to CNN on February 3, 2009. So that was the stage that was set for the Democratic administration in this House and for the Democrat administration in the White House.

I've been on the floor of this House now for about 18 or 19 months talking about lots of things, about how we have rules for a reason, and we believe, as Americans, in the rule of law. It is as sacred as anything that there is of a secular nature in this country, that we believe that law and fairness is so important to us that we have laws, and that each person is treated fairly under those laws. And there are no exceptions. And as the President said, we want a world that we live in that says everybody in this country is not only created equal but is going to be treated equal under the law. And we've had lots of examples where that didn't happen, and that's part of the turmoil that has moved around this Nation for over 200 years. But the average American citizen down deep in his soul, in his heart, he wants that world, she wants that world, the American citizen wants the world that says the law treats everybody equally and fairly. And when we go to our court systems under the rules that we operate under, we expect others to follow those rules the same way, and we expect that those who are in a position of enforcing those rules are seeing that that conduct is policed up when those rules are broken. We expect them to treat everybody equally and accordingly.

We've got a volume of rules for this House of Representatives that's about that thick, and it is written in such fine print that you have to have reading glasses to read it, even when you're young—and when you're my age, you certainly need bifocals and trifocals just to read the fine print. But we also have people that have served in this Congress for decades and dealt with these rules. And they understand them, they know these rules, the Speaker being one of them. And when we make a promise to this House that we will have the most honest, open, and ethical Congress in the history of the Congress, that kind of promise is important to the American people because that's exactly what they were looking for from this Democratic administration.

Many times I stand here all by myself on the floor of the House talking about these things, occasionally somebody comes forward and joins me. But I think the Members of this House in their souls expect that. I think every American citizen expects that. And we are now at a point where after I've been talking for 18 or 19 months almost every week about the former chairman of the Ways and Means Committee, Mr. Charles Rangel, and the issues that he had, we have finally, finally reached a point where the Ethics Committee has moved off high center and launched forward in this case. But just so we get an idea of why I've been standing up here, why my colleagues come and join me and stand up here, let's just go through the timeline that we're dealing with and how long it's been going on.

September 24, 2008: The House Ethics Committee votes to open an investigation into soliciting funds for the Charlie Rangel Center for Public Service, occupying rent-stabilized apartments, soliciting donations on congressional letterhead, and not disclosing or paying changes on rental income from a Dominican villa. September 24, 2008.

November 6–9, 2008: Mr. RANGEL leads the Citigroup-funded congressional junket to the Caribbean.

December 9, 2008: The Ethics Committee expands the investigation to include RANGEL's efforts to preserve tax breaks to a donor to the Rangel Center.

January 28, 2009: Representative CARTER, Republican from Texas, introduces the Rangel rule, a bill to eliminate all IRS penalties and interests for paying taxes past due, the reason for that rule being that's the way the IRS treated the chairman of the Ways and Means Committee, and I took the position that that was only fair.

August 12, 2009: RANGEL amends his financial disclosure forms for 2002 to 2006, effectively doubling his wealth that he now acknowledges to the country.

October 6, 2009: Representative CARTER introduces a resolution demanding that RANGEL step down as the Ways and Means chairman.

October 8, 2009: The Ethics Committee expands the Rangel investigation to all 2009 financial statements.

February 26, 2010: The Ethics Committee admonishes RANGEL for accepting the Caribbean trip.

March 3, 2010: RANGEL steps down as chairman of the Ways and Means Committee after Representative CARTER prepares to introduce another privileged resolution.

July 22, 2010: The Ethics Committee announces that its subcommittee investigating RANGEL alleges House rules violations and that they will be made public on July 29.

So from September 24, 2008 to July 29, 2010, this House dealt with the issues concerning Mr. RANGEL. What's not on this board and should be is that on the floor of this very House—and really what launched us into realizing this was going on—was Mr. RANGEL stepped before the House and told us every one of these things, every one of them, and said he had turned himself in to the Ethics Committee. Well, I'd like to explain that those of us that deal with the law have a saying, ''justice delayed is justice denied.'' And that's one of the reasons why we have speedy trial acts in many of the jurisdictions in this country because justice delayed is justice denied.

Now, when we're talking about justice, we're not talking just about justice for the individual defendant, we're talking about justice for everyone involved.

□ 2050

If it's a criminal case, we're talking about the kind of justice where the State, representing the people of a State or of this country, is desiring justice on behalf of the people, and the defendant is desiring justice on behalf of the defendant. It doesn't really matter who it is or who is being denied this

justice, whether it be the people as represented by the State or the government or whether it be the individual who may be the defendant who is looking for individual justice. Any undue delay in dealing with a problem like this is justice denied.

So we are in July. We are just 1 month and 20-some-odd or 30-some-odd days—let's just be honest and call it 2 months—we are just 2 months away from 2 years of dealing with the situation with Mr. RANGEL. He stood right there at that microphone and told us about it for over an hour on the floor of this House.

Now, having seen some very unusual releases by the Ethics Committee about the scope of their investigation, I will say they have done a very comprehensive and a very effective investigation of this case. I want to say that from the outset because I am certainly not in any way demeaning the work ethic of that committee. But when we have the leader saying that we have to deal with this, you have to ask: How does this compare with other cases? How does this compare with the kind of justice we were seeking at other times?

There was a time in the not-too-distant past when one whole half of this House, the half that was in the majority at that time, was accused by the minority—and this was every one of us on the Republican side—of being involved in a culture of corruption because of certain issues that very validly were dealt with both by the Justice Department, with some people ending up in prison, and by our Ethics Committee.

It is the duty and the responsibility of the leadership that leads this House of Representatives—and that leadership is headed by NANCY PELOSI—to make sure that we are going forward, that we are going forward in a very effective way and that we are getting to the root of the problem as quickly as possible.

I would argue that after this 2 years, less 2 months, that we have been dealing with the Rangel case, it is still not resolved; and now there is at least some speculation that there will be no resolution of this issue until after the November elections or at least until after the New York primary elections. You know, the primary voters ought to know the resolution of this problem. They ought to know what is going to happen as they go to vote in the New York primary, but it doesn't look like we are going to resolve it even by the time the voters have had a chance to express their opinions one way or the other against any of the candidates that are involved.

I think that is justice denied.

We're moving forward. I'm not rushing. I've had people ask me questions about resolutions and so forth. I believe in the system, and I am hoping this system is now off high center and is moving forward with haste, but sometimes it takes somebody like me just down here, talking and talking and talking, to remind folks we have a duty to everybody in this House, to everybody in this country and to the individuals who are accused to resolve the issues. This issue has been on the forefront for a long time; but if we don't get through this, just look at what has happened in this period of time.

Mr. RANGEL was in charge of the committee. There have been major pieces of legislation that he has ushered through this House. Maybe it's appropriate. Maybe it's not. We don't know. We haven't resolved this issue. We don't know whether any of these allegations have been actually addressed. We don't know what the outcome is going to be, and we are probably not going to know before the people of New York have a chance to go vote in their primary. I don't think that's the right way that ought to be. I don't think the average American thinks that's the right way it ought to be either.

Here is a fairly recent statement. I don't have a date on it. I apologize for that. It is from the Congressional Daily: ''Massa Case still hangs over Dems,'' meaning Democrats. ''For House Democrats, how soon will the other ethics shoe drop—and how hard?''

''A House Ethics subcommittee's finding last week that Representative Charles Rangel, Democrat of New York, violated congressional ethics rules comes at a politically awkward time in these months before the November 2 midterm elections.''

So I guess this is very current.

''Little word has emerged from another Ethics panel reviewing whether Speaker Pelosi and other House leaders or their aides mishandled initial complaints of sexual harassment against former Representative Eric Massa, Democrat from New York, by male staffers.''

So here we have another issue that's hanging out there, and you ask: Well, what's the big hurry on this? When did this happen? What is the timeline?

Well, let's compare this timeline to a timeline we know, because we had another event in this House where there were allegations of sexual misconduct, and so we are going to talk about both of them and compare them and see where we are.

The Mark Foley case. This is back when the Republicans were in charge of the House of Representatives:

On September 29, 2006, Representative Foley resigned after allegations of inappropriate sexual behavior with House pages. On October 5, 2006, which was in a week and a half, the Ethics Committee launches the investigation. On December 8, 2006, the Ethics Committee concludes the investigation. Foley's resignation and the investigation totals 70 days. The accusations were: What did the House Republican leadership know ahead of time about Mark Foley and about the allegations against him?

We have the Eric Massa case:

What are the allegations? What did the Democrat House staff know about the allegations against Mr. Massa? At what time did they know it? How far before it was actually reported? On March 8, 2010, Representative Massa resigns. On April 21, 2010, the Ethics Committee launches the investigation. The Massa investigation today is 141 days and counting. It is not resolved.

Let's have a comparison. By our little example right here, it takes twice as long under the Democrats as the Republicans—and still counting. Heck, if you look at the Rangel case, it may be 2 years before it's resolved, and maybe it will be next week. I don't know when it's going to be; but the point is that, already, we are 141 days into exactly the same kind of allegations. What did the Speaker and the majority leader know? In the case that involved the Republican-led Congress, it was resolved in 70 days. In the case under the Democrat-led Congress, we are at 141 days and counting.

So there is a responsibility here when you are in the leadership of this House of Representatives. The committee has to move, and it has to move at a pace. Believe me, even though the committee has exactly the same number of people—of Democrats and Republicans on the Ethics Committee—it still has a chairman and a ranking member. The chairman is in charge of the majority, and the ranking member is in charge of the minority; but the chairman leads the committee, and the chairman is appointed by the Speaker.

So here we are. Let's compare the two Ethics Committees: one Republican-appointed chairman and one Democrat-appointed chairman. I have nothing against the chairman. In fact, I happen to like the lady a lot—I really do—but the facts are they're not moving at the speed they need to move to get justice done. There may be absolutely nothing to this. There may be a slight mishandling. It was resolved in 70 days under the Republicans. We are at 141 days and counting right now.

□ 2100

I think that's something we need to think about. I think it's our obligation as Members of this House to point this out to people, point this out to the Members of this Congress, point this out to the American people. Because why should we do it? Maybe we wouldn't have such an obligation if the Speaker of the House hadn't told us that this was going to be the most honest, open, and most ethical Congress in history. In 200-plus years, it's going to be the most honest, open, and ethical Congress. With that kind of declaration by the leadership here, that kind of promise to the American people, then that promise ought to be kept.

People are tired. They're tired, and that's why nobody likes this. I told somebody today, I said, You know, when your congressional approval is 11 percent, you've got to worry if folks at church and folks in your own family even like you.

That's not the way it's supposed to be. This is supposed to be an honorable

group. And I think it is. I honestly think it is. But it's this kind of justice delayed, this kind of not letting us know what's going on that is not open and it's not honest, and I think I could almost argue it's not ethical.

So if you're going to promise those things, you've got to deliver. And if you need to go down to the committee and say, I'm here to tell you what I know, step up and do it. Don't wait to be subpoenaed. Resolve the issue. It's fair to all involved, both the American people and the individual involved.

That's what I have been saying for 18 months on the floor of the House. There are those who think that I am a hatchet man against CHARLIE RANGEL. I am not. I have said it every time I have spoken. He is owed the right to have this matter resolved, just as much as the American people are owed the right.

Now, the extent of the investigation was complex. The alleged occurrences against Mr. RANGEL were more difficult than the average stuff, because a lot of it dealt with stuff you have to deal with taxes and tax lawyers and CPAs and who else, no telling what else.

But still, we've got to break this cycle of accusations that die or go to sleep in the Ethics Committee. Somebody shouldn't believe, if they turn themselves in, the thing will go into a bottomless pit, a dark hole, and disappear in the slow, snail's pace movement of the Ethics Committee. And every member of that Ethics Committee, both sides of the aisle, are honorable people, so do not misunderstand that I am in any way defaming any of those people. I am not.

But we have had lots of other things come up in this Congress that really haven't been addressed. Now, I'm not saying that every time somebody puts something in the newspaper that that makes it automatically something that ought to go directly to an accusatory situation, but these are just some of the headlines that have happened in the last couple of years:

New York Daily News, ''The FBI joins Massa probe of sexual harassment, hush money, and coverups.''

''Norm Dicks is about to go from Mr. Boeing to Mr. Spending,'' The Washington Post. I am not sure that should be in there.

CQ says, ''Representative Waters calls TARP meeting for her husband's bank.'' Has that been looked into? I don't know.

Landmark Legal Foundation files House ethics complaint against CONYERS. Has anything been done about that?

Roll Call, Mollohan charity got a rental deal. Allegations that Mr. MOLLOHAN made some special realty deal to his charity. And the voters took care of that problem.

Weekly Standard, ''GOP proposes earmark moratorium in wake of the PMA scandal.'' The PMA scandal was a scandal that involved—let's see, who was that? Please forgive me. I am a little under the weather tonight.

''Congressman Pete Visclosky has less than half the cash on hand for reelection bid than he did this time 2 years ago, but his legal bills keep growing.'' This is from the Associated Press in 2010, July 19. It points out that he has spent $100,000 on legal fees since April. The Times of Munster reported Saturday that the new amount brings to more than 400,000 the total VISCLOSKY has spent on expenses related to the Federal investigation of the PMA Group. PMA is suspected of making straw donations to lawmakers that concealed the true source of the money. PMA represented defense clients, including several Visclosky donors who received Federal earmarks. So that's what that's all about. The Republicans decided to have a moratorium on earmarks in light of the PMA scandal because, I guess, the way we Republicans looked at it was enough's enough.

''Geithner tax woes examined.'' Now, this is an old story. But the Secretary of the Treasury, who we saw on the talk shows this weekend talking to us about the economy and how we should believe that things are getting better and how we should trust that things are getting better, he received an extra payment with the taxes included in a separate check, the way I understand it, to pay his taxes, and he didn't pay his taxes. And when he got appointed to the Treasury, to be the Secretary of the Treasury, it came out that he hadn't paid these taxes. So he paid the taxes, and he may have even paid the interest, but I don't think he paid a penalty. So he's about half the RANGEL rule. RANGEL didn't pay penalty or interest.

You have a taxpayer who pays both penalty and interest. And, you know, here's the problem with all this stuff about whether you paid penalty and interest, whether you paid your taxes on time. Were you treated differently than the average guy?

There is a lady, and I am not going to mention her name, but she's at our grocery store where we shop back home in Texas, and her son failed to pay some taxes, and he was just a guy. He did the best he could to try to explain why he didn't pay the taxes. The taxes were not as sizable, anywhere near as sizable as the ones either involved in Geithner or RANGEL's case, and that young man spent 3 years in the Bastrop Federal Penitentiary in Bastrop, Texas. And his mother told us this at the HEB grocery store in Round Rock, Texas.

A lot of people come to judges, former judges like me, and tell them stories about problems that their family's having, I guess because we used to be in the business and we maybe could give them some compassion, I suppose. But the point is I'm not saying anybody deserves to go to the penitentiary in these cases. That's up to the Justice Department. If the Justice Department fairly and equitably does its job, which seems to be in some question right now, then they will deal with it. And I still have faith in the justice system of the United States, and I still want to have faith in the Justice Department.

But going back to where we started, most importantly of anything, Americans want to be treated equitably by those who enforce the rules; and, arguably, Mr. Geithner and Mr. RANGEL got special treatment.

So at some time later on this week, we're going to have the beginning of a resolution of Mr. RANGEL's case. The White House, which certainly this Congress's Ethics Committee doesn't have anything to say about the workings of the Secretary of the Treasury, there doesn't seem to be anything being dealt with at all by the White House on Mr. Geithner.

□ 2110

There's other accusations about the White House, Mr. Rahm Emanuel served on the board of Freddie Mac while these so-called fraudulent lending practices were going on, and he just says he didn't notice them, I guess. It doesn't seem to interfere with what he's doing at the White House, even though he came to this Congress with $25,000 worth of Freddie Mac donations, and the White House is now giving $200 billion to Freddie Mac. And in the meanwhile, Mr. Emanuel was living rent free in the home of one of the basement's of one of our other Members of this Congress.

These things have been raised but they've disappeared because he's no longer under the House Committee. And so I guess it's up to the administration to give us justice on those issues or even look into it.

Now, we're leaving out the Senate money trial of former Illinois Governor Blagojevich and possible involvement of House Members, and allegations against Mr. CONYERS of Michigan, the fact there was a conviction of former Congressman William Jefferson, the sex payroll scandal of former Congressman Tim Mahoney. And we can review these cases for a long time, but there is no reason to go into those things.

But all of these things have to be brought up because we are not the most open, ethical Congress in the history of this United States. It was promised, and that promise has not been delivered upon. And I think that we have a duty, as Members of this House, to examine that and wonder why the leadership of this House has not delivered on that promise.

I don't expect the Speaker to know or be in charge of every private life of every Member here. God forbid. Nobody wants that. That's way beyond the pale. But there are duties and responsibilities that leaders have.

And I would argue that we saw what happened when other leaders had accusations against them because in the Republican Congress they went there, gave their side of the story, got it resolved in 70 days. We're still waiting to resolve an almost identical case. The

question was what did the Speaker of the House, Hastert, know about the Mark Foley case. The question here is what did the Speaker of the House, NANCY PELOSI, know about the Massa case? Why 70 days versus 141 days? That's a question we ought to be asking ourselves. I don't have the answer. I have the question. I can make some presumptions. The answer is maybe failure to cooperate. Maybe not. Maybe I'm too busy to talk to you today. Maybe not. Who knows what the reason is. But there's 70 more days in one investigation than the other. The other's resolved. The one that's 71 days older is not resolved.

Justice delayed for anybody is justice denied. A reasonable amount of time to prepare your case, of course. Making a proper investigation, of course. I cannot fault any of those things. But especially when it involves those who are in leadership of the House, it would seem to me they should give an extraordinary effort to go do what they can do to move the investigation along to a conclusion. If it means volunteering to go before the committee at the very soonest possible time and setting aside other things like fundraisers in San Francisco or trips to Chicago and going before the Ethics Committee and resolving the issue, it seems to me that's the way it ought to be done. That's what the American people would expect.

I want to commend the Ethics Committee for coming forward with the Rangel case. I take the position at this time that the process is moot now going forward after over close to a 2-year investigation. I for one, still believing in the system, believe that the system will do the right thing and move with haste to conclude this issue that is still hanging over Mr. RANGEL's head and still hanging over the House of Representatives' head, still hanging over the American people's head.

This is the people's House. Everybody in here was elected by people. There was nobody in here appointed, ever, to this position. Everyone who ever served in this Congress served because they were elected by people. You can't say that about the Senate. But you can say it about this House.

So when I say the House deserves an answer, the American people deserve an answer, it's because they do. They deserve an answer. And I hope this thing will be resolved. And it would be very appropriate if we resolve at least some of the issues, if possible, before the people of New York are asked to cast a vote in a primary later on in the next few weeks. I'm not sure that's possible because we're about to go into recess. But it's a shame that we're not giving the information to the people of New York that they should have.

I want to thank the Speaker for allowing me to come in here in as many weeks and do this talk, and I will probably be talking about other things in the future.

But we have so many things that we, as people, can disagree on, which is fine. That's what democracy is all about. But overwhelmingly Americans agree that they want a justice system that works, and they want folks to follow the rules, and they want everybody to be treated or given at least the equal opportunity to be treated fairly. And as long as I feel like there's people not being treated fairly or others being treated more special than others, I think it's my job and the job of every Member in this House to step up here and say, That's not America.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to:

Mr. DAVIS of Illinois (at the request of Mr. HOYER) for today on account of business in the district.

Mr. YOUNG of Florida (at the request of Mr. BOEHNER) for today and the balance of the week on account of back surgery.

Mr. POE of Texas (at the request of Mr. BOEHNER) for today until 7:30 p.m. on account of other district-related business.

SPECIAL ORDERS GRANTED

By unanimous consent, permission to address the House, following the legislative program and any special orders heretofore entered, was granted to:

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

Mr. LYNCH, for 5 minutes, today.

Mr. DEFAZIO, for 5 minutes, today.

Ms. WOOLSEY, for 5 minutes, today.

Ms. KAPTUR, for 5 minutes, today.

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

Mr. CAO, for 5 minutes, July 27.

Mr. POE of Texas, for 5 minutes, July 30.

Mr. JONES, for 5 minutes, July 30.

Mr. FLAKE, for 5 minutes, today.

Ms. ROS-LEHTINEN, for 5 minutes, July 27, 28, 29, and 30.

Mr. DUNCAN, for 5 minutes, today.

Mr. THOMPSON of Pennsylvania, for 5 minutes, today and July 28.

Mr. LINCOLN DIAZ-BALART of Florida, for 5 minutes, July 27, 28, and 29.

ENROLLED JOINT RESOLUTION SIGNED

Lorraine C. Miller, Clerk of the House, reported and found truly enrolled a joint resolution of the House of the following title, which was thereupon signed by the Speaker:

H.J. Res. 83. An act approving the renewal of import restrictions contained in the Burmese Freedom and Democracy Act of 2003, and for other purposes.

SENATE ENROLLED BILL SIGNED

The Speaker announced her signature to an enrolled bill of the Senate of the following title:

S. 1053. An act to amend the National Law Enforcement Museum Act to extend the termination date.

BILLS PRESENTED TO THE PRESIDENT

Lorraine C. Miller, Clerk of the House reports that on July 22, 2010 she presented to the President of the United States, for his approval, the following bills.

H.R. 4213. To amend the Internal Revenue Code of 1986 to extend certain expiring provisions, and for other purposes.

H.R. 5099. To designate the facility of the United States Postal Service located at 15 South Main Street in Sharon, Massachusetts, as the ''Michael C. Rothberg Post Office.''

H.R. 4861. To designate the facility of the United States Postal Service located at 1343 West Irving Park Road in Chicago, Illinois, as the ''Steve Goodman Post Office Building.''

H.R. 5051. To designate the facility of the United States Postal Service located at 23 Genesee Street in Hornell, New York as the ''Zachary Smith Post Office Building.''

ADJOURNMENT

Mr. CARTER. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 9 o'clock and 17 minutes p.m.), under its previous order, the House adjourned until tomorrow, Tuesday, July 27, 2010, at 9 a.m., for morning-hour debate.

EXPENDITURE REPORTS CONCERNING OFFICIAL FOREIGN TRAVEL

Reports concerning the foreign currencies and U.S. dollars utilized for Speaker-Authorized Official Travel during the second quarter of 2010 pursuant to Public Law 95–384 are as follows:

REPORT OF EXPENDITURES FOR OFFICIAL FOREIGN TRAVEL, DELEGATION TO LATVIA AND MONTENEGRO FOR THE NATO PARLIAMENTARY ASSEMBLY SPRING MEETINGS, HOUSE OF REPRESENTATIVES, EXPENDED BETWEEN MAY 29 AND JUNE 3, 2010

Name of Member or employee	Date		Country	Per diem [1]		Transportation		Other purposes		Total	
	Arrival	Departure		Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]
Hon. John Tanner	5/29	6/1	Latvia		1,034.92		(3)				1,590.42
	6/1	6/3	Montenegro		555.50		(3)				
Hon. Dennis Moore	5/29	6/1	Latvia		1,034.92		(3)				1,590.42
	6/1	6/3	Montenegro		555.50		(3)				
Hon. David Scott	5/29	6/1	Latvia		1,034.92		(3)				1,590.42
	6/1	6/3	Montenegro		555.50		(3)				
Melissa Adamson	5/29	6/1	Latvia		1,034.92		(3)				1,590.42
	6/1	6/3	Montenegro		555.50		(3)				
Kathy Becker	5/29	6/1	Latvia		1,034.92		(3)				1,590.42
	6/1	6/3	Montenegro		555.50		(3)				
Paul Belkin	5/29	6/1	Latvia		1,034.92		(3)				1,590.42
	6/1	6/3	Montenegro		555.50		(3)				
Dr. Amanda Sloat	5/29	6/1	Latvia		1,034.92		(3)				1,312.67
	6/1	6/2	Montenegro		277.75		(3)				
Delegation Expenses:											
Representational Funds									10,494.52		10,494.52
Miscellaneous											
Committee total					10,855.19				10,494.52		21,349.71

[1] Per diem constitutes lodging and meals.
[2] If foreign currency is used, enter U.S. dollar equivalent; if U.S. currency is used, enter amount expended.
(3) Military air transportation.

HON. JOHN S. TANNER, Chairman, July 8, 2010.

REPORT OF EXPENDITURES FOR OFFICIAL FOREIGN TRAVEL, DELEGATION TO MEXICO, HOUSE OF REPRESENTATIVES, EXPENDED BETWEEN JUNE 11 AND JUNE 13, 2010

Name of Member or employee	Date		Country	Per diem [1]		Transportation		Other purposes		Total	
	Arrival	Departure		Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]
Hon. Ed Pastor	6/11	6/13	Mexico		314.52		(3)				314.52
Hon. David Dreier	6/11	6/13	Mexico		290.24		(3)				290.24
Hon. Solomon Ortiz	6/11	6/13	Mexico		287.71		(3)				287.71
Hon. Lucille Roybal/Allard	6/11	6/13	Mexico		314.51		(3)				314.51
Hon. Zoe Lofgren	6/11	6/13	Mexico		287.71		(3)				287.71
Hon. Silvestre Reyes	6/11	6/13	Mexico		314.51		(3)				314.51
Hon. Brian Bilbray	6/11	6/13	Mexico		314.51		(3)				314.51
Hon. Linda Sánchez	6/11	6/13	Mexico		287.71		(3)				287.71
Hon. Jared Polis	6/11	6/13	Mexico		290.24		(3)				290.24
Peter Quilter	6/11	6/13	Mexico		258.30		(3)				258.30
Janice Kaguyutan	6/11	6/13	Mexico		250.72		(3)				250.72
Samantha Goldstein	6/11	6/13	Mexico		253.88		(3)				253.88
Robyn Wapner	6/11	6/13	Mexico		248.19		(3)				248.19
Clare Seelke	6/12	6/13	Mexico		132.46		(3)				132.46
Delegation expenses:											
Representational									543.40		543.00
Interpreters											
Miscellaneous											
Committee total					3,845.21				543.40		4,388.61

[1] Per diem constitutes lodging and meals.
[2] If foreign currency is used, enter U.S. dollar equivalent; if U.S. currency is used, enter amount expended.
(3) Military air transportation.

HON. ED PASTOR, Chairman, July 13, 2010.

REPORT OF EXPENDITURES FOR OFFICIAL FOREIGN TRAVEL, COMMITTEE ON HOUSE ADMINISTRATION, HOUSE OF REPRESENTATIVES, EXPENDED BETWEEN APR. 1 AND JUNE 30, 2010

Name of Member or employee	Date		Country	Per diem [1]		Transportation		Other purposes		Total	
	Arrival	Departure		Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]

HOUSE COMMITTEES

Please Note: If there were no expenditures during the calendar quarter noted above, please check the box at right to so indicate and return.☒

[1] Per diem constitutes lodging and meals.
[2] If foreign currency is used, enter U.S. dollar equivalent; if U.S. currency is used, enter amount expended.

HON. ROBERT A. BRADY, Chairman, July 6, 2010.

REPORT OF EXPENDITURES FOR OFFICIAL FOREIGN TRAVEL, COMMITTEE ON NATURAL RESOURCES, HOUSE OF REPRESENTATIVES, EXPENDED BETWEEN APR. 1 AND JUNE 30, 2010.

Name of Member or employee	Date		Country	Per diem [1]		Transportation		Other purposes		Total	
	Arrival	Departure		Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]
Bonnie Bruce	4/6	4/9	Marshall Islands		731.00		4,563.99				5,294.99
Brian Modeste	4/6	4/9	Marshall Islands		731.00		3,900.75				4,631.75
Committee total					1,462,000		8,464.74				9,926.74

[1] Per diem constitutes lodging and meals.
[2] If foreign currency is used, enter U.S. dollar equivalent; if U.S. currency is used, enter amount expended.

HON. NICK J. RAHALL II, Chairman, July 6, 2010.

REPORT OF EXPENDITURES FOR OFFICIAL FOREIGN TRAVEL, SELECT COMMITTEE ON ENERGY INDEPENDENCE AND GLOBAL WARMING, HOUSE OF REPRESENTATIVES, EXPENDED BETWEEN APR. 1 AND JUNE 30, 2010

Name of Member or employee	Date		Country	Per diem [1]		Transportation		Other purposes		Total	
	Arrival	Departure		Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]
Harlan Watson	5/31	6/12	Germany		493.31		1,188.23				1,681.54
Committee total					493.31		1,188.23				1,681.54

[1] Per diem constitutes lodging and meals.
[2] If foreign currency is used, enter U.S. dollar equivalent; if U.S. currency is used, enter amount expended.

SARAH E. BUTLER, July 19, 2010.

BUDGETARY EFFECTS OF PAYGO LEGISLATION

Pursuant to Public Law 111–139, Mr. SPRATT hereby submits, prior to the vote on passage, the attached estimate of the costs of the bill H.R. 3101, the Twenty-first Century Communications and Video Accessibility Act, as amended, for printing in the CONGRESSIONAL RECORD.

CBO ESTIMATE OF THE STATUORY PAY-AS-YOU-GO EFFECTS FOR H.R. 3101, THE TWENTY-FIRST CENTURY COMMUNICATIONS AND VIDEO ACCESSIBILITY ACT OF 2010, AS TRANSMITTED TO CBO ON JULY 26, 2010

	By fiscal eyar, in millions of dollars—												
	2010	2011	2012	2013	2014	2015	2016	2017	2018	2019	2020	2010–2015	2010–2020
Statutory Pay-As-You-Go Impact [a]	0	0	0	0	0	0	0	0	0	0	0	0	0

[a] H.R. 3101 would broaden the services eligible for support from the Telecommunications Relay Service fund. The additional costs to the fund would be offset by contributions from telecommunications providers.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XIV, executive communications were taken from the Speaker's table and referred as follows:

8525. A letter from the Director, Regulatory Review Group, Department of Agriculture, transmitting the Department's final rule — Reimbursement Transportation Cost Payment Program for Geographically Disadvantaged Farmers and Ranchers (RIN: 0560-AI08) received July 1, 2010, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

8526. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Terpene Constituents of the Extract of Chenopodium ambrosioides near ambrosioides (a-Terpinene, d-Limonene and p-Cymene) as Synthetically Manufactured; Exemption from the Requirement of a Tolerance [EPA-HQ-OPP-2009-0237; FRL-8831-4] received July 6, 2010, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

8527. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Homobrassinolide; Exemption from the Requirement of a Tolerance [EPA-HQ-OPP-2007-1187; FRL-8831-2] received July 6, 2010, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

8528. A letter from the Chairman and Chief Executive Officer, Farm Credit Administration, transmitting the Administration's final rule — Farm Credit Administration Board Meetings; Assessment and Apportionment of Administrative Expenses; Standards of Conduct and Referral of Known or Suspected Criminal Violations; Loan Policies and Operations; Funding and Fiscal Affairs, Loan Policies and Operations, and Funding Operations; General Provisions; and Title IV Conservators, Receivers, and Voluntary Liquidations; Technical Changes (RIN: 3052-AC63) received July 1, 2010, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

8529. A letter from the Chief Counsel, Department of Homeland Security, transmitting the Department's final rule — Changes in Flood Elevation Determinations [Docket ID: FEMA-2010-0003] [Internal Agency Docket No. FEMA-B-1118] received June 30, 2010, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Financial Services.

8530. A letter from the Acting Director, Pension Benefit Guaranty Corporation, transmitting the Corperation's final rule — Allocation of Assets in Single-Employer Plans; Benefits Payable in Terminated Single-Employer Plans; Interest Assumptions for Valuing and Paying Benefits received July 1, 2010, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Education and Labor.

8531. A letter from the Assistant General Counsel for Regulatory Affairs, Consumer Product Safety Commission, transmitting the Commission's final rule — Safety Standard for Infant Walkers: Final Rule [CPSC Docket No.: CPSC-2009-0066] received July 14, 2010, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

8532. A letter from the Assistant General Counsel for Regulatory Affairs, Consumer Product Safety Commission, transmitting the Commission's final rule — Revocation of Regulations Banning Certain Baby-Walkers (RIN: 3041-AC77) received July 14, 2010, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

8533. A letter from the Assistant General Counsel for Regulatory Affairs, Consumer Product Safety Commission, transmitting the Commission's final rule — Safety Standard for Infant Bath Seats: Final Rule [CPSC Docket No.: CPSC-2009-0064] received July 14, 2010, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

8534. A letter from the Deputy Director, Regulations and Policy Management Staff, Department of Health and Human Services, transmitting the Department's final rule — Change of Contact Information; Technical Amendment [Docket No.: FDA-2010-N-0010] received July 1, 2010, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

8535. A letter from the Assistant General Counsel for Legislation, Regulation and Energy Efficiency, Department of Energy, transmitting the Department's final rule — Energy Conservation Program for Consumer Products and Certain Commercial and Industrial Equipment: Final Determination Concerning the Potential for Energy Conservation Standards for High-Intensity Discharge (HID) Lamps [Docket No.: EE-DET-03-001] (RIN: 1904-AA86) received July 2, 2010, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

8536. A letter from the Department Director, Regulations Policy Management Staff, Department of Health and Human Services, transmitting the Department's final rule — Dental Devices: Classification of Dental Amalgam, Reclassification of Dental Mercury, Designation of Special Controls for Dental Amalgam, Mercury, and Amalgam Alloy; Techinical Amendment [Docket No.: FDA-2008-N-0163] (formerly Docket No.: 2001N-0067) (RIN: 0910-AG21) received July 1, 2010, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

8537. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Approval and Promulgation of Implementation Plans and Designation of Areas for Air Quality Planning Purposes; Wisconsin; Redesignation of the Manitowoc County and Door County Areas to Attainment for Ozone [EPA-R05-OAR-2009-0730; FRL-9172-9] received July 6, 2010, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

8538. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Approval and Promulgation of Implementation Plans; Texas; Revisions to the New Source Review (NSR) State Implementation Plan (SIP); Flexible Permits [EPA-R06-OAR-2005-TX-0032; FRL-9174-1] received July 6, 2010, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

8539. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Approval and Promulgation of Implementation Plans; Texas; Revisions

to the New Source Review (NSR) State Implementation Plan (SIP); Flexible Permits [EPA-R06-OAR-2005-TX-0032; FRL-9174-1] received July 6, 2010, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

8540. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Lead; Clearance and Clearance Testing Requirements for the Renovation, Repair, and Painting Program; Reopening of Comment Period [EPA-HQ-OPPT-2005-0049; FRL-8836-1] (RIN: 2070-AJ57) received July 6, 2010, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

8541. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Mandatory Reporting of Greenhouse Gases from Magnesium Production, Underground Coal Mines, Industrial Wastewater Treatment, and Industrial Waste Landfills [EPA-HQ-OAR-2008-0508; FRL-9171-1] (RIN: 2060-AQ03) received July 6, 2010, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

8542. A letter from the Director, Office of Congressional Affairs, Nuclear Regulatory Commission, transmitting the Commission's final rule — List of Approved Spent Fuel Storage Casks: MAGNASTOR System, Revision 1 [NRC-2010-0140] (RIN: 3150-AI86) received July 2, 2010, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

8543. A letter from the Acting Senior Procurement Executive, General Services Administration, transmitting the Administration's final rule — Federal Acquisition Regulation; FAR Case 2008-011, Government Property [FAC 2005-43; FAR Case 2008-011; Item I; Docket 2009-0029; Sequence 1] (RIN: 9000-AL41) received July 2, 2010, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Oversight and Government Reform.

8544. A letter from the Acting Senior Procurement Executive, General Services Administration, transmitting the Administration's final rule — Federal Acquistion Regulation; Federal Acquisition Circular 2005-43; Introduction [Docket: FAR 2010-0076, Sequence 5] received July 2, 2010, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Oversight and Government Reform.

8545. A letter from the Acting Senior Procurement Executive, General Services Administration, transmitting the Administration's final rule — Federal Acquisition Regulation; FAR Case 2008-035, Registry of Disaster Response Contractors [FAC 2005-43; FAR Case 2008-035; Item II; Docket 2009-0033, Sequence 1] (RIN: 9000-AL30) received July 2, 2010, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Oversight and Government Reform.

8546. A letter from the Acting Senior Procurement Executive, General Services Administration, transmitting the Administration's final rule — Federal Acquisition Regulation; FAR Case 2010-008; Recovery Act Subcontract Reporting Procedures [FAC 2005-43; FAR Case 2010-008; Item III; Docket 2010-0008, Sequence 1] (RIN: 9000-AL93) received July 2, 2010, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Oversight and Government Reform.

8547. A letter from the Acting Senior Procurement Executive, General Services Administration, transmitting the Administration's final rule — Federal Acquisition Regulation; Federal Acquisition Circular 2005-43; Small Entity Compliance Guide [Docket: FAR 2010-0077, Sequence 5] received July 2, 2010, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Oversight and Government Reform.

8548. A letter from the Acting Senior Procurement Executive, General Services Administration, transmitting the Administration's final rule — Federal Acquisition Regulation; FAR Case 2008-023, Clarification of Criteria for Sole Source Awards to Service-disabled Veteran-owned Small Business Concerns [FAC 2005-43; FAR Case 2008-023; Item IV; Docket 2009-0017, Sequence 1] (RIN: 9000-AL29) received July 2, 2010, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Oversight and Government Reform.

8549. A letter from the Acting Senior Procurement Executive, General Services Administration, transmitting the Administration's final rule — Federal Acquisition Regulation; FAR Case 2009-040, Trade Agreements Thresholds [FAC 2005-43; FAR Case 2009-040; Item V; Docket 2010-0092, Sequence 1] (RIN: 9000-AL57) received July 2, 2010, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Oversight and Government Reform.

8550. A letter from the Deputy Archivist of the United States, National Archives and Records Administration, transmitting the Administrations's final rule — Classified National Security Information [FDMS Docket: ISOO-10-0001] (RIN: 3095-AB63) received June 29, 2010, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Oversight and Government Reform.

8551. A letter from the Assistant Secretary, Land and Minerals Management, Department of the Interior, transmitting the Department's final rule — Annular Casing Pressure Management for Offshore Wells [Docket ID: MMS-2007-OMM-0068] (RIN: 1010-AD47) received June 30, 2010, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Natural Resources.

8552. A letter from the Deputy Assistant Administrator for Regulatory Programs, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule — Fisheries of the Caribbean, Gulf of Mexico, and South Atlantic; Emergency Fisheries Closures in the Southeast Region Due to the Deepwater Horizon Oil Spill; Amendment 2 [Docket No.: 100510220-0221-01] (RIN: 0648-AY90) received June 29, 2010, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Natural Resources.

8553. A letter from the Assistant Administrator for Fisheries, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule — Atlantic Highly Migratory Species; 2010 Bluefin Tuna Quota Specifications [Docket No.: 100317152-0176-01] (RIN: 0648-AY77) received July 1, 2010, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Natural Resources.

8554. A letter from the Deputy Chief Counsel, Department of Transportation, transmitting the Department's final rule — Submitting Airline Data via the Internet [Docket No.: OST 2006-26053] (RIN: 2139-AA11) received June 31, 2010, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

8555. A letter from the Trial Attorney, Department of Transportation, transmitting the Department's final rule — State Highway-Rail Grade Crossing Action Plans [Docket No.: FRA-2009-0032; Notice No. 5] (RIN: 2130-AC20) received June 31, 2010, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

8556. A letter from the Senior Program Analyst, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Bombardier, Inc. Model CL-600-2B19 (Regional Jet Series 100 & 440) Airplanes [Docket No.: FAA-2009-1029; Directorate Identifier 2009-NM-103-AD; Amendment 39-16348; AD 2010-14-03] (RIN 2120-AA64) received June 31, 2010, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

8557. A letter from the Senior Program Analyst, Department of Transportation, transmitting the Department's final rule — Revocation of Class D and E Airspace; Big Delta, AK [Docket No.: FAA-2010-0083; Airspace Docket No. 10-AAL-5) received June 31, 2010, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

8558. A letter from the Senior Program Analyst, Department of Transportation, transmitting the Department's final rule — Amendment of Norton Sound Low and Control 1234L Offshore Airspace Areas; Alaska [Docket No.: FAA-2010-0071: Airspace Docket No.: 10-AAL-1] (RIN: 2120-AA66) received June 31, 2010, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

8559. A letter from the Senior Program Analyst, Department of Transportation, transmitting the Department's final rule — Standard Instrument Approach Procedures, and Takeoff Minimums and Obstacle Departure Procedures; Miscellaneous Amendments [Docket No.: 30730; Amdt. No. 3379] received June 31, 2010, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

8560. A letter from the Senior Program Analyst, Department of Transportation, transmitting the Department's final rule — Standard Instrument Approach Procedures, and Takeoff Minimums and Obstacle Departure Procedures; Miscellaneous Amendments [Docket No.: 30729; Amdt. No. 3378] received June 31, 2010, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

8561. A letter from the FMCSA Regulatory Ombudsman, Department of Transportation, transmitting Cargo Insurance for Property Loss or Damage [Docket No.: FMCSA-2010-0189] (RIN: 2126-AB21) received June 31, 2010, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

8562. A letter from the Senior Regulations Analyst, Department of Transportation, transmitting the Department's final rule — Procedures for Transportation Workplace Drug and Alcohol Testing Programs [Docket: OST-2008-0088] (RIN: OST 2105-AD84) received June 31, 2010, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

8563. A letter from the Program Manager, Department of Health and Human Services, transmitting the Department's final rule — Child Support Enforcement Program; Intergovernmental Child Support (RIN: 0970-AC-37) received June 13, 2010, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

8564. A letter from the Program Manager, Department of Health and Human Services, transmitting the Department's final rule — Medicare Program; Identification of Backward Compatible Version of Adopted Standard for E-Prescribing and the Medicare Prescription Drug Programs (NCPDP SCRIPT 10.6) [CMS-0023-IFC] (RIN: 0938-AP49) received June 31, 2010, pursuant to 5 U.S.C. 801(a)(1)(A); jointly to the Committees on Energy and Commerce and Ways and Means.

8565. A letter from the Office Manager, Department of Health and Human Services, transmitting the Department's final rule — Medicare Program; Changes to the Hospital Outpatient Prospective Payment System and Ambulatory Surgical Center Payment System for CY 2010, and Extension of Part B Payment for Services Furnished by Hospitals or Clinics Operated by the Indian Health Service, Indian Tribes, or Tribal Organizations Made by the Affordable Care Act and ASC Changes Made By Previous Correction Notices [CMS-1504-N] (RIN: 0938-AQ08) received July 9, 2010, pursuant to 5 U.S.C.

801(a)(1)(A); 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:

[Omitted from the Record of July 22, 2010]

Mr. OBERSTAR: Committee on Transportation and Infrastructure. H.R. 3377. A bill to amend the Robert T. Stafford Disaster Relief and Emergy Assistance Act to enhance the Nation's disaster preparedness, response, recovery, and mitigation capabilities, and for other purposes; with an amendment (Rept. 111–562). Referred to the Committee of the Whole House on the State of the Union.

[Submitted July 26, 2010]

Mr. WAXMAN: Committee on Energy and Commerce. H.R. 3101. A bill to ensure that individuals with disabilities have access to emerging Internet Protocol-based communication and video programming technologies in the 21st Century; with an amendment (Rept. 111–563). Referred to the Committee of the Whole House on the State of the Union.

Mr. OLVER: Committee on Appropriations. H.R. 5850. A bill making appropriations for the Department of Transportation, and Housing and Urban Development, and related agencies for the fiscal year ending September 30, 2011, and for other purposes (Rept. 111–564). Referred to the Committee of the Whole House on the State of the Union.

Mr. OBEY: Committee on Appropriations. Report on the Suballocation of Budget Allocations for Fiscal Year 2011 (Rept. 111–565). Referred to the Committee of the Whole House on the State of the Union.

Mr. MCGOVERN: Committee on Rules. House Resolution 1556. Resolution providing for consideration of the concurrent resolution (H. Con. Res. 301) directing the President, pursuant to section 5(c) of the War Powers Resolution, to remove the United States Armed Forces from Pakistan (Rept. 111–566). Referred to the House Calendar.

PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XII, public bills and resolutions of the following titles were introduced and severally referred, as follows:

By Ms. VELÁZQUEZ:

H.R. 5849. A bill to provide for an additional temporary extension of programs under the Small Business Act and the Small Business Investment Act of 1958, and for other purposes; to the Committee on Small Business.

By Mr. GEORGE MILLER of California (for himself and Mr. MARKEY of Massachusetts):

H.R. 5851. A bill to provide whistleblower protections to certain workers in the offshore oil and gas industry; to the Committee on Education and Labor.

By Mr. PETERSON (for himself, Mr. BACA, Mr. BOSWELL, Mr. CONAWAY, Mr. CUELLAR, Mrs. DAHLKEMPER, Mr. FORTENBERRY, Ms. HERSETH SANDLIN, Mr. HOLDEN, Mr. KAGEN, Mr. KING of Iowa, Mr. KISSELL, Mrs. LUMMIS, Ms. MARKEY of Colorado, Mr. MCINTYRE, Mr. MORAN of Kansas, Mr. POMEROY, Mr. SCOTT of Georgia, Mr. SMITH of Nebraska, and Mr. WALZ):

H.R. 5852. A bill to amend the Agricultural Marketing Act of 1946 to improve the reporting on sales of livestock and dairy products, and for other purposes; to the Committee on Agriculture.

By Mr. BOUSTANY:

H.R. 5853. A bill to amend title XXXII of the Public Health Service Act to require review and approval by law prior to collection of premiums under the CLASS program, to require notice to individuals prior to enrollment, and to require termination of the program in the event of actuarial unsoundness, and for other purposes; to the Committee on Energy and Commerce, and in addition to the Committee on Rules, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. POMEROY (for himself, Mr. SAM JOHNSON of Texas, Mr. LEWIS of Georgia, Mr. TANNER, Mr. BECERRA, Mr. DOGGETT, Mr. KIND, Mr. CROWLEY, Ms. SCHWARTZ, Ms. LINDA T. SÁNCHEZ of California, Mr. YARMUTH, Mr. LARSON of Connecticut, Mr. HERGER, Mr. LINDER, and Mr. ROSKAM):

H.R. 5854. A bill to amend title II of the Social Security Act to prohibit access of prisoners to Social Security account numbers; to the Committee on Ways and Means.

By Mr. AL GREEN of Texas (for himself and Mr. OLSON):

H.R. 5855. A bill to direct the Secretary of Labor and the Secretary of Commerce to create a job training program and an economic stability program to stabilize the workforce and promote economic growth in the Johnson Space Center region; to the Committee on Education and Labor, and in addition to the Committees on Transportation and Infrastructure, and Financial Services, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. DOGGETT (for himself, Mr. LEWIS of Georgia, Mr. BLUMENAUER, and Mr. HOLT):

H.R. 5856. A bill to amend the Internal Revenue Code of 1986 to provide for an investment tax credit for waste-to-energy facilities; to the Committee on Ways and Means.

By Mr. DJOU:

H.R. 5857. A bill to amend the Internal Revenue Code of 1986 to decrease the top marginal corporate rate to 28 percent and to prevent corporations from exploiting tax treaties to evade taxation of United States income; to the Committee on Ways and Means.

By Mr. FILNER:

H.R. 5858. A bill to amend the Federal Fire Prevention and Control Act of 1974 to authorize a fire station construction grant program for 5 years, and for other purposes; to the Committee on Science and Technology.

By Mr. FILNER:

H.R. 5859. A bill to award a congressional gold medal to the World War II members of the Civil Air Patrol; to the Committee on Financial Services, and in addition to the Committee on House Administration, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. HENSARLING (for himself, Mr. BACHUS, Mr. MCCARTHY of California, and Ms. JENKINS):

H.R. 5860. A bill to amend the Labor-Management Reporting and Disclosure Act to require the authorization of members of a labor organization before such organization may make certain political expenditures, and for other purposes; to the Committee on Education and Labor.

By Ms. KILROY (for herself, Mr. RYAN of Ohio, and Mr. MEEK of Florida):

H.R. 5861. A bill to amend title XVIII of the Social Security Act to establish a cancer center construction loan program; to the Committee on Energy and Commerce, and in addition to the Committee on Ways and Means, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. MARCHANT:

H.R. 5862. A bill to amend title 49, United States Code, with respect to the eligibility of veterans for employment with the Federal Aviation Administration, and for other purposes; to the Committee on Transportation and Infrastructure.

By Mr. POLIS:

H.R. 5863. A bill to amend the Outer Continental Shelf Lands Act with regard to oversight and judicial review in connection with offshore oil production and exploration, and for other purposes; to the Committee on Natural Resources.

By Mr. SESTAK:

H.R. 5864. A bill to amend the Internal Revenue Code of 1986 to allow a credit against income tax for qualified equity investments in certain small businesses, and for other purposes; to the Committee on Ways and Means.

By Mr. RAHALL:

H. Con. Res. 304. Concurrent resolution directing the Clerk of the House of Representatives to correct the enrollment of H.R. 725; considered and agreed to.

By Ms. SLAUGHTER:

H. Res. 1555. A resolution permitting individuals to be admitted to the Hall of the House in order to document the improved accessibility of the Hall of the House; considered and agreed to.

By Mr. CARDOZA:

H. Res. 1557. A resolution supporting the facility under development by the Stanislaus County Ag Center Foundation, in Stanislaus County, California, known as the National Ag Science Center; to the Committee on Agriculture.

By Mr. CARDOZA:

H. Res. 1558. A resolution expressing the sense of the House of Representatives that fruit and vegetable and commodity producers are encouraged to display the American flag on labels of products grown in the United States, reminding us all to take pride in the healthy bounty produced by American farmers and workers; to the Committee on Agriculture.

ADDITIONAL SPONSORS

Under clause 7 of rule XII, sponsors were added to public bills and resolutions as follows:

H.R. 43: Ms. CHU.
H.R. 450: Mr. COFFMAN of Colorado.
H.R. 476: Mr. BACA, Mr. CARSON of Indiana, Mr. WATT, and Mr. PERLMUTTER.
H.R. 571: Mr. DAVIS of Illinois.
H.R. 682: Ms. SPEIER and Ms. TSONGAS.
H.R. 745: Mr. WU.
H.R. 1074: Mr. DEFAZIO and Mr. KINGSTON.
H.R. 1079: Mr. MARIO DIAZ-BALART of Florida, Mr. DREIER, and Mr. JACKSON of Illinois.
H.R. 1082: Mr. LYNCH.
H.R. 1124: Ms. SUTTON, Mr. PAYNE, and Mrs. MALONEY.
H.R. 1189: Mrs. EMERSON.
H.R. 1324: Mr. ACKERMAN.
H.R. 1362: Ms. PINGREE of Maine.
H.R. 1443: Mr. GARAMENDI.
H.R. 1547: Ms. HIRONO.
H.R. 1670: Mr. HIMES.
H.R. 1684: Mr. EDWARDS of Texas.
H.R. 1806: Ms. EDWARDS of Maryland.
H.R. 1923: Mr. MARCHANT.

H.R. 2296: Mr. SCHRADER.
H.R. 2308: Mr. COURTNEY.
H.R. 2381: Ms. EDDIE BERNICE JOHNSON of Texas.
H.R. 2397: Mr. NUNES.
H.R. 2406: Mr. BONNER.
H.R. 2598: Mr. FORTENBERRY.
H.R. 2964: Mr. CALVERT.
H.R. 3040: Mr. LOEBSACK.
H.R. 3149: Ms. DELAURO.
H.R. 3408: Mr. KRATOVIL, Mr. LOEBSACK, and Mr. DAVIS of Illinois.
H.R. 3452: Mr. GRIJALVA.
H.R. 3488: Mr. MAFFEI and Ms. KAPTUR.
H.R. 3516: Mr. FRANKS of Arizona.
H.R. 3531: Ms. MOORE of Wisconsin.
H.R. 3577: Mr. HODES.
H.R. 3655: Mr. HARE.
H.R. 3749: Mr. PITTS.
H.R. 3765: Mr. MICA and Mr. BLUNT.
H.R. 4021: Mr. GARAMENDI.
H.R. 4116: Mr. OLVER.
H.R. 4278: Mr. SKELTON.
H.R. 4322: Mrs. LOWEY, Mr. PAYNE, Mr. KENNEDY, and Mr. OBERSTAR.
H.R. 4405: Mr. CONYERS.
H.R. 4420: Mr. FATTAH.
H.R. 4427: Mr. GINGREY of Georgia and Mr. MCHENRY.
H.R. 4520: Mr. GENE GREEN of Texas.
H.R. 4544: Mr. GUTIERREZ, Ms. MOORE of Wisconsin, Mr. HARPER, Mr. BLUMENAUER, Mr. ARCURI, and Mr. THOMPSON of Pennsylvania.
H.R. 4557: Ms. LEE of California and Mr. KENNEDY.
H.R. 4593: Mr. FILNER.
H.R. 4645: Mr. DOYLE, Mr. MARKEY of Massachusetts, and Mr. JACKSON of Illinois.
H.R. 4692: Ms. FUDGE and Mr. KUCINICH.
H.R. 4693: Mr. MARSHALL.
H.R. 4751: Ms. TITUS.
H.R. 4787: Mr. LANGEVIN and Mr. GENE GREEN of Texas.
H.R. 4790: Mr. CLAY and Ms. NORTON.
H.R. 4806: Ms. LEE of California.
H.R. 4844: Mr. LOBIONDO and Mr. MCMAHON.
H.R. 4864: Mr. PAYNE.
H.R. 4914: Mr. PAYNE, Mr. CARSON of Indiana, Mr. FARR, and Mr. KILDEE.
H.R. 4923: Mr. ELLISON, and Ms. EDDIE BERNICE JOHNSON of Texas.
H.R. 4925: Ms. SPEIER.
H.R. 4926: Mr. CAPUANO.
H.R. 4951: Mr. BONNER.
H.R. 4958: Ms. KILPATRICK of Michigan and Mr. LEWIS of Georgia.
H.R. 4986: Mr. INSLEE and Mr. MCMAHON.
H.R. 4993: Mr. HOLDEN, Mr. GONZALEZ, and Mr. HOLT.
H.R. 5015: Mr. COHEN.
H.R. 5033: Ms. RICHARDSON, Mr. HONDA, Mr. SCOTT of Georgia, Mr. GENE GREEN of Texas, Mr. COHEN, Mr. BACA, Mr. ORTIZ, Mr. PIERLUISI, Mr. RODRIGUEZ, Ms. MATSUI, Mr. COSTA, Mr. FILNER, and Mrs. CAPPS.
H.R. 5034: Mrs. BACHMANN.
H.R. 5043: Mr. KUCINICH.
H.R. 5081: Mr. BISHOP of New York and Ms. NORTON.
H.R. 5087: Mrs. MALONEY.
H.R. 5091: Mr. FILNER.
H.R. 5137: Mr. DENT and Mr. EHLERS.
H.R. 5138: Mr. RUSH.
H.R. 5141: Mr. GUTHRIE, Mr. LEWIS of California, Mr. LUCAS, Mr. RUPPERSBERGER, and Mr. LINDER.
H.R. 5180: Mrs. CHRISTENSEN.
H.R. 5244: Ms. BERKLEY.
H.R. 5268: Mr. MICHAUD and Mr. KILDEE.
H.R. 5291: Mr. BOSWELL and Mr. SPACE.
H.R. 5300: Mr. LYNCH.
H.R. 5305: Mr. SPACE.
H.R. 5357: Ms. HERSETH SANDLIN.
H.R. 5363: Mr. BOSWELL.
H.R. 5434: Mr. MCKEON, Ms. SCHAKOWSKY, Mr. PRICE of North Carolina, and Mr. HILL.
H.R. 5477: Mr. CARSON of Indiana and Mr. ALTMIRE.
H.R. 5478: Mr. WALDEN.
H.R. 5495: Mr. POLIS and Mr. CARSON of Indiana.
H.R. 5527: Ms. EDDIE BERNICE JOHNSON of Texas.
H.R. 5533: Mr. CARNAHAN.
H.R. 5554: Mrs. MILLER of Michigan and Mr. PLATTS.
H.R. 5561: Ms. TITUS and Mr. SHERMAN.
H.R. 5564: Mr. COBLE.
H.R. 5565: Mr. ORTIZ and Mr. EDWARDS of Texas.
H.R. 5567: Mr. PAYNE.
H.R. 5576: Mr. DUNCAN.
H.R. 5614: Mr. LUCAS.
H.R. 5628: Mr. STARK.
H.R. 5629: Mr. HARE, Mr. FILNER, Mr. JOHNSON of Georgia, Ms. RICHARDSON, Mr. KAGEN, Mr. HALL of New York, and Mr. CARNAHAN.
H.R. 5643: Mrs. LOWEY, Mr. COURTNEY, Ms. DEGETTE, and Ms. HIRONO.
H.R. 5644: Mr. FRANK of Massachusetts.
H.R. 5645: Mr. KLINE of Minnesota.
H.R. 5663: Ms. LINDA T. SÁNCHEZ of California, Mr. KAGEN, Ms. LORETTA SANCHEZ of California, Mr. NADLER of New York, Mr. BLUMENAUER, and Mr. HONDA.
H.R. 5698: Ms. EDDIE BERNICE JOHNSON of Texas and Mr. FILNER.
H.R. 5710: Mr. PAULSEN.
H.R. 5714: Ms. WOOLSEY and Mr. AL GREEN of Texas.
H.R. 5718: Mr. HASTINGS of Florida.
H.R. 5729: Mr. INGLIS.
H.R. 5732: Mr. CARNAHAN.
H.R. 5747: Mr. STARK.
H.R. 5769: Ms. HERSETH SANDLIN, Mrs. MYRICK, Mr. TANNER, and Mr. BOSWELL.
H.R. 5791: Mr. PALLONE.
H.R. 5792: Mr. PALLONE.
H.R. 5793: Mr. PALLONE.
H.R. 5807: Mr. FILNER, Ms. MCCOLLUM, Ms. SUTTON, Mr. BRADY of Pennsylvania, and Mr. SABLAN.
H.R. 5809: Ms. ZOE LOFGREN of California, Mrs. CAPPS, Mr. CONNOLLY of Virginia, Mr. LARSEN of Washington, and Mr. GENE GREEN of Texas.
H.R. 5827: Mr. SAM JOHNSON of Texas, Mr. KLINE of Minnesota, Mr. GORDON of Tennessee, Mr. WALDEN, and Mrs. CAPITO.
H.R. 5841: Mr. FILNER.
H.R. 5842: Mrs. BLACKBURN and Mr. BURTON of Indiana.
H.R. 5846: Mr. SABLAN.
H.J. Res. 81: Mr. PENCE, Ms. KILPATRICK of Michigan, and Mr. GRIJALVA.
H. Con. Res. 16: Mr. ROGERS of Alabama.
H. Con. Res. 110: Mr. LOEBSACK.
H. Con. Res. 226: Mr. STARK, Mr. TANNER, and Mrs. MILLER of Michigan.
H. Con. Res. 266: Mr. WU, Mr. TANNER, and Ms. KAPTUR.
H. Con. Res. 273: Mr. SCHOCK.
H. Con. Res. 274: Mrs. MYRICK, Mr. MCKEON, and Mr. AUSTRIA.
H. Con. Res. 297: Mr. SPACE.
H. Con. Res. 301: Mr. FILNER.
H. Res. 173: Ms. MATSUI and Mr. BOUCHER.
H. Res. 186: Mr. GRIJALVA.
H. Res. 536: Mr. CALVERT and Ms. BALDWIN.
H. Res. 554: Mr. DJOU.
H. Res. 637: Mr. CAO.
H. Res. 709: Mr. SERRANO, Mr. MEEKS of New York, and Ms. FUDGE.
H. Res. 1207: Mr. ALEXANDER.
H. Res. 1217: Mr. ROGERS of Alabama and Mr. BRADY of Pennsylvania.
H. Res. 1251: Mr. COFFMAN of Colorado, Mr. KLINE of Minnesota, Mr. BOREN, and Mr. KRATOVIL.
H. Res. 1267: Mr. POLIS and Mr. RUSH.
H. Res. 1285: Mr. LINCOLN DIAZ-BALART of Florida.
H. Res. 1442: Ms. BORDALLO, Mr. DAVIS of Tennessee, Mr. EDWARDS of Texas, and Mr. CAO.
H. Res. 1450: Mr. BARTON of Texas.
H. Res. 1456: Mrs. BONO MACK and Mr. SHULER.
H. Res. 1479: Mr. WILSON of South Carolina, Mr. BARRETT of South Carolina, Mr. PIERLUISI, Mr. BURTON of Indiana, Mr. LATHAM, Mr. WALDEN, Mr. CASTLE, Mr. SMITH of New Jersey, Mr. CUELLAR, Mr. CAO, and Ms. RICHARDSON.
H. Res. 1485: Mr. MANZULLO, Mr. CULBERSON, Ms. GRANGER, Mr. ALEXANDER, Mr. SMITH of Texas, Mr. SESSIONS, Mr. CALVERT, Mr. BURGESS, Mr. SMITH of New Jersey, Ms. BERKLEY, and Mr. OLSON.
H. Res. 1494: Mr. KAGEN, Ms. SHEA-PORTER, Mr. MICHAUD, and Ms. ZOE LOFGREN of California.
H. Res. 1499: Mr. ADLER of New Jersey, Mr. ARCURI, Ms. BALDWIN, Mr. BOCCIERI, Mr. BRALEY of Iowa, Mr. BRIGHT, Mr. CHILDERS, Mr. CONNOLLY of Virginia, Mrs. DAHLKEMPER, Mr. DINGELL, Mr. ENGEL, Mr. FOSTER, Ms. GIFFORDS, Mr. GRAYSON, Mrs. HALVORSON, Mr. HEINRICH, Mr. HILL, Mr. HIMES, Mr. ISRAEL, Mr. KAGEN, Ms. KILROY, Mrs. KIRKPATRICK of Arizona, Mr. MAFFEI, Ms. MARKEY of Colorado, Mr. MATHESON, Mr. MITCHELL, Mr. MURPHY of Connecticut, Mr. NADLER of New York, Mr. PALLONE, Mr. PERRIELLO, Mr. PETERS, Mr. SCHAUER, Mr. SCHRADER, Mr. SPACE, Mr. WEINER, Mr. WELCH, and Mr. WU.
H. Res. 1504: Ms. CHU, Mr. FILNER, Mrs. SCHMIDT, Mr. JACKSON of Illinois, Mr. CONNOLLY of Virginia, Ms. KAPTUR, Ms. BEAN, Mr. MCMAHON, Ms. EDDIE BERNICE JOHNSON of Texas, Mr. KUCINICH, Mr. KRATOVIL, Mr. BLUNT, Mr. SMITH of New Jersey, Mr. YOUNG of Florida, Mr. THOMPSON of Pennsylvania, Ms. DEGETTE, Mr. MAFFEI, Mr. ELLISON, and Mr. MCDERMOTT.
H. Res. 1514: Mr. BISHOP of Georgia, Mr. BLUMENAUER, Ms. CORRINE BROWN of Florida, Mrs. CHRISTENSEN, Ms. CHU, Ms. CLARKE, Mr. CONNOLLY of Virginia, Mr. COSTELLO, Mr. CUMMINGS, Mr. DAVIS of Illinois, Ms. EDWARDS of Maryland, Ms. ESHOO, Mr. FARR, Ms. FUDGE, Mr. GRIJALVA, Ms. EDDIE BERNICE JOHNSON of Texas, Ms. KAPTUR, Ms. KILPATRICK of Michigan, Ms. JACKSON LEE of Texas, Mr. LOEBSACK, Mrs. LOWEY, Ms. MATSUI, Mr. MCGOVERN, Mr. MEEK of Florida, Mr. NADLER of New York, Mr. PALLONE, Mr. PAYNE, Mr. RAHALL, Ms. RICHARDSON, Mr. SARBANES, Ms. SCHWARTZ, Ms. WASSERMAN SCHULTZ, Mr. SCOTT of Virginia, Mr. SERRANO, Ms. SPEIER, Mr. TONKO, Mr. VAN HOLLEN, Ms. WATERS, Ms. WATSON, and Mr. WATT.
H. Res. 1518: Mr. ENGEL, Mr. SCOTT of Georgia, and Mr. ELLISON.
H. Res. 1525: Mr. ROHRABACHER and Mrs. MYRICK.
H. Res. 1527: Mr. GORDON of Tennessee, Mr. NEUGEBAUER, and Mr. GEORGE MILLER of California.
H. Res. 1530: Mr. SPACE.
H. Res. 1538: Mr. FILNER, Mr. PRICE of North Carolina, Mr. PAYNE, Mr. BERMAN, Mr. CARNAHAN, and Mr. SCOTT of Georgia.
H. Res. 1546: Mr. PATRICK J. MURPHY of Pennsylvania.
H. Res. 1547: Mr. SABLAN.
H. Res. 1551: Ms. CHU.

DELETIONS OF SPONSORS FROM PUBLIC BILLS AND RESOLUTIONS

Under clause 7 of rule XII, sponsors were deleted from public bills and resolutions as follows:

H.R. 3421: Mr. MARCHANT.

United States of America

Congressional Record

PROCEEDINGS AND DEBATES OF THE 111th CONGRESS, SECOND SESSION

Vol. 156 WASHINGTON, MONDAY, JULY 26, 2010 No. 110

Senate

The Senate met at 3 p.m. and was called to order by the Honorable MARY L. LANDRIEU, a Senator from the State of Louisiana.

PRAYER

The Chaplain, Dr. Barry C. Black, offered the following prayer:

Let us pray.

Eternal Spirit, our shelter in the time of storm, teach our Senators to live as You would have them live. Give them the wisdom to serve others as You desire, providing an example worthy of the high calling they have received from You. Lord, inspire them to be kind to one another, ever seeking for truth in all their endeavors. Keep them totally dependent on You for guidance and strength, freeing them from anxiety and fear. May Your blessing and benediction enable them to work together in harmony and peace.

We pray in Your sacred Name. Amen.

PLEDGE OF ALLEGIANCE

The Honorable MARY L. LANDRIEU 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.

APPOINTMENT OF ACTING PRESIDENT PRO TEMPORE

The PRESIDING OFFICER. The clerk will please read a communication to the Senate from the President pro tempore (Mr. INOUYE).

The assistant legislative clerk read the following letter:

U.S. SENATE,
PRESIDENT PRO TEMPORE,
Washington, DC, July 26, 2010.

To the Senate:

Under the provisions of rule I, paragraph 3, of the Standing Rules of the Senate, I hereby appoint the Honorable MARY L. LANDRIEU, a Senator from the State of Louisiana, to perform the duties of the Chair.

DANIEL K. INOUYE,
President pro tempore.

Ms. LANDRIEU thereupon assumed the chair as Acting President pro tempore.

RESERVATION OF LEADER TIME

The ACTING PRESIDENT pro tempore. Under the previous order, leadership time is reserved.

RECOGNITION OF THE MAJORITY LEADER

The ACTING PRESIDENT pro tempore. The majority leader is recognized.

ORDER FOR MORNING BUSINESS

Mr. REID. Madam President, I ask unanimous consent that following leader remarks—and it doesn't appear there will be any—there be a period of morning business for 1 hour, with Senators permitted to speak for up to 10 minutes each.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

SCHEDULE

Mr. REID. Madam President, following morning business, the Senate will resume consideration of the motion to proceed to S. 3628, the DISCLOSE Act. There will be no rollcall votes today. Senators should expect the next vote to occur at 2:45 p.m. tomorrow, July 27. That vote will be on the motion to invoke cloture on the motion to proceed to the DISCLOSE Act.

This week, the Senate will consider the DISCLOSE Act, the small business jobs bill, the Energy bill, and any other items on the Legislative or Executive Calendars that have been cleared for action.

Would the Chair announce morning business.

MORNING BUSINESS

The ACTING PRESIDENT pro tempore. Under the previous order, the Senate will be in a period of morning business for 1 hour, with Senators permitted to speak for up to 10 minutes each.

Mr. REID. Madam President, I note the absence of a quorum.

The ACTING PRESIDENT pro tempore. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. REID. Madam President, I ask unanimous consent that the order for the quorum call be rescinded.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

MEASURE PLACED ON THE CALENDAR—S. 3643

Mr. REID. Madam President, I am told that S. 3643 is at the desk and is due for a second reading.

The ACTING PRESIDENT pro tempore. The clerk will read the title of the bill for the second time.

The assistant legislative clerk read as follows:

A bill (S. 3643) to amend the Outer Continental Shelf Lands Act to reform the management of energy and mineral resources on the Outer Continental Shelf, to improve oil spill compensation, to terminate the moratorium on deepwater drilling, and for other purposes.

Mr. REID. Madam President, I object to any further proceedings with respect to this bill.

The ACTING PRESIDENT pro tempore. Objection having been heard, the bill will be placed on the calendar.

Mr. REID. Madam President, I note the absence of a quorum.

The ACTING PRESIDENT pro tempore. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. MCCONNELL. Madam President, I ask unanimous consent that the order for the quorum call be rescinded.

● This "bullet" symbol identifies statements or insertions which are not spoken by a Member of the Senate on the floor.

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The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

RECOGNITION OF THE MINORITY LEADER

The ACTING PRESIDENT pro tempore. The Republican leader is recognized.

ANNIVERSARY OF THE DEATHS OF OFFICER JACOB JOSEPH CHESTNUT AND DETECTIVE JOHN MICHAEL GIBSON

Mr. McCONNELL. Madam President, in our democratic system, protection and preservation of the United States of America, her institutions, and her citizens is based solely on the voluntary risks taken and sacrifices made by ordinary Americans.

Woven into the fabric of this great Nation and within all Americans is the notion that freedom is not free. Time and time again our citizens, members of our Armed Forces, and law enforcement officials, when called upon, have answered the call to defend that freedom.

Twelve years ago this past Saturday, two courageous Capitol police officers answered the call and made the ultimate sacrifice for their country and their fellow countrymen. Today, I wish to honor the sacrifice of Officer Jacob Joseph Chestnut and Detective John Michael Gibson. An American President once noted:

> Freedom is never more than one generation away from extinction. We didn't pass it to our children in the bloodstream. It must be fought for, protected and handed on for them to do the same, or one day we will spend our sunset years telling our children and our children's children what it was once like in the United States where men were free.

People like Officer Chestnut and Detective Gibson defended and even gave their lives in the service of this truth that is so vital to our society. That is why we remember them and that is why we will continue to tell their story, so those who follow will never forget the cost of freedom.

Both men served for 18 years on the Capitol police force. Officer Chestnut—or J.J. to his friends—was 58 years old and a father of five. He was a 20-year veteran of the Air Force, serving in Vietnam and Taiwan.

Detective Gibson was 42 years old and a father of three. A Massachusetts native, friends recall his intense love for his Boston sports teams—the Bruins, the Red Sox, and UMass basketball. A friend recalled that just a few days before the shooting, John told him he had never had to draw his weapon on the job. Yet, despite being mortally wounded on the day he died, John did not hesitate to return fire.

This is not only a tribute to Detective Gibson's commitment, it is a testament to the outstanding training and preparation the officers of the Capitol police force receive to handle even the toughest situations. Officer Chestnut and Detective Gibson were the first Capitol police officers to die in the line of duty.

In honor of their sacrifice, a plaque has been placed in the Capitol, and their names have been etched upon the National Law Enforcement Officers Memorial, as well as the headquarters of the U.S. Capitol Police—fitting tributes to honor these good and courageous men.

My friend the majority leader, a former Capitol police officer himself, knows all too well the honor as well as the risks associated with the job. So as we honor Officer Chestnut and Detective Gibson today, we also honor all Capitol police who put their lives on the line every single day to protect us and this institution.

To all members of the Capitol police, we thank you for your service and your sacrifice. We are grateful for the heroic sacrifice of these two men. On this day of remembrance, we remember their families as well. May God continue to look after them, and may God continue to protect all those, like Officer Chestnut and Detective Gibson, whose daily work is to protect the rest of us from harm.

Madam President, I suggest the absence of a quorum.

The ACTING PRESIDENT pro tempore. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. SCHUMER. Mr. President, I ask unanimous consent the order for the quorum call be rescinded.

The PRESIDING OFFICER (Mr. KAUFMAN). Without objection, it is so ordered.

CONCLUSION OF MORNING BUSINESS

The PRESIDING OFFICER. Morning business is closed.

DISCLOSE ACT—MOTION TO PROCEED

The PRESIDING OFFICER. Under the previous order, the Senate will resume consideration of the motion to proceed to S. 3628, which the clerk will report.

The legislative clerk read as follows:

> Motion to proceed to Calendar No. 476, S. 3628, a bill to amend the Federal Election Campaign Act of 1971 to prohibit foreign influence in Federal elections, to prohibit government contractors from making expenditures with respect to such elections, and to establish additional disclosure requirements with respect to spending in such elections, and for other purposes.

Mr. SCHUMER. Mr. President, I rise today in strong support of S. 3628, the Democracy Is Strengthened by Casting Light on Spending in Elections Act, otherwise known as the DISCLOSE Act. I urge my colleagues to support the motion to proceed to a debate on this critical legislation tomorrow at 2:45.

We must not forget why we are here today. In Citizens United v. FEC, the Supreme Court narrowly overruled almost a century of law and precedent and held that corporations have the same first amendment rights as people and therefore can spend freely on elections from their treasuries. The Court also opened the door to new kinds of campaign spending by labor unions and certain nonprofit organizations.

At a time when the public's fears about the influence of special interests were already high, that decision stacked the deck even more against the average American. As a result, we are faced with a new reality in our democracy: unlimited amounts of cash can now flow into our Federal elections anonymously and with no accountability.

Voting is the bedrock of our democracy. Elections provide the voters a loudspeaker through which they can make their opinions heard. Allowing special interest money to pour into elections unchecked and undisclosed will drown out the voices of the voters. But the Supreme Court decision did leave us one narrow opportunity to make an impact on this new era in campaign spending.

In Citizens United, eight of the nine Justices agreed that disclosure of campaign expenditures is constitutional and in the public's interest. The Court held that disclosure requirements ''do not prevent anyone from speaking'' and serve governmental interests in ''providing the electorate with information'' about the sources of money spent to influence elections so that voters can ''make informed choices in the political marketplace.''

By working within the contours of the Court's majority opinion, we have crafted this bill around new disclosure requirements designed to shine a bright light on those who would operate in the shadows. This legislation will follow the money. In cases where corporations or other special interests try to mask their activities through shadow groups, the legislation drills down so that the ultimate funder of the expenditure is disclosed. No more Citizens for Good Government, or People for Democracy—and the ads are nasty and tawdry, but we never know who they are from.

This legislation requires the sponsors of ads to file regular reports with the Federal Election Commission detailing their political expenditures and the source of the donations they received to fund them.

This legislation enhances disclaimer provisions so the public is aware that it is not a candidate or a political party speaking but a special interest or a corporation. We require CEOs and heads of special interest groups to identify themselves in their advertising. Candidates for Federal office already have to stand by their ads. There is no reason that corporations and special interests should not have to identify themselves as well.

The bill also prohibits entities that receive taxpayer money—such as large government contractors or corporations that received Federal rescue funds—from turning around and spending that money to influence elections. The bill also bans foreign-controlled corporations from spending in our elections.

As Justice Stevens noted in his dissent, Citizens United allows foreign-controlled interests to participate in American elections now simply by using their domestic-based entities. We need to prevent that from happening, and the DISCLOSE Act does just that.

If not for the DISCLOSE Act, by the way, foreign companies, foreign corporations, foreign entities could participate in our elections. They could put themselves up under the name of ''Americans for Good Government'' and no one would even know. Let's be clear, current law bans foreigners, foreign corporations, foreign unions from participating in our elections, but under the complex nature of corporate law, we have domestic entities that would no longer fit into this ban by current law but which are controlled by foreign interests or even hostile foreign governments. We cannot allow BP, CITGO, or Chinese sovereign wealth funds to influence our elections, particularly under a name that would not show it was them. We need to close this loophole now, and that is what the DISCLOSE Act does.

Let me turn to what the bill does not do. There has been a strong argument from the hard right, desperate to see that this bill not pass; that this is an infringement on free speech. That is absurd. Claiming that disclosure is tantamount to muzzling free speech is nothing more than a scare tactic from special interests that do not want the public to know what they are doing.

If you have the courage of your convictions, you should say who you are, plain and simple. Democrats and Republicans alike have long defended disclosure campaign expenditures as both appropriate and constitutional. The minority leader has talked about disclosure as a substitute for campaign finance reform. And in this bill, we are working well within the free speech guarantees of the first amendment in our strengthening of disclosures and disclaimers on campaign ads.

Second, this bill does not circumvent the Supreme Court. While I believe the Court's ruling was an activist overreach, this legislation clearly does not. The main purpose of the DISCLOSE Act is to provide the American public with information on who is speaking when political advertising and expenditures are made. Its purpose is not to circumvent or overturn the Court's decision by imposing a backdoor ban on special interest spending.

Recently, the Supreme Court, in another case, Doe v. Reed, again upheld disclosure as constitutional under the first amendment, with the support of eight Justices, which means a whole number of conservative judges had to support that idea.

This bill does not treat corporations and labor unions, along with trade associations and most other organizations, differently. Last month, we all know the House passed its version of the DISCLOSE Act. We have made changes to the House bill that I believe make it more evenhanded while sticking to the central goal of bringing transparency and public disclosure to the new kind of election spending the Supreme Court approved. For example, the House bill received criticism for allowing organizations that collect dues to avoid disclosing transfers of funds they make to their affiliates. This was criticized, fairly or unfairly, as a union carve-out. So we eliminated this exemption in the Senate bill. Another exemption was made for transfers between separate organizations if the funds could not be traced to an individual donor. We removed this exemption as well. So anyone who votes against this bill under the guise that it treats labor and corporations differently has not read the bill. We have kept this bill balanced and evenhanded. The changes made a strong bill even stronger.

To recap, the bill does not chill speech. It does not impose a backdoor ban on corporate spending. It does not treat labor unions differently from corporations. What this bill does do is listen to the American people, and 8 in 10 American voters, Democrats, Republicans, and Independents, overwhelmingly disapprove of the Supreme Court's opinion in Citizens United and overwhelmingly support what we are doing here today. And there is good reason why. The public does not want to be deceived by advertising from anonymous funders. The public does not want foreign-controlled interests taking over our elections. And the public does not want their tax dollars being used by large Federal corporations to influence elections.

Already, the Citizens United decision has given rise to a cottage industry of swift boat-style shadow groups, groups that do not make democracy proud. Karl Rove admitted this month that his new 527, dubbed ''American Crossroads,'' was born out of a loophole created by the Citizens United decision. He bragged that his group will flood the 2010 elections with $52 million worth of ads bankrolled anonymously by special interests. Other shadow groups like Rove's are planning similar levels of activity. All together, these groups could account for $300 million in political spending this fall alone. The Supreme Court, unfortunately, opened the door to these anonymous donations. We must act now to close the door before faceless groups are allowed to spend unlimited sums without any accountability or transparency. The voters deserve to know the source of this spending.

My prediction—sad but I really believe true—is that if we do not close this loophole, the roots of our democracy will get more and more corroded, endangering the whole vital tree, the oak of democracy itself. It is hard to believe that we are now saying that a company, a group, that has multimillions of dollars can spend that money against a particular candidate, say whatever it wants, whether it is true or false, and not be held to any accountability whatsoever. What has become of our democracy?

The Supreme Court made the wrong decision. I still can't understand why they did it. But we have an opportunity here—not as Democrats or Republicans but as Americans—to rectify, at least modify within the Constitution and at least require disclosure because we all know disclosure will not chill speech but it will make sure that those who wish to launch millions of dollars of nasty and perhaps untruthful ads against a candidate they don't like will at least have to say their name. What could be wrong with that?

The Senate will vote tomorrow afternoon to invoke cloture on the motion to proceed to the consideration of the DISCLOSE Act. I urge my colleagues to allow us to move to a debate on this crucial legislation. We have a clear choice tomorrow: We can vote to debate how to make our elections more open and transparent or we can bow to special interests that seek to influence our elections behind closed doors. It is time for us to have that debate. Our democracy cannot afford a filibuster of transparency and disclosure in its elections. Let's be clear: If we fail to act now, the winner of November's elections will not be Democrats or Republicans; it will be special interests.

I yield the floor, and I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. GRASSLEY. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

ETHANOL

Mr. GRASSLEY. Mr. President, last week there was a news conference by a group of outside people who attacked ethanol, and then the senior Senator from Arizona gave a speech on that subject last week. I told the senior Senator that I was going to have something to say about ethanol this week; I didn't tell the news conference people that I was. So it seems to be that time of year once again. Without fail, every few months or so, we have big oil on the one hand and big food interest groups on the other hand start a misinformation campaign in an effort to denigrate the U.S. biofuels producers. In other words, they are attacking renewable fuels.

Last week, almost as if on cue, a group opposed to domestic efforts to reduce our dependence on foreign oil began their usual song and dance. A

press conference led by the Grocery Manufacturers Association and other special interest groups was held to malign the benefits of homegrown renewable fuels. Don't forget that this is the same group of folks who, a few years ago, waged a high-priced, inside-the-beltway smear campaign against ethanol for allegedly leading to higher food prices. At that time, the price of corn was going up because there was speculation in commodities, the price of oil was going up, and so the grocery manufacturers decided: We have to have an excuse to increase the price of food—20 percent, roughly. Well, you know what, the price of grain came down, but the price of food has not come down. So I think it was simply a diversionary tactic to get away with what they maybe would not have gotten away with with the consumers.

Well, I think 2 years ago, maybe 3 years ago, that myth was roundly dispelled, but I want to keep reminding people that there was that campaign out there. Economists proved what Iowa farmers and our Nation's farmers knew to be true: The higher cost of corn was responsible for just a tiny fraction of the increase in food prices. So while food manufacturers wanted consumers to believe that corn ethanol was doubling or tripling their grocery prices, nonbiased observers knew that the corn input costs were just pennies of the retail price of food.

However, with dozens of multibillion-dollar corporations and profits to protect, it is not surprising to see this group—or maybe I better say these groups—attack our country's farmers and ranchers, who are working to produce our Nation's food, our Nation's feed, our Nation's fiber, and now, with renewable fuels, producing fuel that you and I burn in our car tanks almost daily. And farmers can do that. They can do all of that. They are doing it right now. This year, we will have the largest corn crop this country has ever produced, and doing it on 3 million less acres of cropland.

So these same groups are at it again. They see new opportunities to undermine our domestic biofuels industry, and they have a bottom line to look out for and pockets to line. They are now arguing that our Nation cannot afford government policies to foster the growth of renewable energy. In other words, they are arguing that the cost of energy independence is too high and we cannot afford it. They would prefer that we increase our reliance on fossil fuels and imported crude oil. The unfortunate outcome of such attacks, however, is that less informed individuals begin to believe this misinformation. So it is time that we review the true cost of imported fossil fuels.

In 2008, Americans sent over $450 billion to foreign countries to satisfy our demand for oil. At $80 a barrel—and I suppose oil is, I think, roughly $75 now, but if it is $80 a barrel, we will send nearly $350 billion overseas, out of this country, this year for oil.

We rely on foreign oil to meet 60 percent of our oil demand. But do not forget, much of the world's oil reserves are located in the volatile and very unpredictable Middle East.

According to the Energy Information Administration, oil price shocks and price manipulation by the Organization of Petroleum Exporting Countries cost our economy about $1.9 trillion between 2004 and 2008.

Our dependence on imported oil accounts for about one-half of our trade deficit—one commodity—a very important commodity for us, but it accounts for one-half of our trade deficit.

The Federal Government's support for homegrown ethanol equals less than 2 percent—just less than 2 percent of the money we will send to Canada, Saudi Arabia, Mexico, Venezuela, Nigeria, and other countries where we import oil.

The domestic ethanol industry supports 400,000 green jobs in the United States. Last year, ethanol contributed over $50 billion to our gross domestic product. It contributed $8.4 billion in tax revenue to the Federal Government. The incentives we provide for ethanol production lead to a surplus of tax revenue for the Federal Treasury. So which is the better bargain—being dependent on foreign countries for 60 percent of our energy needs at a cost of $350 billion or keeping this money at home, creating green jobs and increasing our national and economic security? I believe the choice is very obvious.

Up to this point, I have only considered the economic cost. There are other costs. I will put up a chart with one of the environmental costs. This chart depicts a small example of the environmental cost of our dependence upon foreign oil. The first photo, the lower photo, is the one we are all too familiar with, the explosion and the ensuing oilspill at BP's Deepwater Horizon oil rig. The other photo might look like Mars or the Moon, but it depicts land in Canada where oil is being extracted from tar sands. The fact is, fossil fuels are getting more expensive to extract and are likely to come at greater environmental cost. That is the negative aspect, environmentally, beyond the economic issues I have discussed.

We have an alternative. That alternative, which the next chart shows, is homegrown, renewable biofuels. The chart shows the cornfield on the left, and where we go to the gasoline station to get the renewable fuels to power the car on the right. Today, ethanol accounts for 10 percent of our transportation fuels. No other fuel alternative comes close to ethanol's contribution to a clean environment and less dependence on foreign energy and less dependence upon fossil fuels. Domestically produced ethanol contributes more to the fuel supply than all imports except Canada. More ethanol means less greenhouse gas emissions. A University of Nebraska study found that ethanol reduces direct greenhouse gas emissions by 48 to 59 percent compared to gasoline. Ethanol production continues to improve, and increasing crop yields means we are producing more fuel from less grain on fewer acres.

Let me repeat something I said earlier: Probably 13 billion bushels of corn, the largest crop ever produced in the United States, and we have 3 million less acres in crop production this year compared to a year ago. Ethanol producers are reducing energy and water usage. So the production of ethanol is becoming more efficient.

Finally, it is important we consider the national security cost of our dependence upon foreign oil. I will put up a chart about the Middle East. The Middle East accounts for 20 percent of U.S. oil imports; 17 billion barrels of oil are shipped each day through the single most important shipping chokepoint; that is, the Straits of Hormuz out of the Persian Gulf. In fact, the military people say that is one of the serious problems in dealing with Iran, if they decided to sink ships there, what they could do economically to the rest of the world and what they could do national security wise to the rest of the world. They have threatened that. They have never done it, probably because their livelihood depends on it as much as the rest of the world. But it is still one of those chokepoints. On average, 15 crude oil tankers pass through the Straits of Hormuz every day, with much of that oil headed to the United States.

We have two other large oil shipping chokepoints; one at the Suez Canal and the other one at the Gulf of Aden at the bottom of the map. To determine the true cost of America's dependence on foreign oil, it is important to understand the cost to the taxpayers of defending and protecting these shipping lanes. A New York Times editorial, in the late 1990s, calculated the true cost of a gallon of gas, including the military cost of making sure it can get from the oil wells of the Middle East to the United States at $5 a gallon. Last week, I questioned four-star retired U.S. Army GEN Wesley Clark on the true cost of gasoline, when he appeared before the Committee on Agriculture. He estimated it to be around $7 to $8 a gallon today, 10 years later than the New York Times editorial.

Homegrown ethanol produced in the Midwest—I suppose anyplace in the United States, but most of the corn is produced in the Midwest—doesn't need a military escort to the gas stations on the east or west coasts such as oil from the Middle East does. Homegrown ethanol does not need the Department of Defense to protect its transport from our farm fields to consumers. Again, our Nation's investment in ethanol is a real bargain. It is increasing our economic and national security. That is why it is important we continue to support this industry.

Some have claimed it is a mature industry and it no longer needs our help.

This statement ignores the fact that ethanol is competing with a century-old industry dominated by big oil, which itself has received billions of dollars from the taxpayers over many decades and for decades longer than the ethanol industry.

Getting back to the detractors I referred to, most often the people who held the press conference a week ago today denigrating oil, these ethanol detractors continue to undermine these efforts. One organization estimates that a lapse in the tax incentive for ethanol would shut down 40 percent of the industry and result in the loss of 112,000 green jobs. That is 112,000 jobs that rely on the production of ethanol. We can't allow ethanol to follow the path of biodiesel which has essentially shut down because this Congress failed to extend that tax incentive that ran out last December 31. While President Obama spoke in his address on Saturday about investing in homegrown clean energy, 45,000 biodiesel jobs have vanished because of the lapse of the biodiesel tax credit. It is inexcusable.

President Obama touted the goal of creating 800,000 clean energy jobs by 2012. Why not take action today to extend the lapsed biodiesel tax credit and immediately put 45,000 people back to work? The same thing could happen to the ethanol industry, if we fail to extend the tax incentive which runs out December 31 this year. If we undermine ethanol, we are putting out the welcoming mat for dictators such as Hugo Chavez. In fact, last night on the television, it said Chavez is talking about maybe not selling oil to the United States.

Then, last week, as I referred to in my speech—and I told the Senator from Arizona I was going to speak on ethanol this week—we had the senior Senator from Arizona question the wisdom of domestic renewable fuel incentives. He was quoted as saying:

> Maybe we will stop this damned foolishness called ethanol subsidies. It's one of the greatest rip-offs that takes place on the American taxpayers.

So to those who would do away with our domestic ethanol production, I have one question: Which country should we look to for 10 billion gallons of fuel? Would we want to go to Saudi Arabia? Would we want to go to Venezuela? Would we want to go to Nigeria? Whom would we rather support with our hard-earned money? I want to ask this question: Would we rather support Hugo Chavez or the American farmer? Would we rather support Chavez, which is an insane thing to do? Sending money to someone who buys guns to fight us is insanity. In this chart we have these two people on the left, Chavez and the President of Iran. We have the farmer of America on the right. Where would we want to get our energy from? Whom would we want to rely on?

It is pretty easy to answer that question. We shouldn't be reducing our use of renewable fuels. We should be increasing it. We should produce all we can from corn and from the biomass that is left over from corn and from grasses and from wood waste. We should increase the use of biofuels by mandating the production of flex-fuel vehicles and increasing the availability of blender pumps.

Ethanol is here today. It is creating a cleaner environment. It is keeping money at home in our economy and increasing our national security. Undermining the only renewable fuel that has the proven ability to accomplish these goals would be insanity, a little bit like the two people we see on the left but not the person on the right. The person on the right is the backbone of the American economy because nothing has contributed to the national wealth except what comes from the national resources of the country.

Bottom line: Ethanol is good for America, but let's segment that. It is good for agriculture. It is good for good-paying jobs in small town America, where these renewable plants are located. It is good for the environment. It is good for lessening our dependence on foreign oil, which helps our trade balance, which helps our national security. There isn't another issue Members can come before the Congress with that has no negatives and all positives. In other words, everything about ethanol is good, good, good.

I yield the floor.

The PRESIDING OFFICER. The Senator from Arizona.

RAISING TAXES

Mr. KYL. Mr. President, I suspect my colleague, the senior Senator from Arizona, will have something in response to say to my friend from Iowa. But what I wish to talk about is a comment Secretary of the Treasury Geithner made on television yesterday, in which he said he thought it would be a good idea to raise taxes in this country and that he didn't think income taxes on the higher two of the five tax brackets will hurt economic growth. He also said he supports allowing the top capital gains rate to be increased by 25 percent, from 15 to 20 percent.

I want to talk about that for a few minutes today. In this country, we have two goals: job creation and economic growth. We also want to reduce our Federal deficit and ultimately the Federal debt.

So how do we promote investment? There are two basic theories. One theory is that if we spend a lot of money that we borrow from countries such as China on programs such as the stimulus program, we can create economic growth and jobs. That has not worked. We have 3 million more people out of work today than when the stimulus package was put into effect. In fact, unemployment was supposed to be 8 percent or so now with the stimulus package, and, of course, it is 9.5 percent and with no relief in sight. The other way to do this is through investment by businesses, both large and small businesses. I think most economists believe that if businesses have capital to invest, they can hire more people, create more output or productivity, and therefore produce both growth and jobs.

So what we should be doing is promoting job creation and economic growth through private investment. How do we promote that? I know one thing you do not do, especially in bad economic times, is raise taxes. The last thing any business, especially a small business, needs—when you are asking them to hire more people—is to say: By the way, would you also give some money to Uncle Sam above what you are already contributing? We need it, and you can put off hiring that person you were going to hire for your business until later.

We know that is not how you promote economic growth. You should not raise taxes, as I said, especially in a time like this.

Secretary Geithner said he did not believe higher taxes would hurt economic growth. So I checked on what the President's chief economist said—Christina Romer, Chairwoman of the President's Council of Economic Advisers—to see whether she agreed with Secretary Geithner. Well, it turns out she very much disagrees. In a paper that has just been published in the June 2010 issue of the American Economic Review called ''The Macroeconomic Effects of Tax Policy Changes,'' she writes, among other things, the following—I am quoting now from page 764:

> Our estimates suggest that a tax increase of 1 percent of GDP reduces output over the next three years by nearly three percent. The effect is highly statistically significant.

So output or growth is reduced by nearly 3 percent just over the next 3 years.

She says on page 797:

> The key results—

And we are talking about the impact of tax changes on consumption and investment, which are the two key components to growth.

She says:

> The key results are that both components decline, and that the fall in investment is much larger than the fall in consumption. In response to a tax increase of one percent of GDP, the maximum fall in personal consumption expenditures is 2.55 percent. . . . just slightly less than the maximum fall in GDP. The maximum fall in gross private domestic investment is 11.19 percent. . . .

So think of it: Just raising taxes by 1 percent of GDP results in a decrease—or she calls it a fall—in gross private domestic investment of over 11 percent. So not only are you not contributing positively to investment and therefore hiring, but you are cutting it by 11 percent during this same period.

She says on page 781:

> In short, tax increases appear to have a very large, sustained, and highly significant negative impact on output . . . the more intuitive way to express this result is that tax cuts have very large and persistent positive output effects.

So there you have it: Tax cuts promote economic growth. Tax increases

depress economic growth. They create a fall in both investment and consumption and therefore output, and the result is statistically significant.

Secretary Geithner is wrong. Raising taxes will have a highly significant, negative impact on job creation, investment, and economic growth in our country.

President Kennedy agreed with this a long time ago. He once said:

> An economy constrained by high tax rates will never produce enough revenue to balance the budget, just as it will never create enough jobs.

The reason I quoted that is because the second goal we have—to reduce budget deficits and public debt—is often used as an excuse by those who want to raise taxes, saying: Well, we reduce debt by raising taxes. As President Kennedy said, if you have high tax rates, you are never going to produce enough revenue to balance the budget. You balance the budget with economic growth. The more growth you have, the more revenue is produced because people are making more money and they are paying more taxes. We know that historically. This is not in doubt. During times of economic growth, when people are doing well, revenues to the Treasury increase. In times like today, revenues are decreased. You are not going to be able to balance the budget in this kind of a situation by simply raising tax rates because—what did we just show a moment ago—raising tax rates depresses job creation, economic growth, investment. So you cannot do it by raising taxes.

Indeed, I think my colleagues on the other side of the aisle have exposed themselves a little bit here because they never seem to have a concern about the deficit when it comes to spending. That is why they were able to spend over $1 trillion in an economic stimulus package and not pay for a variety of other things for which they increased spending.

I thought the most interesting example was last week when they refused Republican offers to pay for the $34 billion cost of extending unemployment insurance. All of us wanted to extend unemployment insurance. That was not in doubt. The question was, Should we pay for it with offsets in spending elsewhere? In a $3 trillion budget, we said: There are a lot of places you can get the money, starting with unspent stimulus funds. So we could have paid for or offset the $34 billion cost of extending unemployment benefits. That was our proposal.

The Democratic side said: No. We will not extend unemployment benefits unless we can add to the debt in doing so. We are going to vote no unless it adds to the debt.

In the House of Representatives, the comment was made that they were philosophically opposed to paying for or offsetting the cost because they did not want to get into a position where they would have to find a way to do that in the future. So they rejected an offer that was made by at least one Democratic Senator to use some stimulus funding to offset the cost of unemployment benefits. No, they said, we don't want to do that. We do not want to offset the costs in any way. We want to add to the debt.

So it seems a little hypocritical now for colleagues to come to the floor and say: Oh, we have this big deficit problem. We don't want to add any more to the debt. Let's raise taxes.

Then they have the temerity to say to Republicans—who say, we do not want to raise taxes on anybody, on corporations, on businesses, large, small, individuals, or anybody else—to say: Well, then, in that case, you are going to have to raise taxes on somebody because the budget assumes the tax rates that currently exist are going to be increased next year. So if you are going to increase those tax rates for some people—let's say the top two brackets—how are you going to pay for that?

We say: What is to pay for? Taxes should not be raised. They should not be raised on anybody.

Several of our colleagues on the other side of the aisle are apparently in agreement with that. This is not the time to raise taxes on anybody.

But in any event, if you say: Well, we have to raise taxes to reduce the budget deficit, then why just raise taxes on the top two income tax brackets? That would raise, over 10 years, $682 billion. But if you raise taxes on everybody, you could raise taxes by $2.731 trillion.

Well, the obvious answer is, well, we wouldn't want to pay for that. We wouldn't want to offset the cost of that.

But you have to figure out a way to offset the cost if we raise taxes on the upper two brackets. It is a circular argument that I suggest both makes no sense and is hypocritical.

The bottom line is this: Small businesses will get killed by an increase in the rates of income tax—the so-called upper two brackets. Twenty million people are employed by small businesses that pay their taxes in those two brackets. As a result, what you are going to do is inhibit the growth of our small businesses. An increase in the top effective rate—this is from Douglas Holtz-Eakin—from 35 percent to 42 percent would lower the probability that a small business entrepreneur would add to payrolls by roughly 18 percent.

So I think all of us realize that raising taxes, especially in those top two brackets, will inhibit growth because small business owners will have to pay the tax rather than hire someone. As I said before, according to the NFIB, there are more than 20 million workers in those firms directly targeted by the higher marginal rates. We would have to, in effect—and this came as a result of statistics presented to us by Senator SNOWE, who is also on the Finance Committee—you would need to have economic growth of 5.8 percent—about twice as much as we have today—in order to return to a 5-percent unemployment rate by 2012. To get there by 2013, you would have to have an annual growth rate of 5 percent to get back to 5 percent unemployment. Well, how are we going to increase growth by that much?

I come back full circle to my original point: Our goal is economic growth and job creation. You do not get there by raising taxes. So when my colleagues start talking about raising taxes on anybody—from the death tax to the capital gains tax to marginal rates—my question to them is, Given the fact that the Chairwoman of the President's Council of Economic Advisers has been so clear that this will inhibit job creation and economic growth, why would you want to do that? Why would you want to inhibit economic growth and job creation? The better way, if we are really interested in reducing the deficit, as we should be, is to begin to slow down the spending so that eventually we are not spending more than we take in.

I will close with this point: Last Friday, the White House announced that it turns out the deficit for next year is going to be $1.47 trillion. That is about three times higher than the highest deficit with President Bush, and that was when the Democratic Congress was appropriating the money. The year before that, it was less than $200 billion. In fact, the exact deficit the last year Republicans were in control of the Congress and President Bush was President was $160 billion—$160 billion. That was 1.2 percent of GDP. For next year, it is going to be $1.47 trillion—$1.471 trillion—or 10 percent of our GDP.

The answer is clear: The way to reduce our deficits and reduce our debt is by reducing spending. The way to economic growth is by not increasing taxes. So I hope my colleagues will consider this as we begin to debate the plans to finally achieve economic growth and job creation for the United States.

The PRESIDING OFFICER. The Senator from Oregon.

Mr. WYDEN. Mr. President and colleagues, I rise today to talk about this legislation, the DISCLOSE Act.

Like much of the legislation that is being taken up in the Senate these days, the partisan battle lines are already being drawn on this bill. One side sees the impending vote as yet another opportunity to score some political points off the other, and vice versa. That makes for a lively debate, but I am not sure what good it does the American people.

I will say on a personal note that I will always fight with every ounce of my strength for the people of Oregon and the folks whom I have the honor to represent. I say to the Presiding Officer, you and I have talked about this from time to time. I do not exactly come to the floor of the Senate looking for gratuitous, political, counterproductive fights. What I have been interested in, what I have tried to make the hallmark of my service here, is trying to find common ground, trying to

find ways to bring people together. Some have said that is overly optimistic, almost too idealistic. But I prefer to say it is simply bipartisanship and principled bipartisan. It has been my experience in the Senate that if you can get folks to put aside their political talking points and focus on commonsense policy, not only are there opportunities for us in the Senate to find common ground, there are opportunities to advance policies that make sense for all Americans, whether they are Democrats or Republicans. I have joined Senator SCHUMER in cosponsoring the DISCLOSE Act because I continue to believe this is such an opportunity for bipartisanship and finding common ground.

For me, this issue took hold after the 1996 special election where Senator Smith, my former colleague—my very good and personal friend—and I campaigned against each other to be Oregon's first new U.S. Senator in more than 30 years. Suffice it to say that campaign was not the kind of calm and upbeat debate that folks here in the Senate would expect from either me or from Gordon Smith. Instead, it was one of the ugliest campaigns in Oregon history. There were attack ads being run by both the left and the right. Certainly, while policy differences and personal criticisms are fair and an almost inevitable part of a political campaign, what bothered Senator Smith and me at that time, during that special election—the only race that was being run anywhere in our country—is not only did Oregon voters not know who was responsible for the bulk of those ads; neither Gordon Smith nor I could figure out who was saying what about whom.

My view was that something had to change. Something is way out of whack when you are having scores of ads, hundreds and hundreds of ads being run, and no one can figure out who is running them. My concern is that we are heading back into exactly that same kind of situation, given the decision from the U.S. Supreme Court.

Shortly after my election in 1996, when I had watched all of those ads being run from all those various and sundry groups and not able to identify who was running them, I came back to the Senate and said I am going to do everything I can to change that. I got together with a number of us on both sides of the aisle; let me emphasize that, because it can't be emphasized enough. This was a bipartisan group that was concerned about that particular issue. We came up with a concept known as Stand By Your Ad, where, in effect, those who run ads in their campaigns—it has continued to this day—would have to own up to their being the ones sponsoring the message.

As part of the campaign reform of 2002, Stand By Your Ad was included. In my view, it has ushered in a new era of personal accountability in political elections by requiring candidates to take personal responsibility for the contents of their ads. Not only has every Member of this body seen those ads; my guess is just about everyone but our new colleague from West Virginia has actually recorded those ads. That is, in effect, what is required. One has to say: ''I am Ron Wyden and I approved this message.'' It certainly isn't a hard thing to do, and it certainly is not out of line with what the American people have a right to expect, which is openness and personal accountability.

Now with the Supreme Court decision giving corporations and unions and even foreign economic interests the ability to spend as much, if not more, money to influence elections than the candidates themselves, I think it is only right that these groups abide by the same rules as the candidates themselves. Just as voters have a right to know when a candidate is trying to influence their vote, I believe voters have a right to know when one of these powerful organizations seeks to do the same.

Of course, this is going to have an impact on the content of political speech. Sunlight is the most powerful disinfectant, and I think all of us ought to understand these groups that are buying all these ads are going to be a little bit more hesitant to pay for an outrageous attack, an outlandish overreach, if they know they have to put their name on it. I think the question that ought to be asked here in the Senate is not why should organizations have to stand by their political speech, but the question should be why don't they want to. What are they actually ashamed of? In my view, if you feel strongly enough about an issue to buy television time, you ought to have the guts to put your name on it. I have felt that ever since 1996 when I first campaigned for the Senate, and I continue to believe that today.

I know the debate we are going to have tonight and tomorrow on the DISCLOSE Act is going to spur a lot of very impassioned speeches about political elections, and there are going to be accusations flown by one side or another about who is going to get a political advantage and what ought to be done to quash the person who is somehow deriving a political advantage out of it. But I would simply say as we go into this discussion that everybody here in the Senate ought to remember exactly how we earned our seats in the first place.

This very institution was founded on the idea of equality and free and open debate. Each and every citizen's voice and vote would be given the same weight as each and every other. What concerns me is that the Supreme Court decision, in my view—I say this respectfully—does a disservice to that concept by making it possible for some voices to drown out others. That is what ought to be contemplated at this point, and it is certainly what I have been talking about at home, which is that this decision has made it effectively possible for a foreign economic interest to have a louder voice in this country's political process than a hard-working, tax-paying Oregonian. I don't think that is fair; I don't think it is just; and I am not prepared to stand for it.

I am proud to join Senator SCHUMER in sponsoring and advocating for this important legislation that, in my view, is worthy of bipartisanship. I know there is going to be a strong push to deal with the politics of this issue, but I think this bill is now worthy of bipartisan support.

Changes have been made to the legislation to address some of the original concerns that were expressed about the bill. There were concerns originally addressed that some groups weren't being held as accountable as others and I believe the legislation has been amended to correct many of those problems. I think Senator SCHUMER deserves considerable credit for it. I have always felt that a credible effort at transparency means you have to hold your friends just as accountable as those who may disagree with you, and this legislation does that. It does other important reforms in terms of electronic filing, and I think it is very much in the interests of the American people. It certainly will make it possible for the press to report more expeditiously on these kinds of expenditures.

I wish to commend Chairman SCHUMER of the Rules Committee. I think he has been genuinely interested in a collaborative and open process. I believe Senator SCHUMER has asked me specifically to participate in this kind of process because he knows that is what I feel so strongly about.

We have major issues we have to tackle in the days ahead. I heard Senator KYL talk about taxes. Senator KYL made a point, in discussing taxes with me, about the whole role of tax expenditures which, in effect, is a huge issue in this tax debate. Senator GREGG and I have put out the first bipartisan tax reform bill in two decades. So we have a lot of work to do here and we have to do it in a bipartisan way. I am very hopeful the changes that have now been made, particularly ones ensuring that one makes it clear—that it is so important that accountability and transparency apply in the broadest possible way—and that will make it possible to bring both sides together here in the Senate.

We came together back in 1996 to write Stand By Your Ad. A number of those Senators on both sides of the aisle I know feel very strongly about open and transparent government. Let's find a way for the Senate to duplicate what we did in 1996, and let's make sure that as we go into this election there is transparency and accountability. I don't want to see again what we saw back in 1996 where ads are flying from all sides, in every direction, making charges that are clearly outrageous and over the line and in no way ensures that voters know who is

paying for those ads. The country deserves better. The Senate ought to make it possible for the country to get better and more accountable government, and I am very hopeful this Senate will pass the DISCLOSE Act, particularly the important changes that Senator SCHUMER has made, in the days ahead.

Mr. President, I yield the floor.

Mr. DORGAN. Mr. President, I make a point of order that a quorum is not present.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. DORGAN. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

THE ECONOMY

Mr. DORGAN. Mr. President, I listened with some interest to my colleague from Arizona, the minority whip, discuss his notion about the economic issues confronting our country. I wish to respond a bit to them with great respect, of course, because I think the opportunity to have competing ideas about our country's future is a very important opportunity here on the floor of the Senate.

Some long while ago I wrote in a book that I published about Stanley Newberg. I wrote in the book that I had read about Stanley in a very small New York Times article, but it so piqued my interest that I decided to try to find out about Stanley, so I did. I found that Stanley had come to this country as a young boy to escape the persecution of the Jews by the Nazis. He, with his father, sold fish, I believe, on the Lower East Side of New York City, in Manhattan. He followed his dad selling fish. He learned English. He went to school. Then he was able to do well in school and go to college. His parents had saved for him. He went to college and graduated from college and then went to work. He got a law degree and then he went to work for an aluminum company. He did so well he rose up and finally managed the aluminum company and then purchased the aluminum company. When he died, they opened his will. In his will he said he wanted to leave his $5.7 million to the United States of America for the privilege of living in this great country, and that was Stanley Newberg's will.

I thought: That is really unusual for someone to die and in their will leave their money to this country with gratitude for the privilege of living in this great country. What a remarkable thing to remind all of us that being an American is something we shouldn't take for granted Monday through Friday or all week long, for that matter.

It is the case, I think, for most of us that when we grew up, we understood this country was the biggest, the strongest, the best, destined to expand opportunity for our children, and things would always be better for the next generation than for the last. That is how we viewed this country of ours.

But it is the case, it seems to me, these days that America has lost a step. There is great concern about whether the kids will have it better than we had it. There is great concern about the economy and the fact that there are probably 18 million to 20 million people who woke up this morning either without a job, or with less of a job than they could easily handle. They are underemployed or unemployed—18 million to 20 million people. People woke up this morning and saw the news that we are deep in debt and getting deeper in debt. They are concerned about the federal debt, and they should be, there is no question about that.

Let me, for a moment—because I want to engage on the proposition by my colleague from Arizona—transport us back to 2001. In 2001, on the floor of the Senate, during that period, we had a pretty raucous debate. That debate on the Senate floor was about the first budget surplus in 30 years under the last year of President Bill Clinton—a budget surplus of a couple hundred billion dollars. Alan Greenspan was not sleeping at night because he was worried that we were going to pay down the Federal debt too rapidly and that would injure the economy. Many of my colleagues said we have a surplus now, and the economists project that we are going to have surpluses for 10 years—as far as the eye can see. You have heard the old line that if you were to lay all the economists end to end, they would never reach a conclusion. Individually, almost all of them said we have a surplus, and now we will have one as far as the eye can see. Many of my colleagues supported George W. Bush's proposal to provide tax cuts for the next 10 years. They said: Let's provide tax cuts for the next 10 years because we need to give this surplus back to the American people.

I stood on the floor of the Senate then and said I don't think we ought to give back tax funds that don't yet exist. These surpluses are only projections. What if something would happen? How about being a little conservative about this? But, no, Katy bar the door; they said we are going to provide large tax cuts, and the largest to the wealthiest Americans, such that if you made $1 million a year in income, you got an $80,000 or so a year tax cut. That was the proposal. It passed—without my support, but it passed. So that was the experience in 2001.

Fast forward to 2010. Where are we? We are $13 trillion in debt. By the way, this is testimony before the Senate Committee on Finance by Leonard Burman, who is the Daniel Patrick Moynihan Professor of Public Affairs at the Maxwell School at Syracuse University:

> If the Bush tax cuts had never been enacted, the debt held by the public at the end of 2009 would have been 30 percent lower, to about $5.2 trillion . . . This was less than the level of debt at the end of 1999.

The question is—and this is what brought me to the Senate floor—my colleague says we have to extend the tax cuts that were provided in 2001. The President says let's extend the tax cuts for middle-income folks making $250,000 a year, or below. My colleague from Arizona, and others, say, no, let's extend all of Bush's tax cuts from 2001. Let's extend them all. The difference is about $1 trillion added to the debt over the next decade. Extending those tax cuts for roughly 2 percent of the wealthiest U.S. households will cost, with interest, about $1 trillion.

My colleague says if you don't do that, then you are increasing taxes on upper income people, and that is going to retard economic growth. Let me talk for a bit about that, because it is interesting to me that those who are on the floor saying let us not let the tax cuts expire—by the way, these were tax cuts for upper income people, who got the largest tax cuts, and they were given because we were trying to give a surplus back. Does anybody see a surplus around here? Has anybody seen a surplus for 9 years?

Right after the Senate and the Congress passed legislation to provide significant tax cuts for wealthy Americans, we had a recession in 2001, on 9/11 we had a devastating terrorist attack, and then we went to war in Afghanistan, and then we went to war in Iraq, and we had a continuing war against terrorism. We never saw a surplus beyond that year. That deficit and debt went up, up, up, and up.

At the same time all of that was happening, this new administration that came in in 2001 not only said we are going to cut taxes largely for the wealthy, but they said we are going to hire a bunch of regulators in this town who will promise not to look. You do what you want and we won't watch. Wall Street went wild. It was an unbelievable carnival of greed. We had trillions and trillions of dollars of financial vehicles being created that had never been created before, such as naked credit default swaps, synthetic CDOs—you name it—and they were trading back and forth. As Will Rogers said, people were trading things they never got from people who never had it. Everybody was making a lot of money on Wall Street, like hogs in slop, as they say on the farm.

The fact is that the house of cards they created came tumbling down. When this President crossed the threshold of the White House in January of last year, had he taken a Rip Van Winkle nap for a year and done nothing, the budget deficit he inherited was going to be $1.3 trillion. Now we have a $13 trillion Federal budget deficit, and now we have the circumstances of a tax cut, the bulk of which went to the wealthy, that was described by the minority 9 years ago as being essential to give back the surplus that doesn't exist.

The question is, will that tax cut be extended for the wealthiest Americans?

Phrased another way, shall we add another $1 trillion in Federal debt in order to give tax cuts at $80,000 a year to someone who makes $1 million a year? At the same time our colleagues say that is essential to do, they say if you don't do that, you will have an unbelievable impact on small business, because that is who will pay these taxes. That is not true at all—just not true. About 3 percent of small business income, would be captured by that; 97 percent would not. Those are the facts.

At the same time we have people pushing for that—adding $1 trillion to the debt by giving the highest income earners in the country extended tax cuts—the same folks are coming to the floor and saying, by the way, one of our highest priorities is not only to extend the tax cuts for the highest income earners, it is to make sure we repeal permanently the estate tax. They don't call it that; they call it the ''death tax.'' Why do they do that? Because a pollster did a poll and said if you call it the ''death tax,'' you can fool the American people who will believe there is a tax on death. But of course, there is not; there is a tax on inherited wealth.

It seems to me that is an interesting set of priorities. They say we are concerned about the Federal deficit and debt—and, by the way, we want to add $1 trillion to the debt by opposing President Obama's request that we not extend the tax cuts for people making over $250,000. We want to add $1 trillion to the debt, and we also want to repeal the entire estate tax.

I don't know how one believes that set of priorities represents the best interests of our country. I am for lower taxes. I would love it if people could pay minimal taxes across this country. But I am also for a country that works, and a country that matters, and a country that invests in itself and its future. Someone once asked the question: If you were given the assignment to write an obituary and the only information you had about the deceased was their check register, what would you write? So you look at that check register and find out what did they spend money on? What was their value system? What was important to them?

The same is true with the Federal budget and the priorities we described by taxing and spending. What will historians say when looking back and seeing that we were in deep trouble, with 20 million people out of work or underemployed, a $13 trillion debt, and the minority was saying the highest priority was to cut taxes for those earning $250,000, and more, and to repeal the tax on inherited wealth? That is unbelievable.

You know, the only way, as of last year, you would pay any tax on inherited wealth is if you had more than $7 million a year. How many families have more than $7 million net per year? By the way, this year, the inheritance tax is zero, and it springs back the next year. That goofy set of circumstances was arranged by the same people who wrote the tax cut bill in 2001 to give back a surplus that turned out not to exist. So we have a zero tax year this year, and four billionaires have died so far. By the way, their estate will pay a zero rate, and my colleagues come to the floor and say that money has already been taxed. Wrong, it has not. Much of it is growth appreciation of property or tax, and it has never borne a tax. It is just the folks who go to work every day and pay their taxes on time; they pay for their kids' schools, and roads, and police, and fire protection, and the Defense Department, and the CDC—they are the ones paying the taxes.

But do you know what? If you find the people who have 10, 15, 20, and $50 million in assets—I will show you that the bulk of that has come through growth appreciation that has never borne a tax at all in this country. That is the highest priority for the minority—to eliminate the tax on inherited wealth. That is unbelievable to me.

We in this country have a very serious set of problems. We need to cut Federal spending, there is no question about that. Federal agencies are big and, in some cases, bloated. I mentioned the other day that I think I have done pretty well myself. I want to spend in this country to invest in good things that will make this a better country. I want us to continue building and improving our roads, our schools, and the things that make this a better country. But I also believe we ought to cut back where we should.

In my State, some years ago, there was a proposal to build a new courthouse, and $46 million was put into an appropriations bill, which passed, to build a new courthouse in the largest city of my State. I thought it was way overboard, so I cut it to $23 million—in half. It was built for $19 million. Some people say: That is strange, cutting funding for your own State. But I thought it was excessive spending. I don't care whether it is my State, or other States; we need to tighten our belts and cut spending. We can cut in areas where we are spending too much, no question about that.

You don't address this unbelievable burden of debt deficit and by deciding you are going to cut your revenue as well. You cannot do that. Who will pay for this country and what it needs? We have some people at the top of the income ladder in this country who are only paying a 15-percent income tax rate—the highest income earner, 2 years ago, earned $3.6 billion—that is $300 million a month—and paid a 15-percent tax rate.

Most working people don't get to pay a tax rate that low. Some of those folks are running their companies through tax haven countries, with deferred compensation deals to even avoid paying a 15-percent rate. Somebody has to pay some taxes to invest in the future of this country. We need to invest in our children and in our infrastructure. Somebody has to pay those taxes. I understand that nobody likes to pay them very much, but we have to get control of this deficit, no question about that. We have to decide as a country that you can't ask men and women to lace up their boots and put on ceramic body armor and go halfway around the world and take a gun and fight and be shot at and, by the way, we ask you to do that in the name of our country, and we will not pay for a penny of it. We will add it to the debt. We have done that for 8 years. We cannot continue to do that. Americans know better than that.

Let me finish by saying that, as I said earlier, we should not necessarily believe that everything will be all right just because we live here in America. This country deserves good judgment and tough decisions to put the country back on track. In the book McCullough wrote on John Adams, they were putting this new country together and he was traveling in Europe. The record of all of that is in his letters to Abigail. He would write back as he was traveling abroad and ask the plaintive question: Where will the leadership come from to build this new country? From where will the leadership come? Who will be the leaders as we try to put this new country together? Then, in the next letter, he would answer the question.

There is only us to provide the leadership. There is me. There is Ben Franklin, Thomas Jefferson, George Washington, Madison, Mason. In the rearview mirror of history, the ''only us'' represents some pretty unbelievable human talent who risked their lives, risked their fortunes, risked all they had to do the right thing for this country.

The question for us now, with a $13 trillion debt, an anemic economy, great partisan divides that exist between the political parties, and elections coming up in November, the question is, From where will the leadership come? Who really is willing to lead this country by saying: Here is what we have to do? It is not pleasant always. But who is willing to make those judgments to say we cannot just always take for granted what America's future might be based on what it was? This country deserves better.

I am not here to say one party is all right and one party is all wrong. I heard my colleagues say: If you do this, it is bad for small businesses. That is not the case in any event. We have had a bill on the Senate floor that would provide assistance, help, and investment to small businesses. It has been on the floor 3 weeks, and the very people who say they are for small businesses have been blocking it for 3 weeks. All we need is some straight talk from time to time.

I would like everybody to pay the lowest possible tax rate. I would like our government to be the most efficient. I would like us to invest in the future of our country. I would like all

those things to happen. I would like it if we were not at war. I watched yesterday down at a place called the Newseum. Once again, I watched the video of 9/11/2001. That was not brought on by us; that was brought on by others, and we did not have a choice but to address these issues.

When we do these things, we must do them as a country that cares about our future. We cannot just spend money, send soldiers to war, do all these things and say: We don't have to pay for any of it and you all will understand. That is not leadership.

This President inherited a pretty tough situation. Now he is criticized for saying he inherited a tough situation. The history books will write what he inherited. He is trying pretty hard but does not get agreement on much of anything these days. At the very least we ought to say we agree, let's extend tax cuts for middle-class Americans. This is a pretty tough time for them. But we had some of the highest rates of growth in this country when the wealthiest Americans were paying the tax rate that previously existed. Extending tax cuts for the wealthy at a time when we are at war and we say we would like to extend to them an $80,000-a-year tax cut if they have a $1 million a year income? That is not leadership, in my judgment.

This country deserves better, this country can do better, and this Congress can do better with a little less partisanship and a little more thought and see if we can come together to represent the future of this country.

I yield the floor and suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. DORGAN. Mr. President, I ask unanimous consent that the order for the quorum call be dispensed with.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. DORGAN. Mr. President, I forgot to put my chart up again. Every day I want to remind people what this is all about.

Will Rogers, 80 years ago, said what applies today. He said:

> The unemployed here ain't eating regular, but we'll get around to them as soon as everybody else gets fixed up OK.

We will get around to the unemployed as soon as everybody else gets fixed up OK. I am part of the Old West out in the northern Great Plains. They used to say about wagon trains: You don't move a wagon train ahead by leaving some wagons behind. This country is best when it works together.

Will Rogers described this in the 1930s:

> The unemployed here ain't eating regular, but we'll get around to them as soon as everybody else gets fixed up OK.

Wall Street got fixed up with hundreds and hundreds of billions of dollars and untold trillions from the back door of the Federal Reserve Board. They got fixed up. Now they are seeing record profits again.

There are a whole lot of folks at the bottom of the economic ladder who are not fixed up and are out of work—not from their fault, nothing they did; they are just out of work because they lost their jobs during a severe economic downturn.

It seems to me that is what requires our leadership. In this Chamber, at this moment, nobody is out of work. Everybody puts on a white shirt, a suit, and comes to work. Nobody is out of work. But a whole lot of Americans are. We ought to keep our priorities on that every single day.

This country works best when we are able to put people back to work. There is no social program this Senate is involved in, no social program as important as a good job that pays well. That is what makes everything else possible.

Mr. President, I yield the floor and suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. SPECTER. Madam President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER (Mrs. SHAHEEN). Without objection, it is so ordered.

SEPARATION OF POWERS

Mr. SPECTER. Madam President, I have sought recognition to comment about the serious erosion of the doctrine of separation of powers during the course of the past two decades. With the pendency of the confirmation of Solicitor General Elena Kagan for the Supreme Court of the United States, this is a particularly apt time to discuss this matter since these issues were a part of the confirmation process.

What we have found in the course of the past two decades is that Congress has lost considerable institutional authority, with the Court taking over on congressional authority or by refusing to decide certain cases, leaving the executive branch a great deal of what had been congressional authority. We find, for example, that the Foreign Intelligence Surveillance Act—where the Congress of the United States determined that the exclusive way for obtaining a wiretap on the invasion of privacy was through a court order—has been abrogated to a substantial extent by the terrorist surveillance program, which I shall speak about at a later time. Similarly, when you have the Foreign Sovereign Immunities Act, again by deciding not to take the case involving the survivors of 9/11, the Court has left the executive branch with considerable authority which, I would submit, rightfully belongs to the Congress.

But today the issue I want to discuss, and I will turn to others at a later time, is the question of how the Court has taken over more of congressional authority by moving into the area of fact finding, which is a traditional legislative responsibility.

Chief Justice Roberts, in his confirmation hearings, testified extensively, as did Justice Scalia in his confirmation hearings, about it being a legislative function to find the facts. Congress has the institutional competence to have hearings, to examine witnesses, to go into evidence, and to make a factual determination about what public policy should be. As Chief Justice Roberts said in his confirmation hearing, when the Court moves into that area, the Court is, in effect, legislating.

I submit that where the traditional doctrine of separation of powers is being altered, it is a very fundamental and serious change in our constitutional structure. Separation of powers is an integral part of the structure of the Constitution: article I for the legislative branch, article II for the executive branch, and article III for the judicial branch. This separation of powers has provided the checks and balance in our system.

But in the course of the past two decades, the Court has moved into an area where Congress had traditionally been in charge. In the case of United States v. Lopez, a 5-to-4 decision decided in 1995, the Supreme Court of the United States said legislation which limited someone from carrying a gun on school property was unconstitutional because it was not justified under the commerce clause. This was a very surprising decision because there had not been a successful challenge to the exercise of Congressional authority legislating under the commerce clause for some 60 years.

This is what Justice Souter had to say, for a four-Justice dissent, the case being a 5-to-4 decision, as so many of them are. In dissent, Justice Souter said the Court should defer to ''congressional judgment . . . that its regulation addresses a subject substantially affecting interstate commerce if there is any rational basis for such a finding. . . . The practice of deferring to rationally based legislative judgments is a paradigm of judicial restraint. . . . [I]t reflects our respect for the institutional competition of Congress on a subject expressly assigned by the Constitution to the Congress and our appreciation of the legitimacy that comes from Congress's political accountability in dealing with matters open to a wide range of possible choices. . . . The modern respect for the competence and primacy of Congress in matters affecting commerce developed only after one of the Court's most chastening experiences. . . .'' Justice Souter was referring to what happened to the Supreme Court during the New Deal era when the Supreme Court in the 1930s struck down a great many of the congressional enactments, leading to a great deal of controversy, leading to proposals to expand the number of Justices, and the famous President Roosevelt Court-packing

plan. But within what Justice Souter says, and what I have just quoted, it is a matter of legislation when the Court moves into the fact-finding process.

The Lopez case was followed 5 years later by the case of United States v. Morrison. There, the Supreme Court of the United States invalidated portions of the Violence Against Women Act, holding that they were not constitutional because of the congressional method of reasoning. Again, Justice Souter sounded the clarion call, speaking for four Justices when he said:

> Congress has the power to legislate with regard to activity that, in the aggregate, has a substantial effect on interstate commerce. . . . The fact of such a substantial effect is not an issue for the courts in the first instance . . . but for the Congress, whose institutional capacity for gathering evidence and taking testimony far exceed ours. . . . The business of the courts is to review the congressional assessment, not for soundness but simply for the rationality of concluding that a jurisdictional basis exists in fact.

Justice Souter then went on to point out that there was a mountain of evidence in support of what the Congress had decided to do.

The Supreme Court of the United States later invalidated congressional legislation in Kimel v. Florida Board of Regents, largely on the same ground. The case involved allegations of violations of age discrimination in employment, and, in the Kimel case as in the Morrison case, the Court relied upon a test where it said the act of Congress should be judged in terms of its proportionality and congruence. This test of congruence and proportionality was articulated by the Supreme Court in the City of Boerne case. It had never been a part of constitutional doctrine, and the grave difficulty is in inferring what is meant by congruence and proportionality.

In a later floor statement, I will take up two decisions of the Supreme Court of the United States, each 5 to 4, involving the Americans with Disabilities Act.

One of the problems which has been found in the confirmation process is the grave difficulty of getting an idea of the ideology of the nominees because of the refusal of the nominees to answer questions. It was thought that the confirmation proceeding of Solicitor General Elena Kagan would provide an opportunity to find out something about the approach, the ideology or philosophy of the nominee because Ms. Kagan had written so critically, in a 1995 article in The University of Chicago Law Review, about the nomination proceedings involving Justice Ginsburg and Justice Breyer.

Ms. Kagan, in that argument, criticized them for stonewalling and not answering any questions. Also, Ms. Kagan in that article criticized the Congress—the Senate, really—for not doing its job in the confirmation process and finding out where the nominees stood.

When Ms. Kagan appeared before the Judiciary Committee, it was a repeat performance. One question which I asked her brought the issue into very sharp focus. I asked her what standard would she apply, if confirmed, on judging constitutionality? Would she use the ''rational basis'' standard, which had been the standard of the Supreme Court for decades, the standard which Justice Souter talked about in the two dissenting opinions I have just referenced? Or would she use the ''congruent and proportional'' standard, which had everybody befuddled.

Justice Scalia said that the standard of proportionality and congruence is a ''flabby standard,'' which was so indefinite, vague, and unsubstantial that it left the Supreme Court open to make any determination it chose and in effect to legislate.

In later floor statements, I will take up the question as to what might be done to try to stop this erosion of the doctrine of separation of powers, what might be done to stop the reduction of Congressional authority. One line which had been suggested was to defeat nominees. As I will comment later in more detail, there does not seem to be much of a Senate disposition to defeat nominees for failure to answer questions. Based upon what has happened in every confirmation proceeding since Judge Bork's confirmation proceeding in 1987, the practice has evolved of no answers and confirmation.

Another idea was explored by Senator DeConcini and myself after the Scalia hearings, where Justice Scalia answered virtually nothing. Justice Scalia was confirmed in 1986. Justice Bork's confirmation proceeding followed in 1987, and after Judge Bork did answer questions, as he really had to with such an extensive paper trail, Senator DeConcini and I decided we didn't need to pursue the idea of a Senate standard. But that is an option which might be considered.

Another potential method of dealing with the issue would be the idea of televising the Supreme Court—which I have talked about and will talk about in some detail at a later date. Taking off on what Justice Brandeis said about sunlight being the best disinfectant, and publicity being the way, as Justice Brandeis put it in a famous article in 1913—being the way to deal with social ills.

In an article in the Washington Post on July 14, just a couple of weeks ago, a noted commentator on the Supreme Court, Stuart Taylor, said that the only way the Supreme Court would change its ways is if there was an infuriated public. To infuriate the public, the first thing that has to happen is for the public to understand what the Supreme Court is doing.

In light of the lateness of the hour, that is a subject which I will take up at a later time in detail. But the focus today is on the three cases: the Lopez case, the Morrison case, and the Kimel case.

I thank the staff for staying overtime. I know there had been a hope to conclude a few minutes earlier, by 6, but we are not too far gone considering tradition on the Senate floor of extended presentations.

I believe there is an announcement the clerk would like me to make in concluding the proceedings today?

MORNING BUSINESS

Mr. SPECTER. Madam President, I ask unanimous consent to proceed to a period of morning business with Senators permitted to speak for up to 10 minutes each.

The PRESIDING OFFICER. Without objection, it is so ordered.

20TH ANNIVERSARY OF THE AMERICANS WITH DISABILITIES ACT

Mr. DODD. Madam President, I rise today to commemorate the 20th anniversary of the passage of the Americans with Disabilities Act.

The enactment of this important legislation was a significant milestone in our national journey to perfect our Union, uphold our founding values, and reaffirm our commitment to ensuring that the rights enshrined in our Constitution are truly available to all of our citizens. I was honored to have been able to support this bill in 1990, and am proud to be here today to talk about what its enactment means to millions of our fellow Americans, as well as to celebrate the contributions of those whose tireless work, and undying support, made passage of this bill a reality.

Thanks to this landmark law, our country has made progress in eliminating the historical stigma previously associated with mental and physical disabilities. It is also a critical step toward guaranteeing basic civil rights for an entire population who, for much of our Nation's history, have faced incredible unfairness and isolation. For decades, we have fought for the civil rights of people with disabilities, combating the antiquated mindsets of segregation, discrimination, and ignorance. Our Nation has come from a time when the exclusion of people with disabilities was the norm. We have come from a time when doctors told parents that their children with disabilities were better left isolated in institutions. We have come from a time when individuals with disabilities were not considered contributing members of society.

Those times have thankfully changed. The passage of the ADA in 1990 provided the first step toward that change our country so desperately needed, and 20 years later, many of these individuals are thriving in ways that a few short years ago, would have been unthinkable. More and more, individuals with disabilities are able to integrate into communities across America. Thanks to the ADA, they are finding employment, buying their first home, and enjoying our public parks,

transportation, and other civic facilities far more successfully than ever before.

Just as I was a proud supporter of the ADA then, I was a proud supporter of the resolution which the Senate passed last week, introduced by my colleagues Senators HARKIN and HATCH, commemorating the 20th anniversary of that historic achievement. I would like to thank Senator HARKIN in particular for his leadership on the passage of the ADA.

I would also like to thank my former Connecticut colleague, Lowell Weicker, who, as a Senator in 1988, was the original sponsor of the legislation that went on to become the Americans with Disabilities Act, and is still a national leader in advocating for individuals with disabilities.

Without their tireless efforts and support, it would not have been possible to pass this legislation those 20 years ago.

Equal protection under the law is not a privilege in the United States of America—rather, it is a fundamental right due every citizen, regardless of race, gender, national origin, religion, sex, age, or disability. It is unacceptable to deny any individual his or her right to those protections because of a disability. Our country has an obligation to its citizens to ensure that their fundamental rights are protected, and, if those rights are violated, that the appropriate recourse is available.

In 2008, the overall percentage of people with a disability in my home State of Connecticut was 10.4 percent; approximately 350,000 residents. That is 350,000 reasons why 20 years later, I am proud of—and somewhat awed by—the impact this bill has made. And that is just in my home State. Across the entire country, more than 50 million people have been aided by the passage of this historic legislation.

The resolution that we passed in this body last week honors and commemorates the 20th anniversary of the ADA. We passed it 100–0. This strong, bipartisan statement underscores the far reaching importance of this landmark law. I am proud to not only have been able to vote for its passage those 20 years ago, but also to have been an original cosponsor along with several of my colleagues still present in this body, including Chairman HARKIN.

As we take this opportunity to commemorate the tremendous advances the disability community has made, we must not forget the steadfast support of the wide network of groups and individuals who have made it their mission to help every single American, despite his or her disability, reach his or her fullest potential, and which made this extraordinary achievement possible.

I have worked closely with these groups throughout my tenure in the Senate to ensure they have gotten the support they need from the Federal Government, especially the Consortium for Citizens with Disabilities. I thank them for their support and assistance, and truly value the working relationships I have established over my entire career.

In my capacity as a senior member of the Senate Committee on Health, Education, Labor, and Pensions, I have spent my career fighting alongside my colleagues to improve the lives of people with disabilities. Some of the most important pieces of legislation I have introduced or supported throughout my career have been to further that goal. From the Disability Savings Act, a bill I introduced in 2008 which would encourage individuals with disabilities and their families to start disability savings accounts for their unique disability-related needs, to the Best Buddies Empowerment for People with Intellectual Disabilities Act, a bill I introduced earlier this Congress with Senator HATCH which promotes the expansion of that acclaimed program. I am hopeful we can pass this important legislation this year.

I am also pleased that the recently enacted Patient Protection and Affordable Care Act makes further progress toward meeting the needs of the disabled community. That legislation incorporates an important idea known as the CLASS Act, which creates a voluntary disability insurance program designed to pay for nonmedical and support services so that persons with disabilities are able to live independently. Getting this program started was a remarkable achievement, and something many of my colleagues and I had worked for many years to accomplish.

Of course, none of the important advances we have made, legislatively or otherwise, would have been possible without the tireless work of one of the great advocates for equal opportunities for individuals with disabilities that the Senate has ever seen—my dear friend, the late Senator Ted Kennedy. For Teddy, the issue of fairness and empowerment for individuals with disabilities was always in the forefront of his mind and legislative agenda. Along with his late sister Eunice Kennedy Shriver, his commitment to this issue, which touches so many of our fellow citizens, is a legacy that we must seek to preserve and to continue.

On this, the 26th day of July 2010, I urge my colleagues and fellow citizens to celebrate the freedom and opportunities provided by the Americans with Disabilities Act, and recognize the strides we have made to raise the employment and graduation rates, increase self-sufficiency, and very simply, lift the self-esteem of those who for too long were denied these opportunities.

As we strive to perfect our Union, we must remember that we are a just society. We are a society that has enshrined the notion of equality, both in rights and opportunity, for all in our very founding documents. We must continue to reaffirm the promise made in those documents to each citizen, no matter their race, creed, or circumstance.

The passage of the Americans with Disabilities Act is one example of how we have worked to keep those promises. It represents a successful step toward fulfilling our Nation's goals of equality of opportunity, independent living, economic self-sufficiency, and full participation for Americans with disabilities. It has been a tremendous honor to have been able to support this law, and as I look back on the good it has done, 20 years later, I am confident that future generations will continue to build on its success as a cornerstone to ensuring that all Americans have equal access to the American dream.

Mrs. LINCOLN. Madam President, I join Arkansans and all Americans to commemorate the 20th anniversary of the Americans with Disabilities Act, known as ADA. This legislation has literally opened doors for countless Arkansans living with disabilities.

ADA protects the civil rights of all people with disabilities by expanding opportunities for Arkansans and all Americans with disabilities and by reducing barriers, changing perceptions and allowing all Americans to go to the schools of their choice, gain meaningful employment, and fully participate in community life.

This week, communities across Arkansas will commemorate the 20th anniversary of ADA with events and celebrations, including construction of wheelchair ramps by volunteers and a 5K Roll n' Walk Run event on the Fayetteville trail system in northwest Arkansas.

I commend these volunteers and participants for their dedication to ensuring that Arkansans with disabilities have full access to the resources they need, in addition to promoting ADA's anniversary.

On the 20th anniversary of the Americans with Disabilities Act, I join my fellow Arkansans to celebrate this historic legislation that has touched the lives of so many in our State and Nation.

REMEMBERING SENATOR ROBERT C. BYRD

Mrs. HUTCHISON. Madam President, I join my colleagues in paying tribute to our colleague Robert Byrd of West Virginia. He served his beautiful mountain State for a record-setting 57 years in Congress, including 51 years in this Chamber. He cast more rollcall votes and served in more leadership positions than any other Senator in U.S. history, including 12 years as his party's leader. He revered this body so much that he wrote four volumes on Senate history from 1789 to 1989. Over nine terms, he mastered parliamentary procedure in an effort to protect the Senate's rules and to defend the legislative branch's authority. He carried a copy of the Constitution in his pocket, and he peppered his speeches with frequent references to the intent of our Framers. When asked how many Presidents he had served under, he replied, ''None. I

have served with Presidents, not under them.''

Senator Byrd will enter the history books as one of the Senate's true giants, but his beginnings were humble. His biography is a shining testament to the American dream. He was adopted in infancy and raised in impoverished coal-mining towns. His first job was to collect garbage scraps for his family's hogs. Although he graduated valedictorian of his 1934 high school class, at first he could not afford college. He married his high school sweetheart, Erma Ora James, with whom he enjoyed 68 happy years. The outstanding work ethic and solid values that he learned while growing up in Raleigh County helped him later devote 10 grueling years of his life to studying while simultaneously serving as a Member of Congress. When he finally earned his law degree in 1963, President John F. Kennedy awarded him his diploma.

Senator Byrd served his beloved home State with unprecedented devotion. He wrote in his autobiography that ''it has been my constant desire to improve the lives of the people who have sent me to Washington time and again.'' Virtually every county in West Virginia will long remember his hard work, dedication, and legendary contributions. Like many Americans today, I commend him for his outstanding service to his State, to our Nation, and to the institution of the Senate.

HONORING OUR ARMED FORCES

PRIVATE FIRST CLASS MICHAEL SHANE PRIDHAM, JR.

Mr. BAYH. Madam President, I rise today to honor the life of PFC Michael Shane Pridham, Jr. of the U.S. Army.

Private Pridham was assigned to the 1st Battalion, 4th Infantry Regiment. He was only 19 years old when he lost his life serving bravely in support of Operation Enduring Freedom in Qalat, Afghanistan. He was 6 weeks from completing his tour of duty.

Private Pridham—''Mikey'' as he was to known to his family and friends—was from Louisville, KY. He attended Southern High School before later earning his GED diploma through the U.S. Army.

Today, I join Private Pridham's family and friends in mourning his death. He is survived by his wife Deidre, whom he married 2 days before deploying overseas and who is expecting the couple's first child, Aliyah, in October; his father and stepmother, Michael Shane and Andrea Pridham Sr. of New Albany, IN; his mother, Keri Allen of Louisville, KY; and his brothers, Jeffrey Pridham, Joey Pridham, Kaleb Nix and Kaden Eskridge.

We take pride in the example of this American hero, even as we struggle to express our sorrow over this loss. We cherish the legacy of his service and his life.

As I search for words to honor this fallen soldier, I recall President Lincoln's words to the families of the fallen at Gettysburg: ''We cannot dedicate, we cannot consecrate, we cannot hallow this ground. The brave men, living and dead, who struggled here, have consecrated it, far above our poor power to add or detract. The world will little note nor long remember what we say here, but it can never forget what they did here.''

It is my sad duty to enter the name of PFC Michael Shane Pridham, Jr. in the RECORD of the U.S. Senate for his service to our country and for his profound commitment to freedom, democracy and peace.

I pray that Mikey's family finds comfort in the words of the prophet Isaiah, who said: ''He will swallow up death in victory; and the Lord God will wipe away tears from off all faces.''

WALL STREET REFORM AND CONSUMER PROTECTION ACT

Mr. BROWN of Massachusetts. Madam President, I come to the floor of the Senate to talk today about the recently passed Wall Street reform bill.

I believe elected officials should come to Washington to solve problems not ignore them. The American people know that we need to enact major changes to our financial regulatory system. With the bill that passed into law earlier this month, Congress has begun the process of repairing a regulatory system that did not work as it should have and contributed to the financial meltdown that shook our economy in 2008. This action, long overdue, will help our regulatory structure catch up with the realities of the market so as to provide a more secure economy. Although no bill will ever be perfect, and I remain seriously concerned that we must take further actions if we are going to prevent another financial crisis, this bill takes important steps towards greater market transparency and consumer protection. It will help make sure that taxpayers are never again put on the hook for bailing out the financial sector. It strengthens the regulatory safety net in key respects. For these reasons, I supported cloture motions and final passage of the Wall Street Reform and Consumer Protection Act.

I did my utmost to work in a bipartisan manner on this bill, filing or cosponsoring 27 amendments, working across the aisle on almost all of them. For example, we amended the bill to remove unnecessary provisions that would have severely constricted small startup businesses around the country as they worked to raise capital from angel investors. Massachusetts is one of America's hotbeds for innovation and business startups, and I was proud to stand up for small startup businesses and the investors who help give life to their ideas. Another amendment I proposed with Senator JACK REED of Rhode Island, which was adopted 99–1, created a dedicated liaison office for military families within the Consumer Financial Protection Bureau, so that members of our Armed Forces and their families can fight back when they are targeted by unscrupulous lenders or sold fraudulent life insurance policies. As a 30-year member of the National Guard, I have seen the pain caused when members of the Guard are hit by financial predators. I was also proud to join my colleagues in supporting assessment and regulatory relief for small community banks and a safer role for the credit rating agencies in our financial system.

Since the Senate Committee on Banking, Housing, and Urban Affairs did not hold a full markup of the bill before it came to the Senate floor, I spent a lot of time exploring how certain provisions were drafted and how they might work if enacted into law. One of those areas was the so-called Volcker rule. I believe that the principles behind the Volcker rule, which was proposed in earnest only after the House had passed its own Wall Street Reform bill, are very well-intentioned and in many respects will be quite effective. The Volcker rule was conceived as a way to limit certain risky proprietary trading activities so that Wall Street firms start to look more like the safe banks, mutual funds, and insurance companies we have in Massachusetts. After the collapse the country suffered, no one can argue with a straight face anymore that all banks should be able to take huge risks on anything they want, whenever they want, without any regard to the consequences. This was an important issue for financial institutions and regulators across the country. Senator KAY HAGAN of North Carolina also worked hard to find the right balance within the Volcker rule for bank asset management, and I would like to associate my views with her statements in the Senate RECORD on this topic.

Without changes, the original Senate bill would have unreasonably regulated limited purpose trusts—institutions throughout our Nation that never should have been captured in the regulatory ''net'' of Volcker rule bank regulation. Since the drafting did not match the intent, this problem was addressed by clarifying that these companies should not be subject to bank holding company oversight or the Volcker rule restrictions by virtue of operating a limited purpose trust regardless of charter. In other words, bank regulation should only apply to the trust itself, not its parent and affiliates. Without this clarification, the Volcker rule restrictions, as well as the capital requirements under the adopted Collins amendment, would have led to widespread disruption in providing products and services to customers and investors, job losses, and uncertainty around the nation. The final version of the legislation appropriately does not regulate institutions with limited

trusts—including mutual funds and insurance companies—because these institutions do not take customer deposits, make loans, or access the Fed discount window.

The original Volcker rule also would have gone too far in preventing banks from offering appropriate investment services to their clients as a limited and safe part of their business model. At a time of deep economic uncertainty, when millions of Americans are looking for work, this could have a devastating impact on jobs in Massachusetts and across the country while unfairly targeting safe institutions and driving their business to riskier ventures. Even the Glass-Steagall law clearly permitted banks to serve as investment advisers, and yet the original Volcker rule language threatened the ability of banks to offer these services, including seeding new investment funds that they then offer to clients.

Bank-affiliated investment funds are sponsored for clients and comprised almost entirely of client money. Most are not excessively speculative or risky investment vehicles—they include simple cash funds, stock index funds, and other nonleveraged strategies. Preventing banks from offering such services, which provide banks with a steady source of fee income, will make the banks more reliant on other more volatile revenue streams—a danger the bill was supposed to head off. Furthermore, in order to remain in the asset management business, these banks must be allowed to invest a very small amount alongside their clients in these funds so that all interests are aligned. Many large state pension plans, as well as large endowments and foundations, value such ''skin in the game'' investments as a key factor in deciding with whom they will place their money.

If banks can't offer these services or invest a small amount to seed funds and keep skin in the game, institutional investors will be forced to take their money elsewhere, and in many cases, that will be to less regulated hedge and private equity funds. In negotiations during Senate consideration of the legislation, I advocated for limiting the maximum aggregate investment level in all bank affiliated funds to somewhere in the vicinity of 5 percent of a bank's tier 1 capital. In the end, the final compromise landed on 3 percent. Although it could be higher, this is an appropriate role for alternative asset management within the banking industry.

To put this number in perspective, even if all of these investments collapsed, the bank losses would equal only half of the typical losses charged off from bank retail lending operations last year. To address concerns that fresh bank capital could be put at risk in the event of a fund failure, the final language makes it explicit that these investment funds are segregated and that it is against the law for the banks to bail them out. It is also important to remember that new systemic risk authorities have been created to identify and halt activities at key firms that threaten financial stability.

One other area of remaining uncertainty that has been left to the regulators is the treatment of bank investments in venture capital funds. Regulators should carefully consider whether banks that focus overwhelmingly on lending to and investing in start-up technology companies should be captured by one-size-fits-all restrictions under the Volcker rule. I believe they should not be. Venture capital investments help entrepreneurs get the financing they need to create new jobs. Unfairly restricting this type of capital formation is the last thing we should be doing in this economy.

Another area of potential confusion is in the language governing ''fund of funds.'' These are funds that invest in a wide range of other investment partnerships, hedge funds or private equity funds, so that investors can benefit from the good investment ideas of a variety of funds. Banks' investments in the fund of funds that they sponsor for clients are to be limited under this bill to only 3 percent of the fund. But that fund, which will be comprised of, at a minimum, 97 percent client money, under Dodd-Frank, is not restricted as a percentage of any of those investment partnerships, hedge funds, or private equity funds that it might be invested in, because the bank's exposure is still limited to 3 percent in the original fund, mitigating any chance of a concentration risk or bailout incentive.

Finally—and this should go without saying—I want to make it clear that throughout all the negotiations to write the legislative language of the conference report, it was always clear to me that the Volcker rule was never intended to prohibit banks from offering alternative investment options as a part of a company-wide retirement plan, or as an offering to ERISA customers. Any other regulatory treatment would be arbitrarily punitive and would have no public policy impact. The legislation is clear on this, but I would also like to point out that the FDIC-sanctioned traditional bond and equity market investments made by small community banks for the purpose of diversification are not the intended target of Volcker rule restrictions.

I want to spend a moment or two discussing consumer protection—one of the most controversial elements of this bill. During the crisis, more than half of the people who ended up in subprime mortgages with ballooning rates would have qualified for more conventional fixed rate loans. Some of that was caused by consumer greed, but it was also because of bad incentives and deceptive practices where the true costs of loans were hidden in the fine print. The new CFPB has the power to use its broad authority to simplify and dramatically improve the quality of information going to the consumer, and I expect that's how they will use their authority. I also expect that unifying financial consumer protection under one roof at the Federal Reserve will help to simplify and consolidate some of the compliance burdens on our financial institutions. Talking to local bankers, it is clear that banks are being forced to spend a lot more money and time on compliance. I worry about community banks' ability to compete in this area with the bigger banks. I am hopeful that the CFPB will improve the current state of affairs on both of these fronts.

There are a number of other provisions in the bill that bear review. Section 113 of the conference report details multiple criteria that must be considered by the Financial Stability Oversight Council to determine that an institution is a ''nonbank financial company supervised by the Board of Governors.'' These criteria should not be given equal weighting. In fact, the Council should place most of the weight on one important measure—the leverage of the financial institution. If the recent financial crisis has proven anything, it has demonstrated the systemic de-stabilization that can be caused when too many firms are overleveraged, with only a slim cushion available to absorb losses. Excessive leverage is by far the most dangerous characteristic for any business. A poorly run company that faces numerous problems can feel relatively safe if it has limited leverage; conversely, a thriving, profitable company that has excessive leverage can be wiped out after a single stumble. As a result, leverage should be the primary consideration when deciding whether to put a financial institution into the special category of ''nonbank financial company supervised by the Board of Governors.''

I also believe that the size of an institution should be de-emphasized as a consideration for making determinations as to which companies are ''nonbank financial companies supervised by the Board of Governors.'' There is nothing inherently destabilizing or risky about the size of a large company. If anything, size usually coincides with significant benefits, including economies of scale and a diverse portfolio of assets. The Council and regulators should be very careful not to use size as a proxy for risk or it will capture some very healthy companies in the Fed supervisory web while simultaneously discouraging the growth of up-and-coming firms. Size is not as important a factor when it comes to the safety and soundness of an institution and it should be given less weight as a consideration.

Furthermore, considering the burdens that come with being categorized a ''nonbank financial company supervised by the Board of Governors,'' it is critical that the Council make its determinations on a company-by-company basis and not attempt to make determinations by grouping multiple

institutions together based solely on a set of similar characteristics. For instance, the Council should never make a determination that all firms in a financial subsector that are above a predefined size should be ''nonbank financial companies supervised by the Board of Governors.'' This would inevitably subject otherwise healthy firms to a long list of unnecessary regulations and will distract regulators from focusing on the most potentially problematic financial firms and activities.

In title II of the bill, the orderly liquidation authority includes provisions that allow the FDIC to unwind firms that threaten stability. While I repeatedly supported amendments that would have relied more heavily on the bankruptcy code rather than this approach, I also believe that if used appropriately, resolution authorities can be an important and useful tool in unwinding financial institutions that threaten market stability. I will be watching closely as these provisions are implemented by the FDIC. Under this section, the FDIC has the power to ''take any action'' to provide disparate treatment to similarly situated creditors if the FDIC ''determines that such action is necessary to maximize the value of assets of the covered financial company; to initiate and continue operations essential to the receivership of the financial company; to maximize the present value return from the sale or other disposition of the assets of the covered financial company; or to minimize the amount of any loss realized upon the sale or other disposition of the assets of the covered financial company.''

Without clear rule writing, this language could be wrongly interpreted to include a range of unnecessary, arbitrary actions to favor certain creditors. Instead, the FDIC should only provide disparate treatment to similarly situated creditors if the sole purpose of the action is to cover the cost of indispensable services required to keep the physical operations of the financial institution or bridge financial company functioning during the early stages of liquidation. Examples of such services include the delivery of electricity, computer maintenance and janitorial services. The flexibility in these provisions should not be used by the FDIC to provide disparate treatment to holders of financial instruments, especially financial instruments that are widely distributed and held by multiple parties. For instance, issuances of loans, notes and bonds are normally held by various parties. The FDIC should not use its authority to discriminate among holders of the same instrument or holders that own different instruments that hold the same unsecured priority. In other words, it would be a clear abuse of these provisions if the FDIC makes a determination to provide disparate treatment to similarly situated creditors based on ''who'' owns the claim. The FDIC should take all necessary precautions to avoid even the impression of playing political favorites.

The expectation of receiving a financial return consistent with similarly situated creditors is a bedrock principal of American capitalism. It is my hope and expectation that the FDIC will fulfill its obligations and report to Congress any actions that involve any different treatment of similarly situated creditors under resolution authority. The FDIC should disclose the details of any parties given disparate treatment and the categories and names of similarly situated parties that did not receive the benefits of this treatment; how much, in absolute dollars, and as a percentage of its claim, a favored recipient of the disparate treatment received, and how that compares to the returns realized—or may be realized—by similarly situated creditors who did not receive the favorable treatment; and a thorough explanation as to why the treatment was necessary to maintain the physical operations of the financial institution or relevant entity, including an analysis of any conflicts of interest that the FDIC, or related government authorities, may have had when providing the disparate treatment.

I also want to be clear about my views on derivatives regulation. The derivatives title of the law is extremely important, and if implemented appropriately, will bring much needed transparency and accountability to a market that played a central role in the near collapse of our financial services sector in the fall of 2008. This bill appropriately regulates large Wall Street swap dealers for the first time by subjecting them to new clearing, capital and margin requirements. But these provisions also could significantly impact thousands of end-user firms that use derivatives to reduce their exposure to risk rather than merely to speculate. It is very important that we manage how this bill impacts these Main Street businesses. If the regulations imposed on swap dealers are inappropriately extended to Main Street businesses that are only trying to hedge risks, we could unwittingly exacerbate the economic challenges we still face. Many experts think that greater transparency will drive risk-management costs down for businesses in the long run, but the government clearly needs to go about the implementation of these provisions very carefully.

While the conference report has many good features, it also suffers from a glaring omission: any attempt to regulate government-sponsored enterprises—Fannie Mae and Freddie Mac. These institutions played a key role in triggering the financial crisis we suffered. To date, over $140 billion of taxpayer funds have been spent bailing out Fannie and Freddie, and estimates of additional risk to taxpayers runs into the hundreds of billions of dollars. We clearly need to address these institutions, which risk burdening future generations of Americans with mountains of debt. I look forward to working on this issue as soon as Congress and the administration move forward on legislative proposals.

I believe we had a choice: do nothing or try to address a real problem that shook the very financial foundation of our country. While the bill was far from perfect, the final version was vastly improved from the version we started with at the beginning of the process. I believe it includes important measures that will help prevent another financial meltdown like the one in 2008 that left millions of Americans out of work and saw our economy take its worst dip since the Great Depression. Equally important, the bill is not funded through higher taxes, which is something I could not support at a time when nearly one in ten Americans is unemployed and our economy is still struggling.

ADDITIONAL STATEMENTS

NATIONAL ASSOCIATION OF STATE BOATING LAW ADMINISTRATION

• Mr. BUNNING. Madam President, I would like to recognize the 50th anniversary of the National Association of State Boating Law Administrators, NASBLA, a Kentucky-based nonprofit organization.

Recreational boating is one of America's most popular pastimes with over 13,000,000 recreational vessels registered nationwide, of which 200,000 are in my home State of Kentucky. In 1958, Congress recognized the growing interest in recreational boating, and passed the Federal Boating Act, which led to the creation of the National Association of State Boating Law Administrators in 1960. NASBLA is a national, nonprofit association of State officials responsible for the development and implementation of State boating programs.

NASBLA's mission is to strengthen the ability of State and territorial boating authorities to ensure a safe, secure, and enjoyable recreational environment. NASBLA addresses its mission by fostering partnerships among States, the Coast Guard, and others to streamline boating laws, maintain national education standards, strengthen homeland security on our waterways, and communicate to Federal agencies on behalf of the States' boating programs. The tireless work of NASBLA has helped to significantly reduce the number of recreational boating fatalities since 1970. However, even with such progress in safety, there is still room for improvement. In 2008, recreational boating accidents still claimed the lives of 709 Americans, of which more than half may have been saved with the proper use of a personal flotation device.

Due to the efforts of the National Association of State Boating Law Administrators and its members over the last

five decades, our Nation's waterways are safer and more enjoyable for the boating public. I congratulate the NASBLA as it celebrates 50 years of service and wish it great success over the next 50 years.●

TRIBUTE TO SERGEANT DAVID COLLINS

● Mrs. LINCOLN. Madam President, today I honor Sergeant David Collins of Maumelle, who was recently named Officer of the Year for 2009 by the Maumelle Police Department. Sergeant Collins has worked for the department since 1992. I commend his commitment and dedication to protecting Maumelle residents.

Along with all Arkansans, I recognize the courage, bravery, and dedication of our Arkansas law enforcement, who risk their lives each day to keep our citizens safe. I thank these public servants for their service and sacrifice.●

TRIBUTE TO CAROLYN W. MOSLEY

● Mrs. LINCOLN. Madam President, today I congratulate Carolyn W. Mosley of Fort Smith for her outstanding contributions to the field of nursing education in our state. In recognition of her efforts, she will be inducted as a fellow into the National League for Nursing's Academy of Nursing Education in October in Las Vegas. Ms. Mosley currently serves as dean of the College of Health Sciences at the University of Arkansas at Fort Smith.

Only 86 nurses worldwide have achieved the recognition. Ms. Mosley is among 19 new fellows from 17 nursing schools to be inducted this year. She is the only fellow chosen from Arkansas. The association itself has 31,000 individual and 1,200 institutional members.

Ms. Mosley has also served as a human rights expert for the International Council of Nursing, received the Rosalyn Carter Caregiving Recognition Award, and the Robert Wood Johnson Executive Nurse Fellow Award. She serves as Good Samaritan Health Clinic Board vice president, Sparks Regional Medical Center Investigational Review Board chairwoman, Sparks Board trustee, and St. James Missionary Baptist Church Board president.

Madam President, Ms. Mosley serves as a role model for anyone aspiring to make a difference in nursing education and the field of health care. She represents the best of Arkansas, and I am proud of her achievements. Along with all Arkansans, I commend her for this extraordinary accomplishment.●

ARKANSAS GOSPEL ANNOUNCERS GUILD HONOREES

● Mrs. LINCOLN. Madam President, today I recognize six Arkansans who were recently honored by the Arkansas Gospel Announcers Guild for their contributions to gospel music and the community. I commend them for their dedication to this beloved American art form, which has a strong tradition in Arkansas.

Honorees were: Elijah and Belinda Mondy, KJIW Radio, Radio Broadcast Excellence; Charles Moore, Arkansas Gospel Mass Choir, Gospel Music Excellence; Irene Perkins, Irene's Productions, Gospel Promotions; C. Michael Tidwell, Centre for the Dansarts, Inspired Excellence—Liturgical Dance; and Deacon Alvin White, KITA/KOKY, Lifetime Achievement.

As a farmer's daughter from Helena, AR, who grew up in the heart of the Mississippi Delta, I have been surrounded by the unique traditions of gospel music all my life and am appreciative of its importance to the faith community in my State. With its roots in African-American culture, gospel music has grown beyond the church walls and is now firmly rooted in the American music tradition.

Gospel music is an integral part of our Nation's history and heritage. Along with all Arkansans and all Americans, I honor these individuals who have dedicated so much of their time, energy, and talents to promoting gospel music in our State.●

ARKANSAS DEPARTMENT OF EMERGENCY MANAGEMENT

● Mrs. LINCOLN. Madam President, today I recognize the men and women of the Arkansas Department of Emergency Management for their tireless dedication to keeping the residents of our State safe and secure.

Because of their efforts, the department was recently granted full accreditation by the Emergency Management Accreditation Program, known as EMAP. Arkansas is one of only 22 other States and jurisdictions with accredited programs.

Mr. President, I commend all of our emergency responders for their commitment to protecting the citizens of our State.

Along with all Arkansans, I thank the Arkansas Department of Emergency Management for their work to identify and lessen the effects of emergencies, disasters and threats to Arkansas through effective prevention, preparedness, mitigation, response and recovery actions for all disasters and emergencies.

I congratulate the entire team at the Department of Emergency Management for achieving this prestigious accreditation.●

NATIONAL HORSESHOE PITCHING CHAMPIONSHIPS

● Mrs. LINCOLN. Madam President, today I am proud to recognize 10 Arkansans who are currently competing in the National Horseshoe Pitchers Association 2010 Pitching Championships in Cedar Rapids, IA. The 2-week event is held each summer and features eight divisions in which pitchers compete for $170,000 in prizes and scholarships.

Arkansas has a strong horseshoe pitching tradition, with tournaments held throughout the State from March to November. These tournaments bring together Arkansans of all ages to enjoy wholesome recreation and learn new techniques to improve their skills to be more successful in horseshoe pitching. It is one of the few sports that has a national champion for men, women, boys and girls and can still be played in one's backyard by young and old alike.

I commend the entire Arkansas Horseshoe Pitchers Association for promoting the sport and art of horseshoe pitching. I also applaud our Arkansas representatives in this year's national championship for their spirit of competition and their commitment to their sport.

I join all Arkansans in wishing them the best of luck as they represent our State.●

MESSAGE FROM THE HOUSE

At 3:05 p.m., a message from the House of Representatives, delivered by Mr. Novotny, one of its reading clerks, announced that the House has passed the following bills, in which it requests the concurrence of the Senate:

H.R. 1469. An act to amend the National Child Protection Act of 1993 to establish a permanent background check system.

H.R. 5341. An act to designate the facility of the United States Postal Service located at 100 Orndorf Drive in Brighton, Michigan, as the ''Joyce Rogers Post Office Building''.

ENROLLED BILL AND JOINT RESOLUTION SIGNED

The message also announced that the Speaker has signed the following enrolled bill and joint resolution:

H.J. Res. 83. A joint resolution approving the renewal of import restrictions contained in the Burmese Freedom and Democracy Act of 2003, and for other purposes.

S. 1053. An act to amend the National Law Enforcement Museum Act to extend the termination date.

The enrolled bill and joint resolution were subsequently signed by the President pro tempore (Mr. INOUYE).

MEASURES REFERRED

The following bills were read the first and the second times by unanimous consent, and referred as indicated:

H.R. 1469. An act to amend the National Child Protection Act of 1993 to establish a permanent background check system; to the Committee on the Judiciary.

H.R. 5341. An act to designate the facility of the United States Postal Service located at 100 Orndorf Drive in Brighton, Michigan, as the ''Joyce Rogers Post Office Building''; to the Committee on Homeland Security and Governmental Affairs.

MEASURES PLACED ON THE CALENDAR

The following bill was read the second time, and placed on the calendar:

S. 3643. A bill to amend the Outer Continental Shelf Lands Act to reform the management of energy and mineral resources on the Outer Continental Shelf, to improve oil

spill compensation, to terminate the moratorium on deepwater drilling, and for other purposes.

REPORTS OF COMMITTEES DURING ADJOURNMENT

Under the authority of the order of the Senate of January 6, 2009, the following reports of committees were submitted on July 23, 2010:

By Mrs. MURRAY, from the Committee on Appropriations, without amendment:

S. 3644. An original bill making appropriations for the Departments of Transportation, and Housing and Urban Development, and related agencies for the fiscal year ending September 30, 2011, and for other purposes (Rept. No. 111–230).

REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. LIEBERMAN, from the Committee on Homeland Security and Governmental Affairs, without amendment:

S. 1862. A bill to provide that certain Secret Service employees may elect to transition to coverage under the District of Columbia Police and Fire Fighter Retirement and Disability System (Rept. No. 111–231).

By Mr. DODD, from the Committee on Banking, Housing, and Urban Affairs:

Report to accompany S. 3638, An original bill to establish a national safety plan for public transportation, and for other purposes (Rept. No. 111–232).

By Mrs. BOXER, from the Committee on Environment and Public Works, with an amendment in the nature of a substitute and an amendment to the title:

H.R. 3562. To designate the federally occupied building located at 1220 Echelon Parkway in Jackson, Mississippi, as the ''James Chaney, Andrew Goodman, and Michael Schwerner Federal Building''.

INTRODUCTION OF BILLS AND JOINT RESOLUTIONS DURING ADJOURNMENT

On July 23, 2010, under the authority of the order of the Senate of January 6, 2009, the following bills and joint resolutions were introduced, read the first and second times by unanimous consent, and referred as indicated:

By Mrs. MURRAY:

S. 3644. An original bill making appropriations for the Departments of Transportation, and Housing and Urban Development, and related agencies for the fiscal year ending September 30, 2011, and for other purposes; from the Committee on Appropriations; placed on the calendar.

INTRODUCTION OF BILLS AND JOINT RESOLUTIONS

The following bills and joint resolutions were introduced, read the first and second times by unanimous consent, and referred as indicated:

By Mrs. MURRAY:

S. 3645. A bill to direct the Secretary of Education to establish and administer an awards program recognizing excellence exhibited by public school system employees providing services to students in pre-kindergarten through higher education; to the Committee on Health, Education, Labor, and Pensions.

By Mr. LIEBERMAN:

S. 3646. A bill to provide for the furnishing of statues by the District of Columbia for display in Statuary Hall in the United States Capitol; to the Committee on Rules and Administration.

By Mr. TESTER:

S. 3647. A bill to amend the Public Health Service Act to provide for the participation of particular specialists determined by the Secretary of Health and Human Services to be directly related to the health needs stemming from environmental health hazards that have led to its declaration as a Public Health Emergency to be eligible under the National Health Service Corps in the National Health Service Corps Loan Repayment Program, and for other purposes; to the Committee on Health, Education, Labor, and Pensions.

By Mr. DORGAN (for himself, Mr. THUNE, Mr. CONRAD, and Mr. JOHNSON):

S. 3648. A bill to establish a commission to conduct a study and provide recommendations on a comprehensive resolution of impacts caused to certain Indian tribes by the Pick-Sloan Program; to the Committee on Indian Affairs.

By Mr. ROCKEFELLER (for himself and Mr. GOODWIN):

S. 3649. A bill to amend the Surface Mining Control and Reclamation Act of 1977 to provide for use of excess funds available under that Act to provide for certain benefits, and for other purposes; to the Committee on Energy and Natural Resources.

By Mr. WYDEN (for himself, Mr. AKAKA, Mr. VOINOVICH, Ms. COLLINS, Ms. LANDRIEU, and Mr. LIEBERMAN):

S. 3650. A bill to amend chapter 21 of title 5, United States Code, to provide that fathers of certain permanently disabled or deceased veterans shall be included with mothers of such veterans as preference eligibles for treatment in the civil service; to the Committee on Homeland Security and Governmental Affairs.

ADDITIONAL COSPONSORS

S. 369

At the request of Mr. KOHL, the name of the Senator from South Dakota (Mr. JOHNSON) was added as a cosponsor of S. 369, a bill to prohibit brand name drug companies from compensating generic drug companies to delay the entry of a generic drug into the market.

S. 653

At the request of Mr. CARDIN, the names of the Senator from Missouri (Mr. BOND) and the Senator from Iowa (Mr. HARKIN) were added as cosponsors of S. 653, a bill to require the Secretary of the Treasury to mint coins in commemoration of the bicentennial of the writing of the Star-Spangled Banner, and for other purposes.

S. 984

At the request of Mrs. BOXER, the name of the Senator from Maryland (Mr. CARDIN) was added as a cosponsor of S. 984, a bill to amend the Public Health Service Act to provide for arthritis research and public health, and for other purposes.

S. 1612

At the request of Mrs. LINCOLN, the name of the Senator from Maine (Ms. SNOWE) was added as a cosponsor of S. 1612, a bill to amend the Internal Revenue Code of 1986 to improve the operation of employee stock ownership plans, and for other purposes.

S. 2128

At the request of Mr. LEMIEUX, the name of the Senator from Rhode Island (Mr. WHITEHOUSE) was added as a cosponsor of S. 2128, a bill to provide for the establishment of the Office of Deputy Secretary for Health Care Fraud Prevention.

S. 2750

At the request of Mr. SCHUMER, the name of the Senator from Massachusetts (Mr. KERRY) was added as a cosponsor of S. 2750, a bill to amend the Public Health Service Act to authorize the Secretary of Health and Human Services to make grants to eligible States for the purpose of reducing the student-to-school nurse ratio in public secondary schools, elementary schools, and kindergarten.

S. 2755

At the request of Mr. MENENDEZ, the name of the Senator from Washington (Mrs. MURRAY) was added as a cosponsor of S. 2755, a bill to amend the Internal Revenue Code of 1986 to provide an investment credit for equipment used to fabricate solar energy property, and for other purposes.

S. 2801

At the request of Mr. FRANKEN, the name of the Senator from Alaska (Mr. BEGICH) was added as a cosponsor of S. 2801, a bill to provide children in foster care with school stability and equal access to educational opportunities.

S. 2920

At the request of Mr. LAUTENBERG, the name of the Senator from New York (Mrs. GILLIBRAND) was added as a cosponsor of S. 2920, a bill to amend chapter 1 of title 23, United States Code, to condition the receipt of certain highway funding by States on the enactment and enforcement by States of certain laws to prevent repeat intoxicated driving.

S. 3079

At the request of Mr. MERKLEY, the name of the Senator from Indiana (Mr. BAYH) was added as a cosponsor of S. 3079, a bill to assist in the creation of new jobs by providing financial incentives for owners of commercial buildings and multifamily residential buildings to retrofit their buildings with energy efficient building equipment and materials and for other purposes.

S. 3339

At the request of Mr. KERRY, the name of the Senator from North Carolina (Mrs. HAGAN) was added as a cosponsor of S. 3339, a bill to amend the Internal Revenue Code of 1986 to provide a reduced rate of excise tax on beer produced domestically by certain small producers.

S. 3390

At the request of Mr. FRANKEN, the name of the Senator from California (Mrs. BOXER) was added as a cosponsor

of S. 3390, a bill to end the discrimination based on actual or perceived sexual orientation or gender identity in public schools, and for other purposes.

S. 3401

At the request of Mr. BURR, the name of the Senator from Iowa (Mr. GRASSLEY) was added as a cosponsor of S. 3401, a bill to provide for the use of unobligated discretionary stimulus dollars to address AIDS Drug Assistance Program waiting lists and other cost containment measures impacting State ADAP programs.

S. 3434

At the request of Mr. BINGAMAN, the names of the Senator from New Jersey (Mr. LAUTENBERG), the Senator from New Jersey (Mr. MENENDEZ), and the Senator from Washington (Mrs. MURRAY) were added as cosponsors of S. 3434, a bill to provide for the establishment of a Home Star Retrofit Rebate Program, and for other purposes.

S. 3510

At the request of Mr. CONRAD, the name of the Senator from Texas (Mrs. HUTCHISON) was added as a cosponsor of S. 3510, a bill to amend the Internal Revenue Code of 1986 to permanently extend the 15-year recovery period for qualified leasehold improvement property, qualified restaurant property, and qualified retail improvement property.

S. 3572

At the request of Mrs. LINCOLN, the name of the Senator from Kansas (Mr. ROBERTS) was added as a cosponsor of S. 3572, a bill to require the Secretary of the Treasury to mint coins in commemoration of the 225th anniversary of the establishment of the Nation's first law enforcement agency, the United States Marshals Service.

S. 3578

At the request of Mr. JOHANNS, the name of the Senator from Texas (Mrs. HUTCHISON) was added as a cosponsor of S. 3578, a bill to repeal the expansion of information reporting requirements for payments of $600 or more to corporations, and for other purposes.

S. 3581

At the request of Mr. LUGAR, the names of the Senator from Arizona (Mr. MCCAIN) and the Senator from Arizona (Mr. KYL) were added as cosponsors of S. 3581, a bill to implement certain defense trade treaties.

S. 3617

At the request of Mr. BINGAMAN, the name of the Senator from Maine (Ms. COLLINS) was added as a cosponsor of S. 3617, a bill to amend the Internal Revenue Code of 1986 to provide for an energy investment credit for energy storage property connected to the grid, and for other purposes.

S. 3622

At the request of Mr. JOHANNS, the name of the Senator from New York (Mrs. GILLIBRAND) was added as a cosponsor of S. 3622, a bill to require the Administrator of the Environmental Protection Agency to finalize a proposed rule to amend the spill prevention, control, and countermeasure rule to tailor and streamline the requirements for the dairy industry, and for other purposes.

S. 3628

At the request of Mr. SCHUMER, the names of the Senator from Colorado (Mr. UDALL), the Senator from New Mexico (Mr. BINGAMAN), the Senator from New York (Mrs. GILLIBRAND), the Senator from Oregon (Mr. WYDEN) and the Senator from Vermont (Mr. LEAHY) were added as cosponsors of S. 3628, a bill to amend the Federal Election Campaign Act of 1971 to prohibit foreign influence in Federal elections, to prohibit government contractors from making expenditures with respect to such elections, and to establish additional disclosure requirements with respect to spending in such elections, and for other purposes.

S. 3643

At the request of Mr. MCCONNELL, the names of the Senator from Utah (Mr. BENNETT), the Senator from Wyoming (Mr. BARRASSO), the Senator from Texas (Mr. CORNYN) and the Senator from Mississippi (Mr. WICKER) were added as cosponsors of S. 3643, a bill to amend the Outer Continental Shelf Lands Act to reform the management of energy and mineral resources on the Outer Continental Shelf, to improve oil spill compensation, to terminate the moratorium on deepwater drilling, and for other purposes.

S. RES. 519

At the request of Mr. DEMINT, the name of the Senator from Wyoming (Mr. BARRASSO) was added as a cosponsor of S. Res. 519, a resolution expressing the sense of the Senate that the primary safeguard for the well-being and protection of children is the family, and that the primary safeguards for the legal rights of children in the United States are the Constitutions of the United States and the several States, and that, because the use of international treaties to govern policy in the United States on families and children is contrary to principles of self-government and federalism, and that, because the United Nations Convention on the Rights of the Child undermines traditional principles of law in the United States regarding parents and children, the President should not transmit the Convention to the Senate for its advice and consent.

S. RES. 586

At the request of Mr. FEINGOLD, the name of the Senator from Connecticut (Mr. DODD) was added as a cosponsor of S. Res. 586, a resolution supporting democracy, human rights, and civil liberties in Egypt.

AMENDMENT NO. 4471

At the request of Mr. CORNYN, the name of the Senator from Iowa (Mr. GRASSLEY) was added as a cosponsor of amendment No. 4471 intended to be proposed to H.R. 5297, an act to create the Small Business Lending Fund Program to direct the Secretary of the Treasury to make capital investments in eligible institutions in order to increase the availability of credit for small businesses, to amend the Internal Revenue Code of 1986 to provide tax incentives for small business job creation, and for other purposes.

AMENDMENT NO. 4476

At the request of Mrs. HUTCHISON, the names of the Senator from Georgia (Mr. ISAKSON) and the Senator from Massachusetts (Mr. KERRY) were added as cosponsors of amendment No. 4476 intended to be proposed to H.R. 5297, an act to create the Small Business Lending Fund Program to direct the Secretary of the Treasury to make capital investments in eligible institutions in order to increase the availability of credit for small businesses, to amend the Internal Revenue Code of 1986 to provide tax incentives for small business job creation, and for other purposes.

STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Mr. ROCKEFELLER (for himself and Mr. GOODWIN):

S. 3649. A bill to amend the Surface Mining Control and Reclamation Act of 1977 to provide for use of excess funds available under that Act to provide for certain benefits, and for other purposes; to the Committee on Energy and Natural Resources.

Mr. ROCKEFELLER. Mr. President, I rise today to introduce the Coalfield Accountability and Retired Employee Act of 2010, CARE Act. Senator GOODWIN joins me in introducing this important legislation. It is the first bill we have worked together on, and I look forward to many more as partners in the Senate fighting for West Virginians.

The CARE Act protects the pensions for over 100,000 mineworkers. It takes excess funds from the Abandoned Mine Land Reclamation Program and transfers that money to the United Mine Workers of America, UMWA, pension plan. These are AML funds that go unused and are not needed, according to the Office of Surface Mining Reclamation and Enforcement and the UMWA. So what our legislation does is put that money to good use, and protects the pensions of our hardworking mineworkers.

Congress needs to act because the UMWA pension fund is on the road to insolvency. It has been hit by the perfect storm—the recent financial crisis, the small number of active mineworkers who provide the funding base for the pension plan, and the large number of ''orphans'' who receive their pensions under the plan. These ''orphans'' are retired mineworkers for whom a company no longer makes contributions to the pension fund, typically because the company is out of business.

So Congress and the Federal Government have to act in order to make sure that the pensions of our mineworkers

are protected. Dating back to President Harry Truman, the Federal Government has assumed a responsibility to our mineworkers. In 1992, I was extremely proud to work on the passage of the COAL Act, where we recommitted to our miners. That bill allowed the transfer of interest accruing to the unappropriated balance of the Abandoned Mine Reclamation Fund to be used to provide health care for a large number of orphaned miners and their widows. This Federal commitment was once again affirmed in the 2006 amendments to the Abandoned Mine Reclamation Program which sought to again protect the health care plans of miners from insolvency.

Now, 18 years after passing the COAL Act, Senator GOODWIN and I are again renewing our commitment to the nation's miners with the CARE Act. This bill will protect the solvency of our miners' pension plans.

In West Virginia, we revere our miners—the men and women who put their lives on the line every single day to provide for their families and bring light and heat to millions. Their tenacity, their courage and their determination is an inspiration to us all. The work they do everyday provides nearly half of our nation with power to light and heat our homes. We should all thank them for the service they provide this country, and continue protecting our miners' retirement benefits going forward.

By Mr. WYDEN (for himself, Mr. AKAKA, Mr. VOINOVICH, Ms. COLLINS, Ms. LANDRIEU, and Mr. LIEBERMAN):

S. 3650. A bill to amend chapter 21 of title 5, United States Code, to provide that fathers of certain permanently disabled or deceased veterans shall be included with mothers of such veterans as preference eligibles for treatment in the civil service; to the Committee on Homeland Security and Governmental Affairs.

Mr. WYDEN. Mr. President, the wars in Iraq and Afghanistan are taking a huge toll on our servicemembers and their families. To date, 123 Oregonians have died in those wars, leaving behind grieving friends and families. I'll never forget the pain I've heard in the voices of the Oregon parents I've spoken to after they've lost a son or daughter to war.

These parents are often called ''Gold Star parents'' because, by tradition, they display a Gold Star flag to let the world know of their sacrifice.

Our nation can't lift the burden of their grief. No one can.

However, our nation does commit to recognize the immense sacrifice of Gold Star parents by giving them certain benefits. One of those benefits is a 10-point hiring preference for unmarried Gold Star mothers when they apply for jobs with the federal government.

But I was surprised to learn that this preference cannot be given to Gold Star fathers. This inequity is a relic from the past; an example of the law has not kept up with the times. We can now see that all unmarried Gold Star mothers and fathers deserve to have the federal government recognize their sacrifice equally. That is why I am introducing a bill to update the law.

I learned of this disparity from my friend Steve Ellis of Baker City, Oregon. Steve lost his beloved daughter, Army Corporal Jessica Ann Ellis, when she was killed by a roadside bomb in Baghdad in 2008. Although Steve is a Gold Star father, he would still not be eligible for the benefit under my proposed change because he is married. But he didn't point out this inequity in the law for his own benefit. He did it for future Gold Star fathers. He saw an inequity in the law, and felt it was his duty to try and get it fixed for other Gold Star fathers.

So today I introduce the Jessica Ann Ellis Gold Star Fathers Act as a small legislative fix that will make a big change to federal veterans' preference laws through true equality.

This bill will give any unmarried Gold Star parent, regardless of gender, a 10-point hiring preference when they apply for federal jobs. It will also give the benefit to any unmarried parent of a totally and permanently disabled servicemember.

Gold Star mothers and fathers deserve equal recognition for the loss of a child who bravely made the ultimate sacrifice for his or her country. The Jessica Ann Ellis Gold Star Fathers Act will give them that.

This bill is supported by the American Gold Star Mothers organization, and is cosponsored by Senator AKAKA, Senator VOINOVICH, Senator COLLINS, Senator LANDRIEU and Senator LIEBERMAN. I hope it can be passed quickly.

Mr. President, I ask unanimous consent that the text of the bill be printed in the RECORD.

There being no objection, the text of the bill was ordered to be printed in the RECORD, as follows:

S. 3650

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 ''Jessica Ann Ellis Gold Star Fathers Act of 2010''.

SEC. 2. PREFERENCE ELIGIBLE TREATMENT FOR FATHERS OF CERTAIN PERMANENTLY DISABLED OR DECEASED VETERANS.

Section 2108(3) of title 5, United States Code, is amended by striking subparagraphs (F) and (G) and inserting the following:

''(F) the parent of an individual who lost his or her life under honorable conditions while serving in the armed forces during a period named by paragraph (1)(A) of this section, if—

''(i) the spouse of that parent is totally and permanently disabled; or

''(ii) that parent, when preference is claimed, is unmarried or, if married, legally separated from his or her spouse;

''(G) the parent of a service-connected permanently and totally disabled veteran, if—

''(i) the spouse of that parent is totally and permanently disabled; or

''(ii) that parent, when preference is claimed, is unmarried or, if married, legally separated from his or her spouse; and''.

SEC. 3. EFFECTIVE DATE.

The amendment made by this Act shall take effect 90 days after the date of enactment of this Act.

AMENDMENTS SUBMITTED AND PROPOSED

SA 4514. Mr. MCCONNELL submitted an amendment intended to be proposed to amendment SA 4500 proposed by Mr. REID (for Mr. LEMIEUX (for himself, Ms. LANDRIEU, Mr. MERKLEY, Mrs. BOXER, Ms. CANTWELL, Ms. KLOBUCHAR, and Mrs. MURRAY)) to the amendment SA 4499 proposed by Mr. REID (for Mr. BAUCUS) to the bill H.R. 5297, to create the Small Business Lending Fund Program to direct the Secretary of the Treasury to make capital investments in eligible institutions in order to increase the availability of credit for small businesses, to amend the Internal Revenue Code of 1986 to provide tax incentives for small business job creation, and for other purposes; which was ordered to lie on the table.

SA 4515. Mr. JOHANNS submitted an amendment intended to be proposed to amendment SA 4500 proposed by Mr. REID (for Mr. LEMIEUX (for himself, Ms. LANDRIEU, Mr. MERKLEY, Mrs. BOXER, Ms. CANTWELL, Ms. KLOBUCHAR, and Mrs. MURRAY)) to the amendment SA 4499 proposed by Mr. REID (for Mr. BAUCUS) to the bill H.R. 5297, supra; which was ordered to lie on the table.

SA 4516. Mr. VITTER submitted an amendment intended to be proposed to amendment SA 4500 proposed by Mr. REID (for Mr. LEMIEUX (for himself, Ms. LANDRIEU, Mr. MERKLEY, Mrs. BOXER, Ms. CANTWELL, Ms. KLOBUCHAR, and Mrs. MURRAY)) to the amendment SA 4499 proposed by Mr. REID (for Mr. BAUCUS) to the bill H.R. 5297, supra; which was ordered to lie on the table.

SA 4517. Ms. MURKOWSKI submitted an amendment intended to be proposed to amendment SA 4500 proposed by Mr. REID (for Mr. LEMIEUX (for himself, Ms. LANDRIEU, Mr. MERKLEY, Mrs. BOXER, Ms. CANTWELL, Ms. KLOBUCHAR, and Mrs. MURRAY)) to the amendment SA 4499 proposed by Mr. REID (for Mr. BAUCUS) to the bill H.R. 5297, supra; which was ordered to lie on the table.

TEXT OF AMENDMENTS

SA 4514. Mr. MCCONNELL submitted an amendment intended to be proposed to amendment SA 4500 proposed by Mr. REID (for Mr. LEMIEUX (for himself, Ms. LANDRIEU, Mr. MERKLEY, Mrs. BOXER, Ms. CANTWELL, Ms. KLOBUCHAR, and Mrs. MURRAY)) to the amendment SA 4499 proposed by Mr. REID (for Mr. BAUCUS) to the bill H.R. 5297, to create the Small Business Lending Fund Program to direct the Secretary of the Treasury to make capital investments in eligible institutions in order to increase the availability of credit for small businesses, to amend the Internal Revenue Code of 1986 to provide tax incentives for small business job creation, and for other purposes; which was ordered to lie on the table; as follows:

At the end of the amendment, add the following:

DIVISION B—OIL SPILL RESPONSE IMPROVEMENT

SEC. 2001. SHORT TITLE.

This division may be cited as the ''Oil Spill Response Improvement Act of 2010''.

TITLE XXI—OUTER CONTINENTAL SHELF REFORM

SEC. 2101. PURPOSES.

The purposes of this title are—

(1) to rationalize and reform the responsibilities of the Secretary of the Interior with respect to the management of the outer Continental Shelf in order to improve the management, oversight, accountability, safety, and environmental protection of all the resources on the outer Continental Shelf;

(2) to provide independent development and enforcement of safety and environmental laws (including regulations) governing—

(A) energy development and mineral extraction activities on the outer Continental Shelf; and

(B) related offshore activities; and

(3) to ensure a fair return to the taxpayer from, and independent management of, royalty and revenue collection and disbursement activities from mineral and energy resources.

SEC. 2102. DEFINITIONS.

In this title:

(1) DEPARTMENT.—The term ''Department'' means the Department of the Interior.

(2) OUTER CONTINENTAL SHELF.—The term ''outer Continental Shelf'' has the meaning given the term in section 2 of the Outer Continental Shelf Lands Act (43 U.S.C. 1331).

(3) SECRETARY.—The term ''Secretary'' means the Secretary of the Interior.

SEC. 2103. NATIONAL POLICY FOR THE OUTER CONTINENTAL SHELF.

Section 3 of the Outer Continental Shelf Lands Act (43 U.S.C. 1332) is amended—

(1) by striking paragraph (3) and inserting the following:

''(3) the outer Continental Shelf is a vital national resource reserve held by the Federal Government for the public, which should be managed in a manner that—

''(A) recognizes the need of the United States for competitive domestic sources of energy, food, minerals, and other resources;

''(B) minimizes the potential impacts of development of those resources on the marine and coastal environment and on human health and safety; and

''(C) acknowledges the long-term economic value to the United States of the balanced, expeditious, and orderly management and production of those resources that safeguards the environment and respects the multiple values and uses of the outer Continental Shelf;'';

(2) in paragraph (4)(C), by striking the period at the end and inserting a semicolon;

(3) in paragraph (5), by striking ''; and'' and inserting a semicolon;

(4) by redesignating paragraph (6) as paragraph (7);

(5) by inserting after paragraph (5) the following:

''(6) exploration, development, and production of energy and minerals on the outer Continental Shelf should be allowed only when those activities can be accomplished in a manner that provides reasonable assurance of adequate protection against harm to life, health, the environment, property, or other users of the waters, seabed, or subsoil; and'';

and

(6) in paragraph (7) (as so redesignated)—

(A) by striking ''should be'' and inserting ''shall be''; and

(B) by adding ''best available commercial'' after ''using''.

SEC. 2104. STRUCTURAL REFORM OF OUTER CONTINENTAL SHELF PROGRAM MANAGEMENT.

(a) IN GENERAL.—The Outer Continental Shelf Lands Act (43 U.S.C. 1331 et seq.) is amended by adding to the end the following:

''SEC. 32. STRUCTURAL REFORM OF OUTER CONTINENTAL SHELF PROGRAM MANAGEMENT.

''(a) LEASING, PERMITTING, AND REGULATION BUREAUS.—

''(1) ESTABLISHMENT OF BUREAUS.—

''(A) IN GENERAL.—Subject to the discretion granted by Reorganization Plan Number 3 of 1950 (64 Stat. 1262; 43 U.S.C. 1451 note), the Secretary shall establish in the Department of the Interior not more than 2 bureaus to carry out the leasing, permitting, and safety and environmental regulatory functions vested in the Secretary by this Act and the Federal Oil and Gas Royalty Management Act of 1982 (30 U.S.C. 1701 et seq.) related to the outer Continental Shelf.

''(B) CONFLICTS OF INTEREST.—In establishing the bureaus under subparagraph (A), the Secretary shall ensure, to the maximum extent practicable, that any potential organizational conflicts of interest related to leasing, revenue creation, environmental protection, and safety are eliminated.

''(2) DIRECTOR.—Each bureau shall be headed by a Director, who shall be appointed by the President, by and with the advice and consent of the Senate.

''(3) COMPENSATION.—Each Director shall be compensated at the rate provided for level V of the Executive Schedule under section 5316 of title 5, United States Code.

''(4) QUALIFICATIONS.—Each Director shall be a person who, by reason of professional background and demonstrated ability and experience, is specially qualified to carry out the duties of the office.

''(b) ROYALTY AND REVENUE OFFICE.—

''(1) ESTABLISHMENT OF OFFICE.—Subject to the discretion granted by Reorganization Plan Number 3 of 1950 (64 Stat. 1262; 43 U.S.C. 1451 note), the Secretary shall establish in the Department of the Interior an office to carry out the royalty and revenue management functions vested in the Secretary by this Act and the Federal Oil and Gas Royalty Management Act of 1982 (30 U.S.C. 1701 et seq.).

''(2) DIRECTOR.—The office established under paragraph (1) shall be headed by a Director, who shall be appointed by the President, by and with the advice and consent of the Senate.

''(3) COMPENSATION.—The Director shall be compensated at the rate provided for level V of the Executive Schedule under section 5316 of title 5, United States Code.

''(4) QUALIFICATIONS.—The Director shall be a person who, by reason of professional background and demonstrated ability and experience, is specially qualified to carry out the duties of the office.

''(c) OCS SAFETY AND ENVIRONMENTAL ADVISORY BOARD.—

''(1) ESTABLISHMENT.—The Secretary shall establish, under the Federal Advisory Committee Act (5 U.S.C. App.), an Outer Continental Shelf Safety and Environmental Advisory Board (referred to in this subsection as the 'Board'), to provide the Secretary and the Directors of the bureaus established under this section with independent peer-reviewed scientific and technical advice on safe and environmentally compliant energy and mineral resource exploration, development, and production activities.

''(2) MEMBERSHIP.—

''(A) SIZE.—

''(i) IN GENERAL.—The Board shall consist of not more than 12 members, chosen to reflect a range of expertise in scientific, engineering, management, and other disciplines related to safe and environmentally compliant energy and mineral resource exploration, development, and production activities.

''(ii) CONSULTATION.—The Secretary shall consult with the National Academy of Sciences and the National Academy of Engineering to identify potential candidates for membership on the Board.

''(B) TERM.—The Secretary shall appoint Board members to staggered terms of not more than 4 years, and shall not appoint a member for more than 2 consecutive terms.

''(C) CHAIR.—The Secretary shall appoint the Chair for the Board.

''(3) MEETINGS.—The Board shall—

''(A) meet not less than 3 times per year; and

''(B) at least once per year, shall host a public forum to review and assess the overall safety and environmental performance of outer Continental Shelf energy and mineral resource activities.

''(4) REPORTS.—Reports of the Board shall—

''(A) be submitted to Congress; and

''(B) made available to the public in an electronically accessible form.

''(5) TRAVEL EXPENSES.—Members of the Board, other than full-time employees of the Federal Government, while attending a meeting of the Board or while otherwise serving at the request of the Secretary or the Director while serving away from their homes or regular places of business, may be allowed travel expenses, including per diem in lieu of subsistence, as authorized by section 5703 of title 5, United States Code, for individuals in the Federal Government serving without pay.

''(d) SPECIAL PERSONNEL AUTHORITIES.—

''(1) DIRECT HIRING AUTHORITY FOR CRITICAL PERSONNEL.—

''(A) IN GENERAL.—Notwithstanding sections 3104, 3304, and 3309 through 3318 of title 5, United States Code, the Secretary may, upon a determination that there is a severe shortage of candidates or a critical hiring need for particular positions, recruit and directly appoint highly qualified accountants, scientists, engineers, or critical technical personnel into the competitive service, as officers or employees of any of the organizational units established under this section.

''(B) REQUIREMENTS.—In exercising the authority granted under subparagraph (A), the Secretary shall ensure that any action taken by the Secretary—

''(i) is consistent with the merit principles of chapter 23 of title 5, United States Code; and

''(ii) complies with the public notice requirements of section 3327 of title 5, United States Code.

''(2) CRITICAL PAY AUTHORITY.—

''(A) IN GENERAL.—Notwithstanding section 5377 of title 5, United States Code, and without regard to the provisions of that title governing appointments in the competitive service or the Senior Executive Service and chapters 51 and 53 of that title (relating to classification and pay rates), the Secretary may establish, fix the compensation of, and appoint individuals to critical positions needed to carry out the functions of any of the organizational units established under this section, if the Secretary certifies that—

''(i) the positions—

''(I) require expertise of an extremely high level in a scientific or technical field; and

''(II) any of the organizational units established in this section would not successfully accomplish an important mission without such an individual; and

''(ii) exercise of the authority is necessary to recruit an individual exceptionally well qualified for the position.

''(B) LIMITATIONS.—The authority granted under subparagraph (A) shall be subject to the following conditions:

''(i) The number of critical positions authorized by subparagraph (A) may not exceed 40 at any 1 time in either of the bureaus established under this section.

''(ii) The term of an appointment under subparagraph (A) may not exceed 4 years.

''(iii) An individual appointed under subparagraph (A) may not have been an employee of the Department of the Interior during the 2-year period prior to the date of appointment.

''(iv) Total annual compensation for any individual appointed under subparagraph (A) may not exceed the highest total annual compensation payable at the rate determined under section 104 of title 3, United States Code.

''(v) An individual appointed under subparagraph (A) may not be considered to be an employee for purposes of subchapter II of chapter 75 of title 5, United States Code.

''(C) NOTIFICATION.—Each year, the Secretary shall submit to Congress a notification that lists each individual appointed under this paragraph.

''(3) REEMPLOYMENT OF CIVILIAN RETIREES.—

''(A) IN GENERAL.—Notwithstanding part 553 of title 5, Code of Federal Regulations (relating to reemployment of civilian retirees to meet exceptional employment needs), or successor regulations, the Secretary may approve the reemployment of an individual to a particular position without reduction or termination of annuity if the hiring of the individual is necessary to carry out a critical function of any of the organizational units established under this section for which suitably qualified candidates do not exist.

''(B) LIMITATIONS.—An annuitant hired with full salary and annuities under the authority granted by subparagraph (A)—

''(i) shall not be considered an employee for purposes of subchapter III of chapter 83 and chapter 84 of title 5, United States Code;

''(ii) may not elect to have retirement contributions withheld from the pay of the annuitant;

''(iii) may not use any employment under this paragraph as a basis for a supplemental or recomputed annuity; and

''(iv) may not participate in the Thrift Savings Plan under subchapter III of chapter 84 of title 5, United States Code.

''(C) LIMITATION ON TERM.—The term of employment of any individual hired under subparagraph (A) may not exceed an initial term of 2 years, with an additional 2-year appointment under exceptional circumstances.

''(e) CONTINUITY OF AUTHORITY.—Subject to the discretion granted by Reorganization Plan Number 3 of 1950 (64 Stat. 1262; 43 U.S.C. 1451 note), any reference in any law, rule, regulation, directive, or instruction, or certificate or other official document, in force immediately prior to the date of enactment of this section—

''(1) to the Minerals Management Service that pertains to any of the duties and authorities described in this section shall be deemed to refer and apply to the appropriate bureaus and offices established under this section;

''(2) to the Director of the Minerals Management Service that pertains to any of the duties and authorities described in this section shall be deemed to refer and apply to the Director of the bureau or office under this section to whom the Secretary has assigned the respective duty or authority; and

''(3) to any other position in the Minerals Management Service that pertains to any of the duties and authorities described in this section shall be deemed to refer and apply to that same or equivalent position in the appropriate bureau or office established under this section.''.

(b) CONFORMING AMENDMENT.—Section 5316 of title 5, United States Code, is amended by striking ''Director, Bureau of Mines, Department of the Interior'' and inserting the following:

''Bureau Directors, Department of the Interior (2).

''Director, Royalty and Revenue Office, Department of the Interior.''.

SEC. 2105. SAFETY, ENVIRONMENTAL, AND FINANCIAL REFORM OF THE OUTER CONTINENTAL SHELF LANDS ACT.

(a) DEFINITIONS.—Section 2 of the Outer Continental Shelf Lands Act (43 U.S.C. 1331) is amended by adding at the end the following:

''(r) SAFETY CASE.—The term 'safety case' means a complete set of safety documentation that provides a basis for determining whether a system is adequately safe for a given application in a given environment.''.

(b) ADMINISTRATION OF LEASING.—Section 5(a) of the Outer Continental Shelf Lands Act (43 U.S.C. 1334(a)) is amended in the second sentence—

(1) by striking ''The Secretary may at any time'' and inserting ''The Secretary shall''; and

(2) by inserting after ''provide for'' the following: ''operational safety, the protection of the marine and coastal environment,''.

(c) MAINTENANCE OF LEASES.—Section 6 of the Outer Continental Shelf Lands Act (43 U.S.C. 1335) is amended by adding at the end the following:

''(f) REVIEW OF BOND AND SURETY AMOUNTS.—Not later than May 1, 2011, and every 5 years thereafter, the Secretary shall—

''(1) review the minimum financial responsibility requirements for mineral leases under subsection (a)(11); and

''(2) adjust for inflation based on the Consumer Price Index for all Urban Consumers published by the Bureau of Labor Statistics of the Department of Labor, and recommend to Congress any further changes to existing financial responsibility requirements necessary to permit lessees to fulfill all obligations under this Act or the Oil Pollution Act of 1990 (33 U.S.C. 2701 et seq.).

''(g) PERIODIC FISCAL REVIEWS AND REPORTS.—

''(1) ROYALTY RATES.—

''(A) IN GENERAL.—Not later than 1 year after the date of enactment of this subsection and every 4 years thereafter, the Secretary shall carry out a review of, and prepare a report that describes—

''(i) the royalty and rental rates included in new offshore oil and gas leases and the rationale for the rates;

''(ii) whether, in the view of the Secretary, the royalty and rental rates described in subparagraph (A) would yield a fair return to the public while promoting the production of oil and gas resources in a timely manner; and

''(iii) whether, based on the review, the Secretary intends to modify the royalty or rental rates.

''(B) PUBLIC PARTICIPATION.—In carrying out a review and preparing a report under subparagraph (A), the Secretary shall provide to the public an opportunity to participate.

''(2) COMPARATIVE REVIEW OF FISCAL SYSTEM.—

''(A) IN GENERAL.—Not later than 1 year after the date of enactment of this subsection and every 4 years thereafter, the Secretary in consultation with the Secretary of the Treasury, shall carry out a comprehensive review of all components of the Federal offshore oil and gas fiscal system, including requirements and trends for bonus bids, rental rates, royalties, oil and gas taxes, income taxes, wage requirements, regulatory compliance costs, oil and gas fees, and other significant financial elements.

''(B) INCLUSIONS.—The review shall include—

''(i) information and analyses comparing the offshore bonus bids, rents, royalties, taxes, and fees of the Federal Government to the offshore bonus bids, rents, royalties, taxes, and fees of other resource owners (including States and foreign countries); and

''(ii) an assessment of the overall offshore oil and gas fiscal system in the United States, as compared to foreign countries.

''(C) INDEPENDENT ADVISORY COMMITTEE.—In carrying out a review under this paragraph, the Secretary shall convene and seek the advice of an independent advisory committee comprised of oil and gas and fiscal experts from States, Indian tribes, academia, the energy industry, and appropriate nongovernmental organizations.

''(D) REPORT.—The Secretary shall prepare a report that contains—

''(i) the contents and results of the review carried out under this paragraph for the period covered by the report; and

''(ii) any recommendations of the Secretary and the Secretary of the Treasury based on the contents and results of the review.

''(E) COMBINED REPORT.—The Secretary may combine the reports required by paragraphs (1) and (2)(D) into 1 report.

''(3) REPORT DEADLINE.—Not later than 30 days after the date on which the Secretary completes each report under this subsection, the Secretary shall submit copies of the report to—

''(A) the Committee on Energy and Natural Resources of the Senate;

''(B) the Committee on Finance of the Senate;

''(C) the Committee on Natural Resources of the House of Representatives; and

''(D) the Committee on Ways and Means of the House of Representatives.''.

(d) LEASES, EASEMENTS, AND RIGHTS-OF-WAY.—Section 8 of the Outer Continental Shelf Lands Act (43 U.S.C. 1337) is amended by striking subsection (d) and inserting the following:

''(d) DISQUALIFICATION FROM BIDDING.—No bid for a lease may be submitted by any entity that the Secretary finds, after prior public notice and opportunity for a hearing—

''(1) is not meeting due diligence, safety, or environmental requirements, constituting significant infractions, on other leases; or

''(2)(A) is a responsible party for a vessel or a facility from which oil is discharged, for purposes of section 1002 of the Oil Pollution Act of 1990 (33 U.S.C. 2702); and

''(B) has failed to meet the obligations of the responsible party under that Act to provide compensation for covered removal costs and damages.''.

(e) EXPLORATION PLANS.—Section 11 of the Outer Continental Shelf Lands Act (43 U.S.C. 1340) is amended—

(1) in subsection (c)—

(A) in the fourth sentence of paragraph (1), by striking ''within thirty days of its submission'' and inserting ''by the deadline described in paragraph (5)'';

(B) by striking paragraph (3) and inserting the following:

''(3) MINIMUM REQUIREMENTS.—

''(A) IN GENERAL.—An exploration plan submitted under this subsection shall include, in such degree of detail as the Secretary by regulation may require—

''(i) a complete description and schedule of the exploration activities to be undertaken;

''(ii) a description of the equipment to be used for the exploration activities, including—

''(I) a description of the drilling unit;

''(II) a statement of the design and condition of major safety-related pieces of equipment;

''(III) a description of any new technology to be used; and

''(IV) a statement demonstrating that the equipment to be used meets the best available commercial technology requirements under section 21(b);

''(iii) a map showing the location of each well to be drilled;

''(iv)(I) a scenario for the potential blowout of the well involving the highest expected volume of liquid hydrocarbons; and

''(II) a complete description of a response plan to control the blowout and manage the accompanying discharge of hydrocarbons, including—

''(aa) the technology and estimated timeline for regaining control of the well; and

''(bb) the strategy, organization, and resources to be used to avoid harm to the environment and human health from hydrocarbons; and

''(v) any other information determined to be relevant by the Secretary.

''(B) DEEPWATER WELLS.—

''(i) IN GENERAL.—Before conducting exploration activities in water depths greater than 500 feet, the holder of a lease shall submit to the Secretary for approval a deepwater operations plan prepared by the lessee in accordance with this subparagraph.

''(ii) TECHNOLOGY REQUIREMENTS.—A deepwater operations plan under this subparagraph shall be based on the best available commercial technology to ensure safety in carrying out the exploration activity and the blowout response plan.

''(iii) SYSTEMS ANALYSIS REQUIRED.—The Secretary shall not approve a deepwater operations plan under this subparagraph unless the plan includes a technical systems analysis of—

''(I) the safety of the proposed exploration activity;

''(II) the blowout prevention technology; and

''(III) the blowout and spill response plans.''; and

(C) by adding at the end the following:

''(5) DEADLINE FOR APPROVAL.—

''(A) IN GENERAL.—In the case of a lease issued under a sale held after March 17, 2010, the deadline for approval of an exploration plan referred to in the fourth sentence of paragraph (1) is—

''(i) the date that is 90 days after the date on which the plan or the modifications to the plan are submitted; or

''(ii) the date that is not later than an additional 180 days after the deadline described in clause (i), if the Secretary makes a finding that additional time is necessary to complete any environmental, safety, or other reviews.

''(B) EXISTING LEASES.—In the case of a lease issued under a sale held on or before March 17, 2010, the Secretary, with the consent of the holder of the lease, may extend the deadline applicable to the lease for such additional time as the Secretary determines is necessary to complete any environmental, safety, or other reviews.

''(C) EFFECT ON TERM OF LEASE.—In the case of any extension of the deadline for approval of an exploration plan under this Act, the additional time taken by the Secretary shall not be assessed against the term of the associated lease.'';

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

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

''(d) DRILLING PERMITS.—

''(1) IN GENERAL.—The Secretary shall, by regulation, require that any lessee operating under an approved exploration plan obtain a permit—

''(A) before the lessee drills a well in accordance with the plan; and

''(B) before the lessee significantly modifies the well design originally approved by the Secretary.

''(2) ENGINEERING REVIEW REQUIRED.—The Secretary may not grant any drilling permit until the date of completion of a full review of the well system by not less than 2 agency engineers, including a written determination that—

''(A) critical safety systems (including blowout prevention) will use best available commercial technology; and

''(B) blowout prevention systems will include redundancy and remote triggering capability.

''(3) MODIFICATION REVIEW REQUIRED.—The Secretary may not approve any modification of a permit without a determination, after an additional engineering review, that the modification will not compromise the safety of the well system previously approved.

''(4) OPERATOR SAFETY AND ENVIRONMENTAL MANAGEMENT REQUIRED.—The Secretary may not grant any drilling permit or modification of the permit until the date of completion and approval of a safety and environmental management plan that—

''(A) is to be used by the operator during all well operations; and

''(B) includes—

''(i) a description of the expertise and experience requirements of crew members who will be present on the rig; and

''(ii) designation of at least 2 environmental and safety managers that—

''(I) are or will be employees of the operator;

''(II) would be present on the rig at all times; and

''(III) have overall responsibility for the safety and environmental management of the well system and spill response plan; and

''(C) not later than May 1, 2012, requires that all employees on the rig meet the training and experience requirements under section 21(b)(4).

''(e) DISAPPROVAL OF EXPLORATION PLAN.—

''(1) IN GENERAL.—The Secretary shall disapprove an exploration plan submitted under this section if the Secretary determines that, because of exceptional geological conditions in the lease areas, exceptional resource values in the marine or coastal environment, or other exceptional circumstances, that—

''(A) implementation of the exploration plan would probably cause serious harm or damage to life (including fish and other aquatic life), property, mineral deposits, national security or defense, or the marine, coastal or human environments;

''(B) the threat of harm or damage would not disappear or decrease to an acceptable extent within a reasonable period of time; and

''(C) the advantages of disapproving the exploration plan outweigh the advantages of exploration.

''(2) COMPENSATION.—If an exploration plan is disapproved under this subsection, the provisions of subparagraphs (B) and (C) of section 25(h)(2) shall apply to the lease and the plan or any modified plan, except that the reference in section 25(h)(2) to a development and production plan shall be considered to be a reference to an exploration plan.''.

(f) OUTER CONTINENTAL SHELF LEASING PROGRAM.—Section 18 of the Outer Continental Shelf Lands Act (43 U.S.C. 1344) is amended—

(1) in subsection (a)—

(A) in the second sentence, by inserting after ''national energy needs'' the following: ''and the need for the protection of the marine and coastal environment and resources'';

(B) in paragraph (1), by striking ''considers'' and inserting ''gives equal consideration to''; and

(C) in paragraph (3), by striking '', to the maximum extent practicable,'';

(2) in subsection (b)—

(A) in paragraph (3), by striking ''and'' at the end;

(B) in paragraph (4), by striking the period at the end and inserting ''; and''; and

(C) by adding at the end the following:

''(5) provide technical review and oversight of the exploration plan and a systems review of the safety of the well design and other operational decisions;

''(6) conduct regular and thorough safety reviews and inspections, and;

''(7) enforce all applicable laws (including regulations).'';

(3) in the second sentence of subsection (d)(2), by inserting '', the head of an interested Federal agency,'' after ''Attorney General'';

(4) in the first sentence of subsection (g), by inserting before the period at the end the following: '', including existing inventories and mapping of marine resources previously undertaken by the Department of the Interior and the National Oceanic and Atmospheric Administration, information provided by the Department of Defense, and other available data regarding energy or mineral resource potential, navigation uses, fisheries, aquaculture uses, recreational uses, habitat, conservation, and military uses on the outer Continental Shelf''; and

(5) by adding at the end the following:

''(i) RESEARCH AND DEVELOPMENT.—

''(1) IN GENERAL.—The Secretary shall carry out a program of research and development to ensure the continued improvement of methodologies for characterizing resources of the outer Continental Shelf and conditions that may affect the ability to develop and use those resources in a safe, sound, and environmentally responsible manner.

''(2) INCLUSIONS.—Research and development activities carried out under paragraph (1) may include activities to provide accurate estimates of energy and mineral reserves and potential on the outer Continental Shelf and any activities that may assist in filling gaps in environmental data needed to develop each leasing program under this section.

''(3) LEASING ACTIVITIES.—Research and development activities carried out under paragraph (1) shall not be considered to be leasing or pre-leasing activities for purposes of this Act.''.

(g) ENVIRONMENTAL STUDIES.—Section 20 of the Outer Continental Shelf Lands Act (43 U.S.C. 1346) is amended—

(1) by redesignating subsections (a) through (f) as subsections (b) through (g), respectively;

(2) by inserting before subsection (b) (as so redesignated) the following:

''(a) COMPREHENSIVE AND INDEPENDENT STUDIES.—

''(1) IN GENERAL.—The Secretary shall develop and carry out programs for the collection, evaluation, assembly, analysis, and dissemination of environmental and other resource data that are relevant to carrying out the purposes of this Act.

''(2) SCOPE OF RESEARCH.—The programs under this subsection shall include—

''(A) the gathering of baseline data in areas before energy or mineral resource development activities occur;

''(B) ecosystem research and monitoring studies to support integrated resource management decisions; and

''(C) the improvement of scientific understanding of the fate, transport, and effects of discharges and spilled materials, including deep water hydrocarbon spills, in the marine environment.

''(3) USE OF DATA.—The Secretary shall ensure that information from the studies carried out under this section—

''(A) informs the management of energy and mineral resources on the outer Continental Shelf including any areas under consideration for oil and gas leasing; and

''(B) contributes to a broader coordination of energy and mineral resource development activities within the context of best available science.

''(4) INDEPENDENCE.—The Secretary shall create a program within the appropriate bureau established under section 32 that shall—

''(A) be programmatically separate and distinct from the leasing program;

''(B) carry out the environmental studies under this section;

''(C) conduct additional environmental studies relevant to the sound management of energy and mineral resources on the outer Continental Shelf;

''(D) provide for external scientific review of studies under this section, including through appropriate arrangements with the National Academy of Sciences; and

''(E) subject to the restrictions of subsections (g) and (h) of section 18, make available to the public studies conducted and data gathered under this section.''; and

(3) in the first sentence of subsection (b)(1) (as so redesignated), by inserting ''every 3 years'' after ''shall conduct''.

(h) SAFETY RESEARCH AND REGULATIONS.—Section 21 of the Outer Continental Shelf Lands Act (43 U.S.C. 1347) is amended—

(1) in the first sentence of subsection (a), by striking ''Upon the date of enactment of this section,'' and inserting ''Not later than May 1, 2011, and every 3 years thereafter,'';

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

''(b) BEST AVAILABLE TECHNOLOGIES AND PRACTICES.—

''(1) IN GENERAL.—In exercising respective responsibilities under this Act, the Secretary, and the Secretary of the Department in which the Coast Guard is operating, shall require, on all new drilling and production operations and, to the maximum extent practicable, on existing operations, the use of the best available and safest commercial technologies and practices, if the failure of equipment would have a significant effect on safety, health, or the environment.

''(2) IDENTIFICATION OF BEST AVAILABLE TECHNOLOGIES.—Not later than May 1, 2011, the Secretary shall identify and publish a list, to be updated and maintained to reflect technological advances, of best available commercial technologies for key areas of well design and operation, including blowout prevention and blowout and oil spill response.

''(3) SAFETY CASE.—Not later than May 1, 2011, the Secretary shall promulgate regulations requiring a safety case be submitted along with each new application for a permit to drill on the outer Continental Shelf.

''(4) EMPLOYEE TRAINING.—

''(A) IN GENERAL.—Not later than May 1, 2011, the Secretary shall promulgate regulations setting standards for training for all workers on offshore facilities (including mobile offshore drilling units) conducting energy and mineral resource exploration, development, and production operations on the outer Continental Shelf.

''(B) REQUIREMENTS.—The training standards under this paragraph shall require that employers of workers described in subparagraph (A)—

''(i) establish training programs approved by the Secretary; and

''(ii) demonstrate that employees involved in the offshore operations meet standards that demonstrate the aptitude of the employees in critical technical skills.

''(C) EXPERIENCE.—The training standards under this section shall require that any offshore worker with less than 5 years of applied experience in offshore facilities operations pass a certification requirement after receiving the appropriate training.

''(D) MONITORING TRAINING COURSES.—The Secretary shall ensure that Department employees responsible for inspecting offshore facilities monitor, observe, and report on training courses established under this paragraph, including attending a representative number of the training sessions, as determined by the Secretary.''; and

(3) by adding at the end the following:

''(g) TECHNOLOGY RESEARCH AND RISK ASSESSMENT PROGRAM.—

''(1) IN GENERAL.—The Secretary shall carry out a program of research, development, and risk assessment to address technology and development issues associated with outer Continental Shelf energy and mineral resource activities, with the primary purpose of informing the role of research, development, and risk assessment relating to safety, environmental protection, and spill response.

''(2) SPECIFIC AREAS OF FOCUS.—The program under this subsection shall include research, development, and other activities related to—

''(A) risk assessment, using all available data from safety and compliance records both within the United States and internationally;

''(B) analysis of industry trends in technology, investment, and interest in frontier areas;

''(C) analysis of incidents investigated under section 22;

''(D) reviews of best available commercial technologies, including technologies associated with pipelines, blowout preventer mechanisms, casing, well design, and other associated infrastructure related to offshore energy development;

''(E) oil spill response and mitigation;

''(F) risks associated with human factors; and

''(G) renewable energy operations.

''(3) INFORMATION SHARING ACTIVITIES.—

''(A) DOMESTIC ACTIVITIES.—The Secretary shall carry out programs to facilitate the exchange and dissemination of scientific and technical information and best practices related to the management of safety and environmental issues associated with energy and mineral resource exploration, development, and production.

''(B) INTERNATIONAL COOPERATION.—The Secretary shall carry out programs to cooperate with international organizations and foreign governments to share information and best practices related to the management of safety and environmental issues associated with energy and mineral resource exploration, development, and production.

''(4) REPORTS.—The program under this subsection shall provide to the Secretary, each Bureau Director under section 32, and the public quarterly reports that address—

''(A) developments in each of the areas under paragraph (2); and

''(B)(i) any accidents that have occurred in the past quarter; and

''(ii) appropriate responses to the accidents.

''(5) INDEPENDENCE.—The Secretary shall create a program within the appropriate bureau established under section 32 that shall—

''(A) be programmatically separate and distinct from the leasing program;

''(B) carry out the studies, analyses, and other activities under this subsection;

''(C) provide for external scientific review of studies under this section, including through appropriate arrangements with the National Academy of Sciences; and

''(D) make available to the public studies conducted and data gathered under this section.

''(6) USE OF DATA.—The Secretary shall ensure that the information from the studies and research carried out under this section inform the development of safety practices and regulations as required by this Act and other applicable laws.''.

(i) ENFORCEMENT.—Section 22 of the Outer Continental Shelf Lands Act (43 U.S.C. 1348) is amended—

(1) in subsection (d)—

(A) in paragraph (1)—

(i) in the first sentence, by inserting '', each loss of well control, blowout, activation of the shear rams, and other accident that presented a serious risk to human or environmental safety,'' after ''fire''; and

(ii) in the last sentence, by inserting ''as a condition of the lease'' before the period at the end;

(B) in the last sentence of paragraph (2), by inserting ''as a condition of lease'' before the period at the end;

(2) in subsection (e)—

(A) by striking ''(e) The'' and inserting the following:

''(e) REVIEW OF ALLEGED SAFETY VIOLATIONS.—

''(1) IN GENERAL.—The''; and

(B) by adding at the end the following:

''(2) INVESTIGATION.—The Secretary shall investigate any allegation from any employee of the lessee or any subcontractor of the lessee made under paragraph (1).''; and

(3) by adding at the end of the section the following:

''(g) INDEPENDENT INVESTIGATION.—

''(1) IN GENERAL.—At the request of the Secretary, the National Transportation Safety Board may conduct an independent investigation of any accident, occurring in the outer Continental Shelf and involving activities under this Act, that does not otherwise fall within the definition of an accident or major marine casualty, as those terms are used in chapter 11 of title 49, United States Code.

''(2) TRANSPORTATION ACCIDENT.—For purposes of an investigation under this subsection, the accident that is the subject of the request by the Secretary shall be determined to be a transportation accident within the meaning of that term in chapter 11 of title 49, United States Code.

''(h) INFORMATION ON CAUSES AND CORRECTIVE ACTIONS.—

''(1) IN GENERAL.—For each incident investigated under this section, the Secretary shall promptly make available to all lessees and the public technical information about the causes and corrective actions taken.

''(2) PUBLIC DATABASE.—All data and reports related to an incident described in paragraph (1) shall be maintained in a database that is available to the public.

''(i) INSPECTION FEE.—

''(1) IN GENERAL.—To the extent necessary to fund the inspections described in this paragraph, the Secretary shall collect a nonrefundable inspection fee, which shall be deposited in the Ocean Energy Enforcement Fund established under paragraph (3), from the designated operator for facilities subject to inspection under subsection (c).

''(2) ESTABLISHMENT.—The Secretary shall establish, by rule, inspection fees—

''(A) at an aggregate level equal to the amount necessary to offset the annual expenses of inspections of outer Continental Shelf facilities (including mobile offshore drilling units) by the Department of the Interior; and

''(B) using a schedule that reflects the differences in complexity among the classes of facilities to be inspected.

''(3) OCEAN ENERGY ENFORCEMENT FUND.—There is established in the Treasury a fund, to be known as the 'Ocean Energy Enforcement Fund' (referred to in this subsection as the 'Fund'), into which shall be deposited amounts collected under paragraph (1) and which shall be available as provided under paragraph (4).

''(4) AVAILABILITY OF FEES.—Notwithstanding section 3302 of title 31, United States Code, all amounts collected by the Secretary under this section—

''(A) shall be credited as offsetting collections;

''(B) shall be available for expenditure only for purposes of carrying out inspections of outer Continental Shelf facilities (including mobile offshore drilling units) and the administration of the inspection program;

''(C) shall be available only to the extent provided for in advance in an appropriations Act; and

''(D) shall remain available until expended.

''(5) ANNUAL REPORTS.—

''(A) IN GENERAL.—Not later than 60 days after the end of each fiscal year beginning with fiscal year 2011, the Secretary shall submit to the Committee on Energy and Natural Resources of the Senate and the Committee on Natural Resources of the House of Representatives a report on the operation of the Fund during the fiscal year.

''(B) CONTENTS.—Each report shall include, for the fiscal year covered by the report, the following:

''(i) A statement of the amounts deposited into the Fund.

''(ii) A description of the expenditures made from the Fund for the fiscal year, including the purpose of the expenditures.

''(iii) Recommendations for additional authorities to fulfill the purpose of the Fund.

''(iv) A statement of the balance remaining in the Fund at the end of the fiscal year.''.

(j) REMEDIES AND PENALTIES.—Section 24 of the Outer Continental Shelf Lands Act (43 U.S.C. 1350) is amended—

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

''(b) CIVIL PENALTY.—

''(1) IN GENERAL.—Subject to paragraphs (2) through (3), if any person fails to comply with this Act, any term of a lease or permit issued under this Act, or any regulation or order issued under this Act, the person shall be liable for a civil administrative penalty of not more than $75,000 for each day of continuance of each failure.

''(2) ADMINISTRATION.—The Secretary may assess, collect, and compromise any penalty under paragraph (1).

''(3) HEARING.—No penalty shall be assessed under this subsection until the person charged with a violation has been given the opportunity for a hearing.

''(4) ADJUSTMENT.—The penalty amount specified in this subsection shall increase each year to reflect any increases in the Consumer Price Index for All Urban Consumers published by the Bureau of Labor Statistics of the Department of Labor.'';

(2) in subsection (c)—

(A) in the first sentence, by striking ''$100,000'' and inserting ''$10,000,000''; and

(B) by adding at the end the following: ''The penalty amount specified in this subsection shall increase each year to reflect any increases in the Consumer Price Index for All Urban Consumers published by the Bureau of Labor Statistics of the Department of Labor.''; and

(3) in subsection (d), by inserting '', or with reckless disregard,'' after ''knowingly and willfully''.

(k) OIL AND GAS DEVELOPMENT AND PRODUCTION.—Section 25 of the Outer Continental Shelf Lands Act (43 U.S.C. 1351) is amended by striking '', other than the Gulf of Mexico,'' each place it appears in subsections (a)(1), (b), and (e)(1).

(l) CONFLICTS OF INTEREST.—Section 29 of the Outer Continental Shelf Lands Act (43 U.S.C. 1355) is amended to read as follows:

''SEC. 29. CONFLICTS OF INTEREST.

''(a) RESTRICTIONS ON EMPLOYMENT.—No full-time officer or employee of the Department of the Interior who directly or indirectly discharges duties or responsibilities under this Act shall—

''(1) within 2 years after his employment with the Department has ceased—

''(A) knowingly act as agent or attorney for, or otherwise represent, any other person (except the United States) in any formal or informal appearance before;

''(B) with the intent to influence, make any oral or written communication on behalf of any other person (except the United States) to; or

''(C) knowingly aid, advise, or assist in—

''(i) representing any other person (except the United States in any formal or informal appearance before; or

''(ii) making, with the intent to influence, any oral or written communication on behalf of any other person (except the United States) to,

any department, agency, or court of the United States, or any officer or employee thereof, in connection with any judicial or other proceeding, application, request for a ruling or other determination, regulation, order lease, permit, rulemaking, inspection, enforcement action, or other particular matter involving a specific party or parties in which the United States is a party or has a direct and substantial interest which was actually pending under his official responsibility as an officer or employee within a period of one year prior to the termination of such responsibility or in which he participated personally and substantially as an officer or employee;

''(2) within 1 year after his employment with the Department has ceased—

''(A) knowingly act as agent or attorney for, or otherwise represent, any other person (except the United States) in any formal or informal appearance before;

''(B) with the intent to influence, make any oral or written communication on behalf of any other person (except the United States) to; or

''(C) knowingly aid , advise, or assist in —

''(i) representing any other person (except the United States in any formal or informal appearance before, or

''(ii) making, with the intent to influence, any oral or written communication on behalf of any other person (except the United States) to,

the Department of the Interior, or any officer or employee thereof, in connection with any judicial, rulemaking, regulation, order, lease, permit, regulation, inspection, enforcement action, or other particular matter which is pending before the Department of the Interior or in which the Department has a direct and substantial interest; or

''(3) accept employment or compensation, during the 1-year period beginning on the date on which employment with the Department has ceased, from any person (other than the United States) that has a direct and substantial interest—

''(A) that was pending under the official responsibility of the employee as an officer or employee of the Department during the 1-year period preceding the termination of the responsibility; or

''(B) in which the employee participated personally and substantially as an officer or employee.

''(b) PRIOR EMPLOYMENT RELATIONSHIPS.—No full-time officer or employee of the Department of the Interior who directly or indirectly discharges duties or responsibilities under this Act shall participate personally and substantially as a Federal officer or employee, through decision, approval, disapproval, recommendation, the rendering of advice, investigation, or otherwise, in a proceeding, application, request for a ruling or other determination, contract, claim, controversy, charge, accusation, inspection, enforcement action, or other particular matter in which, to the knowledge of the officer or employee—

''(1) the officer or employee or the spouse, minor child, or general partner of the officer or employee has a financial interest;

''(2) any organization in which the officer or employee is serving as an officer, director, trustee, general partner, or employee has a financial interest;

''(3) any person or organization with whom the officer or employee is negotiating or has any arrangement concerning prospective employment has a financial interest; or

''(4) any person or organization in which the officer or employee has, within the preceding 1-year period, served as an officer, director, trustee, general partner, agent, attorney, consultant, contractor, or employee has a financial interest.

''(c) GIFTS FROM OUTSIDE SOURCES.—No full-time officer or employee of the Department of the Interior who directly or indirectly discharges duties or responsibilities under this Act shall, directly or indirectly, solicit or accept any gift in violation of subpart B of part 2635 of title V, Code of Federal Regulations (or successor regulations).

''(d) EXEMPTIONS.—The Secretary may, by rule, exempt from this section clerical and support personnel who do not conduct inspections, perform audits, or otherwise exercise regulatory or policy making authority under this Act.

''(e) PENALTIES.—

''(1) CRIMINAL PENALTIES.—Any person who violates paragraph (1) or (2) of subsection (a) or subsection (b) shall be punished in accordance with section 216 of title 18, United States Code.

''(2) CIVIL PENALTIES.—Any person who violates subsection (a)(3) or (c) shall be punished in accordance with subsection (b) of section 216 of title 18, United States Code.''.

SEC. 2106. STUDY ON THE EFFECT OF THE MORATORIA ON NEW DEEPWATER DRILLING IN THE GULF OF MEXICO ON EMPLOYMENT AND SMALL BUSINESSES.

(a) IN GENERAL.—The Secretary of Energy, acting through the Energy Information Administration, shall publish a monthly study evaluating the effect of the moratoria which followed from the blowout and explosion of the mobile offshore drilling unit *Deepwater Horizon* that occurred on April 20, 2010, and resulting hydrocarbon releases into the environment, on employment and small businesses.

(b) REPORT.—Not later than 60 days after the date of enactment of this Act and at the beginning of each month thereafter during the effective period of the moratoria described in subsection (a), the Secretary of Energy, acting through the Energy Information Administration, shall submit to the Committee on Energy and Natural Resources of the Senate and the Committee on Energy and Commerce of the House of Representatives a report regarding the results of the study conducted under subsection (a), including—

(1) a survey of the effect of the moratoria on deepwater drilling on employment in the industries directly involved in oil and natural gas exploration in the outer Continental Shelf;

(2) a survey of the effect of the moratoria on employment in the industries indirectly involved in oil and natural gas exploration in the outer Continental Shelf, including suppliers of supplies or services and customers of industries directly involved in oil and natural gas exploration;

(3) an estimate of the effect of the moratoria on the revenues of small business located near the Gulf of Mexico and, to the maximum extent practicable, throughout the United States; and

(4) any recommendations to mitigate possible negative effects on small business concerns resulting from the moratoria.

SEC. 2107. REFORM OF OTHER LAW.

Section 388(b) of the Energy Policy Act of 2005 (43 U.S.C. 1337 note; Public Law 109–58) is amended by adding at the end the following:

''(4) FEDERAL AGENCIES.—Any head of a Federal department or agency shall, on request of the Secretary, provide to the Secretary all data and information that the Secretary determines to be necessary for the purpose of including the data and information in the mapping initiative, except that no Federal department or agency shall be required to provide any data or information that is privileged or proprietary.''.

SEC. 2108. SAFER OIL AND GAS PRODUCTION.

(a) PROGRAM AUTHORITY.—Section 999A of the Energy Policy Act of 2005 (42 U.S.C. 16371) is amended—

(1) in subsection (a)—

(A) by striking ''ultra-deepwater'' and inserting ''deepwater''; and

(B) by inserting ''well control and accident prevention,'' after ''safe operations,'';

(2) in subsection (b)—

(A) by striking paragraph (1) and inserting the following:

''(1) Deepwater architecture, well control and accident prevention, and deepwater technology, including drilling to deep formations in waters greater than 500 feet.''; and

(B) by striking paragraph (4) and inserting the following:

''(4) Safety technology research and development for drilling activities aimed at well control and accident prevention performed by the Office of Fossil Energy of the Department.''; and

(3) in subsection (d)—

(A) in the subsection heading, by striking ''NATIONAL ENERGY TECHNOLOGY LABORATORY'' and inserting ''OFFICE OF FOSSIL ENERGY OF THE DEPARTMENT''; and

(B) by striking ''National Energy Technology Laboratory'' and inserting ''Office of Fossil Energy of the Department''.

(b) DEEPWATER AND UNCONVENTIONAL ONSHORE NATURAL GAS AND OTHER PETROLEUM RESEARCH AND DEVELOPMENT PROGRAM.—Section 999B of the Energy Policy Act of 2005 (42 U.S.C. 16372) is amended—

(1) in the section heading, by striking ''**ULTRA-DEEPWATER AND UNCONVENTIONAL ONSHORE NATURAL GAS AND OTHER PETROLEUM**'' and inserting ''**SAFE OIL AND GAS PRODUCTION AND ACCIDENT PREVENTION**'';

(2) in subsection (a), by striking '', by increasing'' and all that follows through the period at the end and inserting ''and the safe and environmentally responsible exploration, development, and production of hydrocarbon resources.'';

(3) in subsection (c)(1)—

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

(B) by inserting after subparagraph (C) the following:

''(D) projects will be selected on a competitive, peer-reviewed basis.''; and

(4) in subsection (d)—

(A) in paragraph (6), by striking ''ultra-deepwater'' and inserting ''deepwater'';

(B) in paragraph (7)—

(i) in subparagraph (A)—

(I) in the subparagraph heading, by striking ''ULTRA-DEEPWATER'' and inserting ''DEEPWATER'';

(II) by striking ''development and'' and inserting ''research, development, and''; and

(III) by striking ''as well as'' and all that follows through the period at the end and inserting ''aimed at improving operational safety of drilling activities, including well integrity systems, well control, blowout prevention, the use of non-toxic materials, and integrated systems approach-based management for exploration and production in deepwater.'';

(ii) in subparagraph (B), by striking ''and environmental mitigation'' and inserting ''use of non-toxic materials, drilling safety, and environmental mitigation and accident prevention'';

(iii) in subparagraph (C), by inserting ''safety and accident prevention, well control and systems integrity,'' after ''including''; and

(iv) by adding at the end the following:

''(D) SAFETY AND ACCIDENT PREVENTION TECHNOLOGY RESEARCH AND DEVELOPMENT.—Awards from allocations under section 999H(d)(4) shall be expended on areas including—

''(i) development of improved cementing and casing technologies;

''(ii) best management practices for cementing, casing, and other well control activities and technologies;

''(iii) development of integrity and stewardship guidelines for—

''(I) well-plugging and abandonment;

''(II) development of wellbore sealant technologies; and

''(III) improvement and standardization of blowout prevention devices.''; and

(C) by adding at the end the following:

''(8) STUDY; REPORT.—

''(A) STUDY.—As soon as practicable after the date of enactment of this paragraph, the Secretary shall enter into an arrangement with the National Academy of Sciences under which the Academy shall conduct a study to determine—

''(i) whether the benefits provided through each award under this subsection during calendar year 2011 have been maximized; and

''(ii) the new areas of research that could be carried out to meet the overall objectives of the program.

''(B) REPORT.—Not later than January 1, 2012, the Secretary shall submit to the appropriate committees of Congress a report that contains a description of the results of the study conducted under subparagraph (A).

''(C) OPTIONAL UPDATES.—The Secretary may update the report described in subparagraph (B) for the 5-year period beginning on the date described in that subparagraph and each 5-year period thereafter.'';

(5) in subsection (e)—

(A) in paragraph (2)—

(i) in the second sentence of subparagraph (A), by inserting ''to the Secretary for review'' after ''submit''; and

(ii) in the first sentence of subparagraph (B), by striking ''Ultra-Deepwater'' and all that follows through ''and such Advisory Committees'' and inserting ''Program Advisory Committee established under section 999D(a), and the Advisory Committee''; and

(B) by adding at the end the following:

''(6) RESEARCH FINDINGS AND RECOMMENDATIONS FOR IMPLEMENTATION.—The Secretary, in consultation with the Secretary of the Interior and the Administrator of the Environmental Protection Agency, shall publish in the Federal Register an annual report on the research findings of the program carried out under this section and any recommendations for implementation that the Secretary, in consultation with the Secretary of the Interior and the Administrator of the Environmental Protection Agency, determines to be necessary.'';

(6) in subsection (i)—

(A) in the subsection heading, by striking ''UNITED STATES GEOLOGICAL SURVEY'' and inserting ''DEPARTMENT OF THE INTERIOR''; and

(B) by striking '', through the United States Geological Survey,''; and

(7) in the first sentence of subsection (j), by striking ''National Energy Technology Laboratory'' and inserting ''Office of Fossil Energy of the Department''.

(c) ADDITIONAL REQUIREMENTS FOR AWARDS.—Section 999C(b) of the Energy Policy Act of 2005 (42 U.S.C. 16373(b)) is amended by striking ''an ultra-deepwater technology or an ultra-deepwater architecture'' and inserting ''a deepwater technology''.

(d) PROGRAM ADVISORY COMMITTEE.—Section 999D of the Energy Policy Act of 2005 (42 U.S.C. 16374) is amended to read as follows:

''SEC. 999D. PROGRAM ADVISORY COMMITTEE.

''(a) ESTABLISHMENT.—Not later than 270 days after the date of enactment of the Oil Spill Response Improvement Act of 2010, the Secretary shall establish an advisory committee to be known as the 'Program Advisory Committee' (referred to in this section as the 'Advisory Committee').

''(b) MEMBERSHIP.—

''(1) IN GENERAL.—The Advisory Committee shall be composed of members appointed by the Secretary, including—

''(A) individuals with extensive research experience or operational knowledge of hydrocarbon exploration and production;

''(B) individuals broadly representative of the affected interests in hydrocarbon production, including interests in environmental protection and safety operations;

''(C) representatives of Federal agencies, including the Environmental Protection Agency and the Department of the Interior;

''(D) State regulatory agency representatives; and

''(E) other individuals, as determined by the Secretary.

''(2) LIMITATIONS.—

''(A) IN GENERAL.—The Advisory Committee shall not include individuals who are board members, officers, or employees of the program consortium.

''(B) CATEGORICAL REPRESENTATION.—In appointing members of the Advisory Committee, the Secretary shall ensure that no class of individuals described in any of subparagraphs (A), (B), (D), or (E) of paragraph (1) comprises more than ⅓ of the membership of the Advisory Committee.

''(c) SUBCOMMITTEES.—The Advisory Committee may establish subcommittees for separate research programs carried out under this subtitle.

''(d) DUTIES.—The Advisory Committee shall—

''(1) advise the Secretary on the development and implementation of programs under this subtitle; and

''(2) carry out section 999B(e)(2)(B).

''(e) COMPENSATION.—A member of the Advisory Committee shall serve without compensation but shall be entitled to receive travel expenses in accordance with subchapter I of chapter 57 of title 5, United States Code.

''(f) PROHIBITION.—The Advisory Committee shall not make recommendations on funding awards to particular consortia or other entities, or for specific projects.''.

(e) DEFINITIONS.—Section 999G of the Energy Policy Act of 2005 (42 U.S.C. 16377) is amended—

(1) in paragraph (1), by striking ''200 but less than 1,500 meters'' and inserting ''500 feet'';

(2) by striking paragraphs (8), (9), and (10);

(3) by redesignating paragraphs (2) through (7) and (11) as paragraphs (4) through (9) and (10), respectively;

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

''(2) DEEPWATER ARCHITECTURE.—The term 'deepwater architecture' means the integration of technologies for the exploration for, or production of, natural gas or other petroleum resources located at deepwater depths.

''(3) DEEPWATER TECHNOLOGY.—The term 'deepwater technology' means a discrete technology that is specially suited to address 1 or more challenges associated with the exploration for, or production of, natural gas or other petroleum resources located at deepwater depths.''; and

(5) in paragraph (10) (as redesignated by paragraph (3)), by striking ''in an economically inaccessible geological formation, including resources of small producers''.

(f) FUNDING.—Section 999H of the Energy Policy Act of 2005 (42 U.S.C. 16378) is amended—

(1) in the first sentence of subsection (a) by striking ''Ultra-Deepwater and Unconventional Natural Gas and Other Petroleum Research Fund'' and inserting ''Safe and Responsible Energy Production Research Fund'';

(2) in subsection (d)—

(A) in paragraph (1), by striking ''35 percent'' and inserting ''21.5 percent'';

(B) in paragraph (2), by striking ''32.5 percent'' and inserting ''21 percent'';

(C) in paragraph (4)—

(i) by striking ''25 percent'' and inserting ''30 percent'';

(ii) by striking ''complementary research'' and inserting ''safety technology research and development''; and

(iii) by striking ''contract management,'' and all that follows through the period at the end and inserting ''and contract management.''; and

(D) by adding at the end the following:

''(5) 20 percent shall be used for research activities required under sections 20 and 21 of the Outer Continental Shelf Lands Act (43 U.S.C. 1346, 1347).''.

(3) in subsection (f), by striking ''Ultra-Deepwater and Unconventional Natural Gas and Other Petroleum Research Fund'' and inserting ''Safer Oil and Gas Production and Accident Prevention Research Fund''.

(g) CONFORMING AMENDMENT.—Subtitle J of title IX of the Energy Policy Act of 2005 (42 U.S.C. 16371 et seq.) is amended in the subtitle heading by striking ''**Ultra-Deepwater and Unconventional Natural Gas and Other Petroleum Resources**'' and inserting ''**Safer Oil and Gas Production and Accident Prevention**''.

SEC. 2109. NATIONAL COMMISSION ON OUTER CONTINENTAL SHELF OIL SPILL PREVENTION.

(a) ESTABLISHMENT.—There is established in the Legislative branch the National Commission on Outer Continental Shelf Oil Spill Prevention (referred to in this section as the ''Commission'').

(b) PURPOSES.—The purposes of the Commission are—

(1) to examine and report on the facts and causes relating to the Deepwater Horizon explosion and oil spill of 2010;

(2) to ascertain, evaluate, and report on the evidence developed by all relevant governmental agencies regarding the facts and circumstances surrounding the incident;

(3) to build upon the investigations of other entities, and avoid unnecessary duplication, by reviewing the findings, conclusions, and recommendations of—

(A) the Committees on Energy and Natural Resources and Commerce, Science, and Transportation of the Senate;

(B) the Committee on Natural Resources and the Subcommittee on Oversight and Investigations of the House of Representatives; and

(C) other Executive branch, congressional, or independent commission investigations into the Deepwater Horizon incident of 2010, other fatal oil platform accidents and major spills, and major oil spills generally;

(4) to make a full and complete accounting of the circumstances surrounding the incident, and the extent of the preparedness of the United States for, and immediate response of the United States to, the incident; and

(5) to investigate and report to the President and Congress findings, conclusions, and recommendations for corrective measures that may be taken to prevent similar incidents.

(c) COMPOSITION OF COMMISSION.—

(1) MEMBERS.—The Commission shall be composed of 10 members, of whom—

(A) 1 member shall be appointed by the President, who shall serve as Chairperson of the Commission;

(B) 1 member shall be appointed by the majority or minority (as the case may be) leader of the Senate from the Republican Party and the majority or minority (as the case may be) leader of the House of Representatives from the Republican Party, who shall serve as Vice Chairperson of the Commission;

(C) 2 members shall be appointed by the senior member of the leadership of the Senate from the Democratic Party;

(D) 2 members shall be appointed by the senior member of the leadership of the House of Representatives from the Republican Party;

(E) 2 members shall be appointed by the senior member of the leadership of the Senate from the Republican Party; and

(F) 2 members shall be appointed by the senior member of the leadership of the House of Representatives from the Democratic Party.

(2) QUALIFICATIONS; INITIAL MEETING.—

(A) POLITICAL PARTY AFFILIATION.—Not more than 5 members of the Commission shall be from the same political party.

(B) NONGOVERNMENTAL APPOINTEES.—An individual appointed to the Commission may not be a current officer or employee of the Federal Government or any State or local government.

(C) OTHER QUALIFICATIONS.—It is the sense of Congress that individuals appointed to the Commission should be prominent United States citizens, with national recognition and significant depth of experience and expertise in such areas as—

(i) engineering;

(ii) environmental compliance;

(iii) health and safety law (particularly oil spill legislation);

(iv) oil spill insurance policies;

(v) public administration;

(vi) oil and gas exploration and production;

(vii) environmental cleanup; and

(viii) fisheries and wildlife management.

(D) DEADLINE FOR APPOINTMENT.—All members of the Commission shall be appointed on or before September 15, 2010.

(E) INITIAL MEETING.—The Commission shall meet and begin the operations of the Commission as soon as practicable after the date of enactment of this Act.

(3) QUORUM; VACANCIES.—

(A) IN GENERAL.—After the initial meeting of the Commission, the Commission shall meet upon the call of the Chairperson or a majority of the members of the Commission.

(B) QUORUM.—6 members of the Commission shall constitute a quorum.

(C) VACANCIES.—Any vacancy in the Commission shall not affect the powers of the Commission, but shall be filled in the same manner in which the original appointment was made.

(d) FUNCTIONS OF COMMISSION.—

(1) IN GENERAL.—The functions of the Commission are—

(A) to conduct an investigation that—

(i) investigates relevant facts and circumstances relating to the Deepwater Horizon incident of April 20, 2010, and the associated oil spill thereafter, including any relevant legislation, Executive order, regulation, plan, policy, practice, or procedure; and

(ii) may include relevant facts and circumstances relating to—

(I) permitting agencies;

(II) environmental and worker safety law enforcement agencies;

(III) national energy requirements;

(IV) deepwater and ultradeepwater oil and gas exploration and development;

(V) regulatory specifications, testing, and requirements for offshore oil and gas well explosion prevention;

(VI) regulatory specifications, testing, and requirements offshore oil and gas well casing and cementing regulation;

(VII) the role of congressional oversight and resource allocation; and

(VIII) other areas of the public and private sectors determined to be relevant to the Deepwater Horizon incident by the Commission;

(B) to identify, review, and evaluate the lessons learned from the Deepwater Horizon incident of April 20, 2010, regarding the structure, coordination, management policies, and procedures of the Federal Government, and, if appropriate, State and local governments and nongovernmental entities, and the private sector, relative to detecting, preventing, and responding to those incidents; and

(C) to submit to the President and Congress such reports as are required under this section containing such findings, conclusions, and recommendations as the Commission determines to be appropriate, including proposals for organization, coordination, planning, management arrangements, procedures, rules, and regulations.

(2) RELATIONSHIP TO INQUIRY BY CONGRESSIONAL COMMITTEES.—In investigating facts and circumstances relating to energy policy, the Commission shall—

(A) first review the information compiled by, and any findings, conclusions, and recommendations of, the committees identified in subparagraphs (A) and (B) of subsection (b)(3); and

(B) after completion of that review, pursue any appropriate area of inquiry, if the Commission determines that—

(i) those committees have not investigated that area;

(ii) the investigation of that area by those committees has not been completed; or

(iii) new information not reviewed by the committees has become available with respect to that area.

(e) POWERS OF COMMISSION.—

(1) HEARINGS AND EVIDENCE.—The Commission or, on the authority of the Commission, any subcommittee or member of the Commission, may, for the purpose of carrying out this section—

(A) hold such hearings, meet and act at such times and places, take such testimony, receive such evidence, and administer such oaths; and

(B) require, by subpoena or otherwise, the attendance and testimony of such witnesses and the production of such books, records, correspondence, memoranda, papers, documents, tapes, and materials;
as the Commission or such subcommittee or member considers to be advisable.

(2) SUBPOENAS.—

(A) ISSUANCE.—

(i) IN GENERAL.—A subpoena may be issued under this paragraph only—

(I) by the agreement of the Chairperson and the Vice Chairperson; or

(II) by the affirmative vote of 6 members of the Commission.

(ii) SIGNATURE.—Subject to clause (i), a subpoena issued under this paragraph—

(I) shall bear the signature of the Chairperson or any member designated by a majority of the Commission;

(II) and may be served by any person or class of persons designated by the Chairperson or by a member designated by a majority of the Commission for that purpose.

(B) ENFORCEMENT.—

(i) IN GENERAL.—In the case of contumacy or failure to obey a subpoena issued under subparagraph (A), the United States district court for the district in which the subpoenaed person resides, is served, or may be found, or where the subpoena is returnable, may issue an order requiring the person to appear at any designated place to testify or to produce documentary or other evidence.

(ii) JUDICIAL ACTION FOR NONCOMPLIANCE.—Any failure to obey the order of the court may be punished by the court as a contempt of that court.

(iii) ADDITIONAL ENFORCEMENT.—In the case of any failure of any witness to comply with any subpoena or to testify when summoned under authority of this subsection, the Commission may, by majority vote, certify a statement of fact constituting such failure to the appropriate United States attorney, who may bring the matter before the grand jury for action, under the same statutory authority and procedures as if the United States attorney had received a certification under sections 102 through 104 of the Revised Statutes (2 U.S.C. 192 through 194).

(3) CONTRACTING.—The Commission may, to such extent and in such amounts as are provided in appropriation Acts, enter into contracts to enable the Commission to discharge the duties of the Commission under this section.

(4) INFORMATION FROM FEDERAL AGENCIES.—

(A) IN GENERAL.—The Commission may secure directly from any Executive department, bureau, agency, board, commission, office, independent establishment, or instrumentality of the Federal Government, information, suggestions, estimates, and statistics for the purposes of this section.

(B) COOPERATION.—Each Federal department, bureau, agency, board, commission, office, independent establishment, or instrumentality shall, to the extent authorized by law, furnish information, suggestions, estimates, and statistics directly to the Commission, upon request made by the Chairperson, the Chairperson of any subcommittee created by a majority of the Commission, or any member designated by a majority of the Commission.

(C) RECEIPT, HANDLING, STORAGE, AND DISSEMINATION.—Information shall be received, handled, stored, and disseminated only by members of the Commission and the staff of the Commission in accordance with all applicable laws (including regulations and Executive orders).

(5) ASSISTANCE FROM FEDERAL AGENCIES.—

(A) GENERAL SERVICES ADMINISTRATION.—The Administrator of General Services shall provide to the Commission on a reimbursable basis administrative support and other services for the performance of the functions of the Commission.

(B) OTHER DEPARTMENTS AND AGENCIES.—In addition to the assistance prescribed in subparagraph (A), departments and agencies of the United States may provide to the Commission such services, funds, facilities, staff, and other support services as are determined to be advisable and authorized by law.

(6) GIFTS.—The Commission may accept, use, and dispose of gifts or donations of services or property, including travel, for the direct advancement of the functions of the Commission.

(7) POSTAL SERVICES.—The Commission may use the United States mails in the same manner and under the same conditions as departments and agencies of the United States.

(f) PUBLIC MEETINGS AND HEARINGS.—

(1) PUBLIC MEETINGS AND RELEASE OF PUBLIC VERSIONS OF REPORTS.—The Commission shall—

(A) hold public hearings and meetings, to the extent appropriate; and

(B) release public versions of the reports required under paragraphs (1) and (2) of subsection (j).

(2) PUBLIC HEARINGS.—Any public hearings of the Commission shall be conducted in a manner consistent with the protection of proprietary or sensitive information provided to or developed for or by the Commission as required by any applicable law (including a regulation or Executive order).

(g) STAFF OF COMMISSION.—

(1) IN GENERAL.—

(A) APPOINTMENT AND COMPENSATION.—

(i) IN GENERAL.—The Chairperson, in consultation with the Vice Chairperson and in accordance with rules agreed upon by the Commission, may, without regard to the civil service laws (including regulations), appoint and fix the compensation of a staff director and such other personnel as are necessary to enable the Commission to carry out the functions of the Commission.

(ii) MAXIMUM RATE OF PAY.—No rate of pay fixed under this subparagraph may exceed the equivalent of that payable for a position at level V of the Executive Schedule under section 5316 of title 5, United States Code.

(B) PERSONNEL AS FEDERAL EMPLOYEES.—

(i) IN GENERAL.—The staff director and any personnel of the Commission who are employees shall be considered to be employees under section 2105 of title 5, United States Code, for purposes of chapters 63, 81, 83, 84, 85, 87, 89, and 90 of that title.

(ii) MEMBERS OF COMMISSION.—Clause (i) shall not apply to members of the Commission.

(2) DETAILEES.—

(A) IN GENERAL.—An employee of the Federal Government may be detailed to the Commission without reimbursement.

(B) CIVIL SERVICE STATUS.—The detail of the employee shall be without interruption or loss of civil service status or privilege.

(3) PROCUREMENT OF TEMPORARY AND INTERMITTENT SERVICES.—The Chairperson of the Commission may procure temporary and intermittent services in accordance with section 3109(b) of title 5, United States Code, at rates for individuals that do not exceed the daily equivalent of the annual rate of basic pay prescribed for level V of the Executive Schedule under section 5316 of that title.

(h) COMPENSATION AND TRAVEL EXPENSES.—

(1) COMPENSATION OF MEMBERS.—

(A) NON-FEDERAL EMPLOYEES.—A member of the Commission who is not an officer or employee of the Federal Government shall be compensated at a rate equal to the daily equivalent of the annual rate of basic pay prescribed for level IV of the Executive Schedule under section 5315 of title 5, United States Code, for each day (including travel time) during which the member is engaged in the performance of the duties of the Commission.

(B) FEDERAL EMPLOYEES.—A member of the Commission who is an officer or employee of the Federal Government shall serve without compensation in addition to the compensation received for the services of the member as an officer or employee of the Federal Government.

(2) TRAVEL EXPENSES.—A member of the Commission shall be allowed travel expenses, including per diem in lieu of subsistence, at rates authorized for an employee of an agency under subchapter I of chapter 57 of title 5, United States Code, while away from the home or regular place of business of the member in the performance of the duties of the Commission.

(i) SECURITY CLEARANCES FOR COMMISSION MEMBERS AND STAFF.—

(1) IN GENERAL.—Subject to paragraph (2), the appropriate Federal agencies or departments shall cooperate with the Commission in expeditiously providing to the members and staff of the Commission appropriate security clearances, to the maximum extent practicable, pursuant to existing procedures and requirements.

(2) PROPRIETARY INFORMATION.—No person shall be provided with access to proprietary information under this section without the appropriate security clearances.

(j) REPORTS OF COMMISSION; ADJOURNMENT.—

(1) INTERIM REPORTS.—The Commission may submit to the President and Congress interim reports containing such findings, conclusions, and recommendations for corrective measures as have been agreed to by a majority of members of the Commission.

(2) FINAL REPORT.—Not later than 180 days after the date of the enactment of this Act, the Commission shall submit to the President and Congress a final report containing such findings, conclusions, and recommendations for corrective measures as have been agreed to by a majority of members of the Commission.

(3) TEMPORARY ADJOURNMENT.—

(A) IN GENERAL.—The Commission, and all the authority provided under this section, shall adjourn and be suspended, respectively, on the date that is 60 days after the date on which the final report is submitted under paragraph (2).

(B) ADMINISTRATIVE ACTIVITIES BEFORE TERMINATION.—The Commission may use the 60-day period referred to in subparagraph (A) for the purpose of concluding activities of the Commission, including—

(i) providing testimony to committees of Congress concerning reports of the Commission; and

(ii) disseminating the final report submitted under paragraph (2).

(C) RECONVENING OF COMMISSION.—The Commission shall stand adjourned until such time as the President or the Secretary of Homeland Security declares an oil spill of national significance to have occurred, at which time—

(i) the Commission shall reconvene in accordance with subsection (c)(3); and

(ii) the authority of the Commission under this section shall be of full force and effect.

(k) FUNDING.—

(1) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated to carry out this section—

(A) $10,000,000 for the first fiscal year in which the Commission convenes; and

(B) $3,000,000 for each fiscal year thereafter in which the Commission convenes.

(2) AVAILABILITY.—Amounts made available to carry out this section shall be available—

(A) for transfer to the Commission for use in carrying out the functions and activities of the Commission under this section; and

(B) until the date on which the Commission adjourns for the fiscal year under subsection (j)(3).

(l) NONAPPLICABILITY OF FEDERAL ADVISORY COMMITTEE ACT.—The Federal Advisory Committee Act (5 U.S.C. App.) shall not apply to the Commission.

(m) CONFLICTS OF INTEREST FOR CERTAIN COMMISSION MEMBERS.—Notwithstanding any other provision of law, any member of a federally sponsored presidential commission that is a senior official in an organization that is engaged in legal action that is materially relevant to the work of the Commission shall be excluded from making recommendations to the President.

SEC. 2110. CLASSIFICATION OF OFFSHORE SYSTEMS.

(a) REGULATIONS.—

(1) IN GENERAL.—Not later than 2 years after the date of enactment of this Act, the Secretary and the Secretary of the Department in which the Coast Guard is operating shall jointly issue regulations requiring systems (including existing systems) used in the offshore exploration, development, and production of oil and gas in the outer Continental Shelf to be constructed, maintained, and operated so as to meet classification, certification, rating, and inspection standards that are necessary—

(A) to protect the health and safety of affiliated workers; and

(B) to prevent environmental degradation.

(2) THIRD-PARTY VERIFICATION.—The standards established by regulation under paragraph (1) shall be verified through certification and classification by independent third parties that—

(A) have been preapproved by both the Secretary and the Secretary of the Department in which the Coast Guard is operating; and

(B) have no financial conflict of interest in conducting the duties of the third parties.

(3) MINIMUM SYSTEMS COVERED.—At a minimum, the regulations issued under paragraph (1) shall require the certification and classification by an independent third party who meets the requirements of paragraph (2) of—

(A) mobile offshore drilling units;

(B) fixed and floating drilling or production facilities;

(C) drilling systems, including risers and blowout preventers; and

(D) any other equipment dedicated to the safety systems relating to offshore extraction and production of oil and gas.

(4) EXCEPTIONS.—The Secretary and the Secretary of the Department in which the Coast Guard is operating may waive the standards established by regulation under paragraph (1) for an existing system only if—

(A) the system is of an age or type where meeting such requirements is impractical; and

(B) the system poses an acceptably low level of risk to the environment and to human safety.

(b) AUTHORITY OF COAST GUARD.—Nothing in this section preempts or interferes with the authority of the Coast Guard.

SEC. 2111. SAVINGS PROVISIONS.

(a) EXISTING LAW.—All regulations, rules, standards, determinations, contracts and agreements, memoranda of understanding, certifications, authorizations, appointments, delegations, results and findings of investigations, or any other actions issued, made, or taken by, or pursuant to or under, the authority of any law (including regulations) that resulted in the assignment of functions or activities to the Secretary, the Director of the Minerals Management Service (including by delegation from the Secretary), or the Department (as related to the implementation of the purposes referenced in this title) that were in effect on the date of enactment of this Act shall continue in full force and effect after the date of enactment of this Act unless previously scheduled to expire or until otherwise modified or rescinded by this title or any other Act.

(b) EFFECT ON OTHER AUTHORITIES.—This title does not amend or alter the provisions of other applicable laws, unless otherwise noted.

SEC. 2112. BUDGETARY EFFECTS.

The budgetary effects of this Act, for the purpose of complying with the Statutory Pay-As-You-Go Act of 2010, shall be determined by reference to the latest statement titled ''Budgetary Effects of PAYGO Legislation'' for this Act, submitted for printing in the Congressional Record by the Chairman of the Senate Budget Committee, provided that such statement has been submitted prior to the vote on passage.

TITLE XXII—OIL SPILL COMPENSATION

Subtitle A—Oil Spill Liability

PART I—OIL POLLUTION ACT OF 1990

SEC. 2201. LIABILITY LIMITS.

(a) PRESIDENTIAL ESTABLISHMENT OF LIMITS.—Section 1004 of the Oil Pollution Act of 1990 (33 U.S.C. 2704) is amended by adding at the end the following:

''(e) LIMITS FOR STRICT LIABILITY.—

''(1) IN GENERAL.—For the purpose of subsection (a)(3), after a 60-day period of public notice and comment beginning on the date of enactment of this subsection, and from time to time thereafter, the President shall establish a set of limits for strict liability for damages for incidents occurring from offshore facilities (other than deepwater ports) covered by Outer Continental Shelf leases issued after the date of enactment of the Oil Spill Response Improvement Act of 2010.

''(2) REQUIREMENTS.—The limits for strict liability established under paragraph (1) shall—

''(A) take into account the availability of insurance products for offshore facilities; and

''(B) be otherwise based equally on and categorized by—

''(i) the water depth of the lease;

''(ii) the minimum projected well depth of the lease;

''(iii) the proximity of the lease to oil and gas emergency response equipment and infrastructure;

''(iv) the likelihood of the offshore facility covered by the lease to encounter broken sea ice;

''(v) the record and historical number of regulatory violations of the leaseholder under the Outer Continental Shelf Lands Act (43 U.S.C. 1331 et seq.) or the Federal Water Pollution Control Act (33 U.S.C. 1251 et seq.) (or the absence of such a record or violations);

''(vi) the estimated hydrocarbon reserves of the lease;

''(vii) the estimated well pressure, expressed in pounds per square inch, of the reservoir associated with the lease;

''(viii) the availability and projected availability, including through borrowing authority, of funds in the Oil Spill Liability Trust Fund established by section 9509 of the Internal Revenue Code of 1986;

''(ix) other available remedies under law;

''(x) the estimated economic value of nonenergy coastal resources that may be impacted by a spill of national significance involving the offshore facility covered by the lease;

''(xi) whether the offshore facility covered by the lease employs a subsea or surface blowout preventer stack; and

''(xii) the availability of industry payments under subsection (f).

''(3) PUBLIC LIABILITY INSURANCE.—In no case shall the strict liability limits under this subsection for the applicable offshore facility be less than the maximum amount of public liability insurance that is broadly available for related offshore environmental incidents.

''(f) LIABILITY OF INDUSTRY.—

''(1) IN GENERAL.—If an incident on the Outer Continental Shelf results in economic damages claims exceeding the maximum amount for strict liability for economic damages to be paid by the responsible party under subsection (a)(3), the claims in excess of the maximum amount for strict liability for economic damages under subsection (a)(3) shall be paid initially, in an amount not to exceed a total of $20,000,000,000, by all other entities operating offshore facilities on the Outer Continental Shelf on the date of the incident, as determined by the Secretary of the Interior, in accordance with paragraph (2).

''(2) PROPORTIONAL PAYMENT.—The amount of liability claims to be paid under paragraph (1) by an entity described in that paragraph shall be determined by the Secretary of the Interior based on the proportion that—

''(A) the number of offshore facilities operated by the entity on the Outer Continental Shelf; bears to

''(B) the total number of offshore facilities operated by all entities on the Outer Continental Shelf.

''(3) OIL SPILL LIABILITY TRUST FUND.—Economic damages that exceed the amounts available under subsection (a)(3) and paragraph (1) shall be paid from the Oil Spill Liability Trust Fund and amounts made available to the Fund under part II of the Oil Spill Response Improvement Act of 2010.''.

(b) CONFORMING AMENDMENTS.—

(1) LIMIT FOR OFFSHORE FACILITIES.—Section 1004(a) of the Oil Pollution Act of 1990 (33 U.S.C. 2704(a)) is amended—

(A) in paragraph (2), by striking ''.,'' and inserting a comma; and

(B) by striking paragraph (3) and inserting the following:

''(3) for an offshore facility (except a deepwater port) covered by an Outer Continental Shelf lease—

''(A) if the lease was issued prior to the date of enactment of the Oil Spill Response Improvement Act of 2010, the total of all removal costs plus $75,000,000; and

''(B) if the lease was issued on or after the date of enactment of the Oil Spill Response Improvement Act of 2010, the total of all removal costs plus the limit for strict liability for damages for that offshore facility established by the President under subsection (e); and''.

(2) EXCEPTIONS.—Section 6002(b) of the Oil Pollution Act of 1990 (33 U.S.C. 2752(b)) is amended in the first sentence by inserting ''1004(f),'' after ''sections''.

SEC. 2202. ADVANCE PAYMENT.

Section 1012 of the Oil Pollution Act of 1990 (33 U.S.C. 2712) is amended by adding at the end the following:

''(l) ADVANCE PAYMENTS.—The President shall promulgate regulations that allow advance payments to be made from the Fund to States and political subdivisions of States for actions taken to prepare for and mitigate substantial threats from the discharge of oil.''.

PART II—OIL SPILL LIABILITY TRUST FUND

SEC. 2211. RATE OF TAX FOR OIL SPILL LIABILITY TRUST FUND.

(a) IN GENERAL.—Section 4611 of the Internal Revenue Code of 1986 (relating to the imposition of tax) is amended—

(1) in subsection (c), by adding at the end the following new paragraph:

''(3) ADJUSTMENTS TO TEMPORARY SUSPENSION OF OIL SPILL LIABILITY TRUST FUND FINANCING RATE.—In the case of any calendar quarter in which the Secretary estimates that, as of the close of the previous quarter, the unobligated balance in the Oil Spill Liability Trust Fund is greater than $10,000,000,000, the Oil Spill Liability Trust Fund financing shall be 0 cents a barrel.''; and

(2) by striking subsection (f).

(b) EFFECTIVE DATE.—The amendments made by this section shall apply on and after the first day of the first calendar quarter after the date of enactment of this Act.

(c) NEW REVENUES TO THE OIL SPILL LIABILITY TRUST FUND.—Notwithstanding section 3302 of title 31, United States Code, the revenue resulting from any increase in the Oil Spill Liability Trust Fund financing rate under this section or the amendments made by this section shall—

(1) be credited only as offsetting collections for the Oil Spill Liability Trust Fund;

(2) be available for expenditure only for purposes of the Oil Spill Liability Trust Fund; and

(3) remain available until expended.

SEC. 2212. LIMITATIONS ON EXPENDITURES AND BORROWING AUTHORITY.

(a) LIMITATIONS ON EXPENDITURES.—Section 9509(c) of the Internal Revenue Code of 1986 (relating to expenditures from the Oil Spill Liability Trust Fund) is amended—

(1) by striking paragraph (2);

(2) by striking ''EXPENDITURES'' in the subsection heading and all that follows through ''Amounts in'' in paragraph (1) and inserting ''EXPENDITURES.—Amounts in''; and

(3) by redesignating subparagraphs (A) through (F) as paragraphs (1) through (6), respectively, and indenting appropriately.

(b) AUTHORITY TO BORROW.—Section 9509(d) of the Internal Revenue Code of 1986 (relating to authority to borrow from the Oil Spill Liability Trust Fund) is amended—

(1) in paragraph (2), by striking ''$1,000,000,000'' and inserting ''$10,000,000,000''; and

(2) in paragraph (3)—

(A) by striking subparagraph (B); and

(B) by redesignating subparagraph (C) as subparagraph (B).

Subtitle B—Federal Oil Spill Research

SEC. 2221. DEFINITIONS.

In this subtitle:

(1) COMMANDANT.—The term ''Commandant'' means the Commandant of the Coast Guard.

(2) PROGRAM.—The term ''program'' means the program for oil spill response established pursuant to section 2230.

SEC. 2222. FEDERAL OIL SPILL RESEARCH.

(a) IN GENERAL.—Title VII of the Oil Pollution Act of 1990 is amended—

(1) by inserting before section 7001 (33 U.S.C. 2761) the following:

''SEC. 7000. DEFINITIONS.

''In this title:

''(1) ASSESSMENT.—The term 'assessment' means the research assessment on the status of the oil spill prevention and response capabilities conducted under section 7004.

''(2) COMMITTEE.—The term 'Committee' means the Interagency Committee established under section 7001.

''(3) PLAN.—The term 'plan' means the Federal oil spill research plan developed under section 7005.

''(4) PROGRAM.—The term 'program' means the Federal oil spill research program established under section 7003.'';

(2) by redesignating section 7002 (33 U.S.C. 2762) as section 7009;

(3) in section 7001 (33 U.S.C. 2761), by striking subsections (b) through (e) and inserting the following:

''(b) REGIONAL SUBCOMMITTEES.—

''(1) IN GENERAL.—The Committee shall establish—

''(A) a regional subcommittee for each of the Gulf of Mexico and Arctic regions of the United States; and

''(B) such other regional subcommittees as the Committee determines to be necessary.

''(2) COORDINATION.—In accordance with the program, each regional subcommittee established under this subsection shall coordinate with the Committee and other relevant State, national, and international bodies with expertise in the region to research and develop technologies for use in the prevention, detection, recovery, mitigation, and evaluation of effects of incidents in the regional environment.''; and

(4) by inserting after section 7001 (33 U.S.C. 2761) the following:

''SEC. 7002. FUNCTIONS OF THE COMMITTEE.

''The Committee shall—

''(1) coordinate a comprehensive Federal oil spill research and development program in accordance with section 7003 to coordinate oil pollution research, technology development, and demonstration among the Federal agencies, in cooperation and coordination with industry, institutions of higher education, research institutions, State and tribal governments, and other relevant stakeholders;

''(2) conduct a research assessment on the status of the oil spill prevention and response capabilities in accordance with section 7004; and

''(3) develop a Federal oil spill research plan in accordance with section 7005.

''SEC. 7003. FEDERAL OIL SPILL RESEARCH PROGRAM.

''(a) IN GENERAL.—The Committee shall establish a program for conducting oil pollution research, development, and demonstration.

''(b) PROGRAM ELEMENTS.—The program established under subsection (a) shall provide for research, development, and demonstration technologies, practices, and procedures that provide for effective and direct response to prevent, detect, recover, or mitigate oil discharges, including—

''(1) new technologies to detect accidental or intentional overboard oil discharges;

''(2) models and monitoring capabilities to predict the transport and fate of oil, including trajectory and behavior predictions due to location, weather patterns, hydrographic data, and water conditions, including Arctic sea ice environments;

''(3) containment and well-control capabilities, including drilling of relief wells, containment structures, and injection technologies;

''(4) response capabilities, such as improved dispersants, biological treatment methods, booms, oil skimmers, containment vessels, and offshore and onshore storage capacity;

''(5) research and training, in coordination with the National Response Team, to improve the removal of oil discharge quickly and effectively;

''(6) decision support systems for contingency planning and response;

''(7) improvement of options for oily or oiled waste dispersal;

''(8) technologies, methods, and standards for use in protecting personnel and for volunteers that may participate in incident responses, including—

''(A) training;

''(B) adequate supervision;

''(C) protective equipment;

''(D) maximum exposure limits; and

''(E) decontamination procedures; and

''(9) technologies and methods to prevent, detect, recover, and mitigate oil discharges in polar environments.

''(c) STUDY OF ENVIRONMENTAL EFFECTS OF RESPONSE TECHNIQUES.—Notwithstanding any other provision of law, the Coast Guard shall conduct reasonable environmental studies of oil discharge prevention or mitigation technologies, including the use of small quantities of oil for testing of in situ burning, chemical dispersants, and herding agents, upon and within navigable waters of the United States, if the Coast Guard, in consultation with the Committee, determines that the information to be obtained cannot be adequately obtained through a laboratory or simulated experiment.

''SEC. 7004. FEDERAL RESEARCH ASSESSMENT.

''Not later than 1 year after the date of enactment of Oil Spill Response Improvement Act of 2010, the Committee shall submit to Congress an assessment of the status of oil spill prevention and response capabilities that—

''(1) identifies research programs conducted and technologies developed by governments, institutions of higher education, and industry;

''(2) assesses the status of knowledge on oil pollution prevention, response, and mitigation technologies;

''(3) identifies regional oil pollution research needs and priorities for a coordinated program of research at the regional level developed in consultation with State, local, and tribal governments;

''(4) assesses the status of spill response equipment and determines areas in need of improvement, including quantity, age, quality, effectiveness, or necessary technological improvements;

''(5) assesses the status of real-time data available to mariners, researchers, and responders, including weather, hydrographic, and water condition data, and the impact of incomplete and inaccessible data on preventing, detecting, or mitigating oil discharges; and

''(6) is subject to a 90-day public comment period and addresses suggestions received and incorporates public input received, as appropriate.

''SEC. 7005. FEDERAL INTERAGENCY RESEARCH PLAN.

''(a) IN GENERAL.—

''(1) PLAN.—Not later than 60 days after the date on which the President submits to Congress, pursuant to section 1105 of title 31, United States Code, a budget for fiscal year 2012, and for each fiscal year thereafter, the Committee shall submit to Congress a plan that establishes the priorities for Federal oil spill research and development.

''(2) RECOMMENDATIONS.—In the development of the plan, the Committee shall consider recommendations by the National Academy of Sciences and information from State, local, and tribal governments.

''(b) PLAN REQUIREMENTS.—The plan shall—

''(1) make recommendations to improve technologies and practices to prevent oil spills;

''(2) suggest changes to the program to improve the rates of oil recovery and spill mitigation;

''(3) make recommendations to improve technologies, practices, and procedures to provide for effective and direct response to oil spills;

''(4) make recommendations to improve the quality of real-time data available to mariners, researchers, and responders; and

''(5) be subject to a 90-day public comment period and address suggestions received and incorporate public input received, as appropriate.

"SEC. 7006. EXTRAMURAL GRANTS.

''(a) IN GENERAL.—In carrying out the program, the Committee shall—

''(1) award competitive grants to institutions of higher education or other research institutions to carry out projects—

''(A) to advance research and development; and

''(B) to demonstrate technologies for preventing, detecting, or mitigating oil discharges that are relevant to the goals and priorities of the plan; and

''(2) incorporate a competitive, merit-based process for awarding grants that may be conducted jointly with other participating agencies.

''(b) REGIONAL RESEARCH PROGRAM.—

''(1) DEFINITION OF REGION.—In this subsection, the term 'region' means a Coast Guard district as described in part 3 of subchapter A of chapter I of title 33, Code of Federal Regulations (1989).

''(2) PROGRAM.—Consistent with the program, the Committee shall coordinate the provision of competitive grants to institutions of higher education or other research institutions (or groups of those institutions) for the purpose of conducting a coordinated research program relating to the aspects of oil pollution with respect to each region, including research on such matters as—

''(A) prevention;

''(B) removal mitigation; and

''(C) the effects of discharged oil on regional environments.

''(3) PUBLICATION.—

''(A) IN GENERAL.—The Committee shall coordinate the publication by the agencies represented on the Committee of a solicitation for grants under this subsection.

''(B) FORM AND CONTENT.—The application for a grant under this subsection shall be in such form and contain such information as shall be required in the published solicitation.

''(C) REVIEW OF APPLICATIONS.—Each application for a grant under this subsection shall be—

''(i) reviewed by the Committee; and

''(ii) at the option of the Committee, included among applications recommended by the Committee for approval in accordance with paragraph (5).

''(D) PROVISION OF GRANTS.—

''(i) IN GENERAL.—A granting agency represented on the Committee shall provide the grants recommended by the Committee unless the granting agency—

''(I) decides not to provide the grant due to budgetary or other compelling considerations; and

''(II) publishes in the Federal Register the reasons for such a determination.

''(ii) FUNDS FOR GRANTS.—No grants may be provided by any agency under this subsection from any funds authorized to carry out this paragraph unless the grant award has first been recommended by the Committee under subparagraph (C)(ii).

''(4) ELIGIBLE APPLICANTS.—

''(A) IN GENERAL.—Any institution of higher education or other research institution (or a group of those institutions) may apply for a grant for the regional research program established under this subsection.

''(B) LOCATION OF APPLICANT.—An applicant described in subparagraph (A) shall be located in the region, or in a State a part of which is in the region, for which the project covered by the grant application is proposed to be carried out as part of the regional research program.

''(C) GROUP APPLICATIONS.—With respect to an application described in subparagraph (A) from a group of institutions referred to in that subparagraph, the 1 or more entities that will carry out the substantial portion of the proposed project covered by the grant shall be located in the region, or in a State a part of which is in the region, for which the project is proposed as part of the regional research program.

''(5) RECOMMENDATIONS.—

''(A) IN GENERAL.—The Committee shall make recommendations on grants in such a manner as to ensure an appropriate balance within a region among the various aspects of oil pollution research, including—

''(i) prevention;

''(ii) removal;

''(iii) mitigation; and

''(iv) the effects of discharged oil on regional environments.

''(B) ADDITIONAL CRITERIA.—In addition to the requirements described in subparagraph (A), the Committee shall make recommendations for the approval of grants based on whether—

''(i) there are available to the applicant for use in carrying out this paragraph demonstrated research resources;

''(ii) the applicant demonstrates the capability of making a significant contribution to regional research needs; and

''(iii) the projects that the applicant proposes to carry out under the grant—

''(I) are consistent with the plan under section 7005; and

''(II) would further the objectives of the program established under section 7003.

''(6) TERM OF GRANTS; REVIEW; COST-SHARING.—A grant provided under this subsection shall—

''(A) be for a period of up to 3 years;

''(B) be subject to annual review by the granting agency; and

''(C) provide not more than 80 percent of the costs of the research activities carried out in connection with the grant.

''(7) PROHIBITION ON USE OF GRANT FUNDS.—No funds made available to carry out this subsection may be used for—

''(A) the acquisition of real property (including buildings); or

''(B) the construction of any building.

''(8) EFFECT ON OTHER AUTHORITY.—Nothing in this paragraph alters or abridges the authority under existing law of any Federal agency to provide grants, or enter into contracts or cooperative agreements, using funds other than those authorized in this Act for the purpose of carrying out this subsection.

''(9) FUNDING.—

''(A) IN GENERAL.—Except as provided in subparagraph (B), for each of fiscal years 2011 through 2015, not less than $32,000,000 of amounts in the Fund shall be available to carry out the regional research program under this subsection, to be available in equal amounts for the regional research program in each region.

''(B) ADDITIONAL GRANTS.—If the agencies represented on the Committee determine that regional research needs exist that cannot be addressed by the amount of funds made available under subparagraph (A), the agencies may use authority under subsection (a) to make additional grants to meet those needs.

"SEC. 7007. ANNUAL REPORT.

''Concurrent with the submission of the Federal interagency research plan pursuant to section 7005, the Committee shall submit to Congress an annual report that describes the activities and results of the program during the previous fiscal year and described the objectives of the program for the next fiscal year.

"SEC. 7008. FUNDING.

''(a) IN GENERAL.—Of the amounts in the Fund for each fiscal year, not more than $50,000,000 shall be available to carry out this section (other than section 7006(b)) for the fiscal year.

''(b) APPROPRIATIONS.—All activities authorized under this title, including under section 7006(b), shall be subject to the availability of appropriations.''.

SEC. 2223. NATIONAL ACADEMY OF SCIENCE PARTICIPATION.

The Commandant shall enter into an arrangement with the National Academy of Sciences under which the Academy shall—

(1) not later than 1 year after the date of enactment of this Act, assess and evaluate the status of Federal oil spill research and development as of the day before the date of enactment of this Act;

(2) submit to Congress and the Federal Oil Spill Research Committee established under section 7002 of the Oil Pollution Act of 1990 a report evaluating the conclusions and recommendations from the Federal research assessment under section 7004 of that Act to be used in the development of the Federal oil spill research plan under section 7005 of that Act; and

(3) not later than 1 year after the Federal interagency research plan is submitted to Congress under section 7005 of that Act, evaluate, and report to Congress on, the plan.

SEC. 2224. TECHNICAL AND CONFORMING AMENDMENTS.

(a) USE OF FUNDS.—Section 1012(a)(5)(A) of the Oil Pollution Act of 1990 (33 U.S.C. 2712(a)(5)(A)) is amended by striking ''$25,000,000'' and inserting ''$50,000,000''.

(b) TABLE OF CONTENTS.—The table of contents in section 2 of the Oil Pollution Act of 1990 (33 U.S.C. prec. 2701) is amended by striking the items relating to sections 7001 and 7002 and inserting the following:

''Sec. 7000. Definitions.
''Sec. 7001. Oil pollution research and development program.
''Sec. 7002. Functions of the Committee.
''Sec. 7003. Federal oil spill research program.
''Sec. 7004. Federal research assessment.
''Sec. 7005. Federal interagency research plan.
''Sec. 7006. Extramural grants.
''Sec. 7007. Annual report.
''Sec. 7008. Funding.
''Sec. 7009. Submerged oil program.''.

SEC. 2225. OIL SPILL RESPONSE AUTHORITY.

Notwithstanding any other provision of law, the Incident Commander of the Coast Guard may authorize the use of dispersants in response to a spill of oil from—

(1) any facility or vessel located in, on, or under any of the navigable waters of the United States; and

(2) any facility of any kind that is subject to the jurisdiction of the United States and that is located in, on, or under any other waters.

SEC. 2226. MARITIME CENTER OF EXPERTISE.

(a) IN GENERAL.—The Commandant shall establish a Maritime Center of Expertise for Maritime Oil Spill and Hazardous Substance Release Response.

(b) DUTIES.—The Center shall—

(1) serve as the primary Federal facility for Coast Guard personnel to obtain qualifications to perform the duties of a regional response team cochair, a Federal on-scene coordinator, or a Federal on-scene coordinator representative;

(2) train Federal, State, and local first responders in the incident command system structure, maritime oil spill and hazardous substance release response techniques and strategies, and public affairs;

(3) work with academic and private sector response training centers to develop and standardize maritime oil spill and hazardous substance release response training and techniques;

(4) conduct research, development, testing, and demonstration for maritime oil spill and

hazardous substance release response equipment, technologies, and techniques to prevent or mitigate maritime oil discharges and hazardous substance releases;

(5) maintain not less than 2 incident management and assistance teams, 1 of which shall be ready to deploy anywhere in the continental United States within 24 hours after an incident or event;

(6) conduct marine environmental response standardization visits with Coast Guard Federal on-scene coordinators;

(7) administer and coordinate Coast Guard participation in the National Preparedness for Response Exercise Program; and

(8) establish and maintain Coast Guard marine environmental response doctrine.

SEC. 2227. NATIONAL STRIKE FORCE.

(a) IN GENERAL.—The Commandant shall maintain a National Strike Force to facilitate preparedness for and response to maritime oil spill and hazardous substance release incidents.

(b) COMPOSITION.—The National Strike Force—

(1) shall consist of—

(A) a National Strike Force Coordination Center;

(B) strike force teams, including—

(i) 1 team for the Atlantic Ocean;

(ii) 1 team for the Pacific Ocean; and

(iii) 1 team for the Gulf of Mexico; and

(C) a public information assist team; and

(2) may include, on the direction of the Commandant, 1 or more teams for the northwest Pacific Ocean and the Arctic Ocean.

(c) NATIONAL STRIKE FORCE COORDINATION CENTER DUTIES.—The National Strike Force Coordination Center shall—

(1) provide support and standardization guidance to the regional strike teams;

(2) maintain a response resource inventory of maritime oil spill and hazardous substance release response, marine salvage, and marine firefighting equipment maintained by certified oil spill response organizations as well as equipment listed in a vessel or facility oil spill response plan, as required by section 311(j) of the Federal Water Pollution Control Act (33 U.S.C. 1321(j));

(3) oversee the maintenance and adequacy of Coast Guard environmental response equipment;

(4) certify and inspect maritime oil spill response organizations; and

(5) maintain the National Area Contingency Plan library.

(d) STRIKE FORCE TEAM DUTIES.—The Strike Force Response Teams shall—

(1) provide rapid response support in incident management, site safety, contractor performance monitoring, resource documentation, response strategies, hazard assessment, oil spill dispersant, in situ burn and other technologies, prefabrication of containment technology, operational effectiveness monitoring, and high-capacity lightering and offshore skimming capabilities;

(2) train Coast Guard units in environmental pollution response and incident command systems, test and evaluate pollution response equipment, and operate as liaisons with response agencies within the areas of responsibility of the respective units;

(3) maintain sufficient maritime oil spill and hazardous substance release assets to ensure the protection of human health and the environment in the event of an oil spill or hazardous substance release, including the prefabrication of oil spill containment equipment; and

(4) maintain the capability to mobilize personnel and equipment to respond to an oil spill or hazardous substance release anywhere in the continental United States within 24 hours of such an event.

(e) PUBLIC INFORMATION ASSIST TEAM DUTIES.—The Public Information Assist Team shall maintain the capability—

(1) to provide crisis communication during oil spills, hazardous material releases, marine accidents, and other disasters, including staffing and managing public affairs and intergovernmental communication;

(2) provide public information and communications training to Federal, State, and local agencies and industry personnel; and

(3) maintain the capability to mobilize personnel and equipment to respond to an oil spill or hazardous substance release anywhere in the continental United States within 24 hours after such an event.

SEC. 2228. DISTRICT PREPAREDNESS AND RESPONSE TEAMS.

The Commandant shall maintain district preparedness response teams—

(1) to maintain Coast Guard environmental response equipment;

(2) to administer area contingency plans;

(3) to administer the National Preparedness for Response Exercise Program;

(4) to conduct responder incident command system training and health and safety training;

(5) to provide Federal on-scene coordinator technical advice;

(6) to coordinate district pollution response operations;

(7) to support regional response team cochairs;

(8) to coordinate district participation with the regional interagency steering committee of the Federal Emergency Management Agency; and

(9) to conduct response public affairs and joint information center training.

SEC. 2229. OIL SPILL RESPONSE ORGANIZATIONS.

(a) REQUIREMENT.—Each maritime oil spill response organization that is listed under an oil spill response plan of a vessel or facility regulated by the Coast Guard, as required by section 311(j) of the Federal Water Pollution Control Act (33 U.S.C. 1321(j)) shall be—

(1) certified by the Coast Guard; and

(2) inspected at least once each year to ensure that the organization has the capabilities to meet the requirements delegated to the organization under applicable oil spill response plans.

(b) CERTIFICATION CRITERIA AND REQUIREMENTS.—Not later than 180 days after the date of enactment of this Act, the Commandant shall develop criteria and requirements for certifying and classifying maritime oil spill response organizations.

(c) INVENTORY OF MARITIME OIL SPILL RESPONSE EQUIPMENT.—Each certified maritime oil spill response organization and any facility regulated by the Coast Guard that is not using a maritime oil spill response organization to meet the facility oil spill response plan requirements of section 311(j) of the Federal Water Pollution Control Act (33 U.S.C. 1321(j)) shall—

(1) maintain a current list of the maritime oil spill response equipment of the organization or facility; and

(2) submit a copy of that list to the National Strike Force Coordination Center.

(d) DECREASED CAPACITY REPORTS.—If a maritime oil spill response organization experiences a decrease in the maritime oil spill response assets of the organization, the organization shall report the decrease to the National Strike Force Coordination Center and the Captain of the Port in which that organization operates.

SEC. 2230. PROGRAM FOR OIL SPILL AND HAZARDOUS SUBSTANCE RELEASE RESPONSE.

(a) REQUIREMENT TO ESTABLISH PROGRAM.—The Commandant shall establish a program for oil spill and hazardous substance release response, within the Maritime Center of Expertise for Oil Spill Response, to conduct research, development, testing, and demonstration for oil spill and hazardous substance release response equipment, technologies, and techniques to prevent or mitigate oil discharges and hazardous substance releases.

(b) PROGRAM ELEMENTS.—The program under subsection (a) shall include—

(1) research, development, testing, and demonstration of new or improved methods (including the use of dispersants and biological treatment methods) for the containment, recovery, removal, and disposal of oil and hazardous substances;

(2) assistance for—

(A) the development of improved designs for vessel operations (including vessel operations in Arctic waters) and facilities that are regulated by the Coast Guard; and

(B) improved operational practices;

(3) research and training, in consultation with the National Response Team, to improve the ability of private industry and the Federal Government to respond to an oil discharge or a hazardous substance release;

(4) a list of oil spill and hazardous substance containment, recovery, removal, and disposal technology that is approved for use by the Commandant and is made publicly available, in such manner as is determined to be appropriate by the Commandant; and

(5) a process for the Federal Government, State and local governments, private industry, academic institutions, and nongovernmental organizations to submit systems, equipment, and technologies for testing and evaluation.

(c) GRANTS FOR OIL SPILL RESPONSE.—The Commandant shall have the authority to make grants to or enter into cooperative agreements with academic institutions to conduct research and development for oil spill response equipment, technology, and techniques.

(d) COORDINATION.—The Commandant shall carry out the program in coordination with the Interagency Coordinating Committee on Oil Pollution Research established pursuant to section 7001(a) of the Oil Pollution Act of 1990 (33 U.S.C. 2761(a)).

(e) FUNDING.—The Commandant shall use such sums as are necessary to carry out this section for fiscal years 2010 through 2015 from funds appropriated to the research, development, and testing program account of the Coast Guard for those years.

SEC. 2231. OIL AND HAZARDOUS SUBSTANCE LIABILITY.

Section 311 of the Federal Water Pollution Control Act (33 U.S.C. 1321) is amended—

(1) in subsection (c)(2)(B)—

(A) in clause (i), by striking ''and'' at the end;

(B) in clause (ii), by striking the period at the end and inserting ''; and''; and

(C) by adding at the end the following:

''(iii) immediately deploy cleanup and mitigation assets owned by the Federal Government, or provided by private individuals or entities or foreign countries, to the location of discharge.''; and

(2) in subsection (d)(2), by adding at the end the following:

''(N) Establishment of a clear, accountable chain of command throughout the jurisdictions impacted by the discharge.

''(O) Establishment of a system and procedures that ensure coordination with, and prompt response to, State and local officials.''.

Subtitle C—Oil and Gas Leasing

SEC. 2231. REVENUE SHARING FROM OUTER CONTINENTAL SHELF AREAS IN CERTAIN COASTAL STATES.

Section 18 of the Outer Continental Shelf Lands Act (43 U.S.C. 1344) is amended by adding at the end the following:

''(i) REVENUE SHARING FROM OUTER CONTINENTAL SHELF AREAS IN CERTAIN COASTAL STATES.—

''(1) DEFINITIONS.—In this subsection through subsection (j):

''(A) COASTAL POLITICAL SUBDIVISION.—The term 'coastal political subdivision' of a coastal State means a county-equivalent subdivision of a coastal State all or part of which—

''(i) lies within the coastal zone (as defined in section 304 of the Coastal Zone Management Act of 1972 (16 U.S.C. 1453)); and

''(ii) the closest point of which is not more than 300 statute miles from the geographic center of any leased tract.

''(B) COASTAL STATE.—The term 'coastal State' means a State with a coastal seaward boundary within 300 statute miles distance of the geographic center of a leased tract in an outer Continental Shelf planning area that—

''(i) as of January 1, 2000, had no oil or natural gas production; and

''(ii) is not a Gulf producing State (as defined in section 102 of the Gulf of Mexico Energy Security Act of 2006 (43 U.S.C. 1331 note; Public Law 109–432)).

''(C) DISTANCE.—The terms 'distance' and 'distances' mean minimum great circle distance and distances, respectively.

''(D) LEASED TRACT.—The term 'leased tract' means a tract leased under this Act for the purpose of drilling for, developing, and producing oil or natural gas resources.

''(E) OUTER CONTINENTAL SHELF AREA.—The term 'outer Continental Shelf area' means—

''(i) any area withdrawn from disposition by leasing by the 'Memorandum on Withdrawal of Certain Areas of the United States Outer Continental Shelf from Leasing Disposition', from 34 Weekly Comp. Pres. Doc. 1111, dated June 12, 1998; or

''(ii) any area of the outer Continental Shelf as to which Congress has denied the use of appropriated funds or other means for preleasing, leasing, or related activities.

''(2) POST LEASING REVENUES.—If the Governor or the Legislature of a coastal State requests the Secretary to allow leasing in an outer Continental Shelf area and the Secretary allows the leasing, in addition to any bonus bids, the coastal State shall, without further appropriation or action, receive, from leasing of the area, 37.5 percent of—

''(A) any lease rental payments;

''(B) any lease royalty payments;

''(C) any royalty proceeds from a sale of royalties taken in kind by the Secretary; and

''(D) any other revenues from a bidding system under section 8.

''(3) ALLOCATION AMONG COASTAL POLITICAL SUBDIVISIONS OF STATES.—

''(A) IN GENERAL.—The Secretary shall pay 20 percent of the allocable share of each coastal State, as determined under this subsection, directly to certain coastal political subdivisions of the coastal State.

''(B) ALLOCATION.—

''(i) IN GENERAL.—For each leased tract used to calculate the allocation of a coastal State, the Secretary shall pay the coastal political subdivisions within 300 miles of the geographic center of the leased tract based on the relative distance of such coastal political subdivisions from the leased tract in accordance with this subparagraph.

''(ii) DISTANCES.—For each coastal political subdivision described in clause (i), the Secretary shall determine the distance between the point on the coastal political subdivision coastline closest to the geographic center of the leased tract and the geographic center of the tract.

''(iii) PAYMENTS.—The Secretary shall divide and allocate the qualified outer Continental Shelf revenues derived from the leased tract among coastal political subdivisions described in clause (i) in amounts that are inversely proportional to the applicable distances determined under clause (ii).

''(4) CONSERVATION ROYALTY.—After making distributions under paragraphs (1) and (2) and section 31, the Secretary shall, without further appropriation or action, distribute a conservation royalty equal to 12.5 percent of Federal royalty revenues derived from an area leased under this section from all areas leased under this section for any year, into the land and water conservation fund established under section 2 of the Land and Water Conservation Fund Act of 1965 (16 U.S.C. 4601–5) to provide financial assistance to States under section 6 of that Act (16 U.S.C. 4601–8).

''(5) DEFICIT REDUCTION.—

''(A) IN GENERAL.—After making distributions in accordance with paragraphs (1) and (2) and in accordance with section 31, the Secretary shall, without further appropriation or action, distribute an amount equal to 50 percent of Federal royalty revenues derived from all areas leased under this section for any year, into direct Federal deficit reduction.

''(B) BUDGETARY TREATMENT.—Any amounts distributed into direct Federal deficit reduction under this paragraph shall not be included for purposes determining budget levels under section 201 of S. Con. Res. 21 (110th Congress).''.

SEC. 2232. REVENUE SHARING FROM AREAS IN ALASKA ADJACENT ZONE.

Section 18 of the Outer Continental Shelf Lands Act (43 U.S.C. 1344) (as amended by section 2231) is amended by adding at the end the following:

''(j) REVENUE SHARING FROM AREAS IN ALASKA ADJACENT ZONE.—

''(1) IN GENERAL.—Except as provided in paragraph (2), effective beginning on the date that is 5 years after the date of enactment of this subsection, revenues from production that derives from an area in the Alaska Adjacent Zone shall be distributed in the same proportion and for the same uses as provided in subsection (i).

''(2) ALLOCATION AMONG REGIONAL CORPORATIONS.—

''(A) IN GENERAL.—The Secretary shall pay 33 percent of any allocable share of the State of Alaska, as determined under this section, directly to certain Regional Corporations established under section 7(a) of the Alaska Native Claims Settlement Act (43 U.S.C. 1606(a)).

''(B) ALLOCATION.—

''(i) IN GENERAL.—For each leased tract used to calculate the allocation of the State of Alaska, the Secretary shall pay the Regional Corporations, after determining those Native villages within the region of the Regional Corporation which are within 300 miles of the geographic center of the leased tract based on the relative distance of such villages from the leased tract, in accordance with this paragraph.

''(ii) DISTANCES.—For each such village, the Secretary shall determine the distance between the point in the village closest to the geographic center of the leased tract and the geographic center of the tract.

''(iii) PAYMENTS.—The Secretary shall divide and allocate the qualified outer Continental Shelf revenues derived from the leased tract among the qualifying Regional Corporations in amounts that are inversely proportional to the distances of all of the Native villages within each qualifying region.

''(iv) REVENUES.—All revenues received by each Regional Corporation shall be—

''(I) treated by the Regional Corporation as revenue subject to the distribution requirements of section 7(i)(1)(A) of the Alaska Native Claims Settlement Act (43 U.S.C. 1606(i)(1)(A)); and

''(II) divided annually by the Regional Corporation among all 12 Regional Corporations in accordance with section 7(i) of that Act.

''(v) FURTHER DISTRIBUTION.—A Regional Corporation receiving revenues under clause (iv)(II) shall further distribute 50 percent of the revenues received in accordance with section 7(j) of the Alaska Native Claims Settlement Act (43 U.S.C. 1606(j)).''.

SEC. 2233. ACCELERATED REVENUE SHARING TO PROMOTE COASTAL RESILIENCY AMONG GULF PRODUCING STATES.

Section 105 of the Gulf of Mexico Energy Security Act of 2006 (43 U.S.C. 1331 note; Public Law 109–432) is amended—

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

''(b) ALLOCATION AMONG GULF PRODUCING STATES FOR FISCAL YEARS 2010 AND THEREAFTER.—

''(1) IN GENERAL.—Subject to the provisions of this subsection, for fiscal year 2010 and each fiscal year thereafter, the amount made available under subsection (a)(2)(A) from a covered lease described in paragraph (2) shall be allocated to each Gulf producing State in amounts that are inversely proportional to the respective distances between the point on the coastline of each Gulf producing State that is closest to the geographic center of each historical lease site and the geographic center of the historical lease site, as determined by the Secretary.

''(2) COVERED LEASE.—A covered lease referred to in paragraph (1) means a lease entered into for—

''(A) the 2002–2007 planning area;

''(B) the 181 Area; or

''(C) the 180 South Area.

''(3) MINIMUM ALLOCATION.—The amount allocated to a Gulf producing State each fiscal year under paragraph (1) shall be at least 10 percent of the amounts available under subsection (a)(2)(A).

''(4) HISTORICAL LEASE SITES.—

''(A) IN GENERAL.—Subject to subparagraph (B), for purposes of this subsection, the historical lease sites in the 2002–2007 planning area shall include all leases entered into by the Secretary for an area in the Gulf of Mexico during the period beginning on October 1, 1982 (or an earlier date if practicable, as determined by the Secretary), and ending on December 31, 2015.

''(B) ADJUSTMENT.—Effective January 1, 2022, and every 5 years thereafter, the ending date described in subparagraph (A) shall be extended for an additional 5 calendar years.

''(5) PAYMENTS TO COASTAL POLITICAL SUBDIVISIONS.—

''(A) IN GENERAL.—The Secretary shall pay 20 percent of the allocable share of each Gulf producing State, as determined under paragraphs (1) and (3), to the coastal political subdivisions of the Gulf producing State.

''(B) ALLOCATION.—The amount paid by the Secretary to coastal political subdivisions shall be allocated to each coastal political subdivision in accordance with subparagraphs (B), (C), and (E) of section 31(b)(4) of the Outer Continental Shelf Lands Act (43 U.S.C. 1356a(b)(4)).''; and

(2) by striking subsection (f).

SEC. 2234. COASTAL IMPACT ASSISTANCE PROGRAM AMENDMENTS.

Section 31(c) of the Outer Continental Shelf Lands Act (43 U.S.C. 1356a(c)) is amended by adding at the end the following:

''(5) APPLICATION REQUIREMENTS; AVAILABILITY OF FUNDING.—On approval of a State plan under this section, the Secretary shall—

''(A) immediately disburse payments allocated under this section to the State or political subdivision; and

''(B) other than requiring notification to the Secretary of the projects being carried out under the State plan, not subject a State or political subdivision to any additional requirements, including application requirements, to receive payments under this section.''.

SEC. 2235. PRODUCTION OF OIL FROM CERTAIN ARCTIC OFFSHORE LEASES.

Section 5 of the Outer Continental Shelf Lands Act (43 U.S.C. 1334) is amended by adding at the end the following:

''(k) OIL TRANSPORTATION IN ARCTIC WATERS.—The Secretary shall—

''(1) require that oil produced from Federal leases in Arctic waters in the Chukchi Sea planning area, Beaufort Sea planning area, or Hope Basin planning area be transported by pipeline to the Trans-Alaska Pipeline System; and

''(2) provide for, and issue appropriate permits for, the transportation of oil from Federal leases in Arctic waters in preproduction phases (including exploration) by means other than pipeline.''.

SEC. 2236. USE OF STIMULUS FUNDS TO OFFSET SPENDING.

(a) IN GENERAL.—The unobligated balance of each amount appropriated or made available under the American Recovery and Reinvestment Act of 2009 (Public Law 111–5; 123 Stat. 115) (other than under title X of division A of that Act) is rescinded, on a pro rata basis, by an aggregate amount that equals the amounts necessary to offset any net increase in spending or foregone revenues resulting from this subtitle and the amendments made by this subtitle.

(b) REPORT.—The Director of the Office of Management and Budget shall submit to each congressional committee the amounts rescinded under subsection (a) that are within the jurisdiction of the committee.

TITLE XXIII—GUIDANCE ON MORATORIUM ON OUTER CONTINENTAL SHELF DRILLING

SEC. 2301. LIMITATION OF MORATORIUM ON CERTAIN PERMITTING AND DRILLING ACTIVITIES.

(a) IN GENERAL.—The moratorium set forth in the decision memorandum of the Secretary of the Interior entitled ''Decision memorandum regarding the suspension of certain offshore permitting and drilling activities on the Outer Continental Shelf'' and dated July 12, 2010, and any suspension of operations issued in connection with the moratorium, shall not apply to an applicant for a permit to drill if the Secretary determines that the applicant—

(1) has complied with the notice entitled ''National Notice to Lessees and Operators of Federal Oil and Gas Leases, Outer Continental Shelf (OCS)'' dated June 8, 2010 (NTL No. 2010–N05) and the notice entitled ''National Notice to Lessees and Operators of Federal Oil and Gas Leases, Outer Continental Shelf (OCS)'' dated June 18, 2010 (NTL No. 2010–N06); and

(2) has completed all required safety inspections.

(b) DETERMINATION ON PERMIT.—Not later than 30 days after the date on which the Secretary makes a determination that an applicant has complied with paragraphs (1) and (2) of subsection (a), the Secretary shall make a determination on whether to issue the permit.

(c) NO SUSPENSION OF CONSIDERATION.—No Federal entity shall suspend the active consideration of, or preparatory work for, permits required to resume or advance activities suspended in connection with the moratorium.

SEC. 2302. DEEPWATER HORIZON INCIDENT.

Not later than 60 days after the date of enactment of this Act, the Secretary shall develop, and expeditiously begin implementation of, a plan to ensure that onshore oil and natural gas development on Federal land would provide full energy resource compensation for offshore oil and natural gas resources not being developed and Federal revenues not being generated for the benefit of the United States Treasury during such time as any offshore moratorium is in place in response to the incident involving the mobile offshore drilling unit *Deepwater Horizon*.

SA 4515. Mr. JOHANNS submitted an amendment intended to be proposed to amendment SA 4500 proposed by Mr. REID (for Mr. LEMIEUX (for himself, Ms. LANDRIEU, Mr. MERKLEY, Mrs. BOXER, Ms. CANTWELL, Ms. KLOBUCHAR, and Mrs. MURRAY)) to the amendment SA 4499 proposed by Mr. REID (for Mr. BAUCUS) to the bill H.R. 5297, to create the Small Business Lending Fund Program to direct the Secretary of the Treasury to make capital investments in eligible institutions in order to increase the availability of credit for small businesses, to amend the Internal Revenue Code of 1986 to provide tax incentives for small business job creation, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. _____. POINT OF ORDER AGAINST CLIMATE CHANGE LEGISLATION.

(a) POINT OF ORDER.—Subject to subsection (b), it shall not be in order in the Senate to consider any conference report or other legislation that originates in the House of Representatives as a message, bill, amendment, or motion, or any Senate bill or related conference report to which the House of Representatives added a provision, that addresses climate change through the inclusion of a cap-and-trade program if the Senate has not considered and approved a bill addressing climate change that included such a cap-and-trade program.

(b) WAIVER AND APPEAL.—

(1) WAIVER.—Subsection (a) may be waived or suspended in the Senate only by an affirmative vote of ⅔ of the Members, duly chosen and sworn.

(2) APPEAL.—An affirmative vote of ⅔ of the Members of the Senate, duly chosen and sworn, shall be required to sustain an appeal of the ruling of the Chair on a point of order raised under subsection (a).

SA 4516. Mr. VITTER submitted an amendment intended to be proposed to amendment SA 4500 proposed by Mr. REID (for Mr. LEMIEUX (for himself, Ms. LANDRIEU, Mr. MERKLEY, Mrs. BOXER, Ms. CANTWELL, Ms. KLOBUCHAR, and Mrs. MURRAY)) to the amendment SA 4499 proposed by Mr. REID (for Mr. BAUCUS) to the bill H.R. 5297, to create the Small Business Lending Fund Program to direct the Secretary of the Treasury to make capital investments in eligible institutions in order to increase the availability of credit for small businesses, to amend the Internal Revenue Code of 1986 to provide tax incentives for small business job creation, and for other purposes; which was ordered to lie on the table; as follows:

At the end of the amendment, add the following:

DIVISION B—MORATORIUM

SEC. 2001. LIMITATION ON MORATORIUM ON CERTAIN PERMITTING AND DRILLING ACTIVITIES.

(a) IN GENERAL.—The moratorium set forth in the decision memorandum of the Secretary of the Interior entitled ''Decision memorandum regarding the suspension of certain offshore permitting and drilling activities on the Outer Continental Shelf'' and dated July 12, 2010, and any suspension of operations issued in connection with the moratorium, shall not apply to an applicant for a permit to drill if the Secretary determines that the applicant—

(1) has complied with the notice entitled ''National Notice to Lessees and Operators of Federal Oil and Gas Leases, Outer Continental Shelf (OCS)'' dated June 8, 2010 (NTL No. 2010–N05) and the notice entitled ''National Notice to Lessees and Operators of Federal Oil and Gas Leases, Outer Continental Shelf (OCS)'' dated June 18, 2010 (NTL No. 2010–N06); and

(2) has completed all required safety inspections.

(b) DETERMINATION ON PERMIT.—Not later than 30 days after the date on which the Secretary makes a determination that an applicant has complied with paragraphs (1) and (2) of subsection (a), the Secretary shall make a determination on whether to issue the permit.

SA 4517. Ms. MURKOWSKI submitted an amendment intended to be proposed to amendment SA 4500 proposed by Mr. REID (for Mr. LEMIEUX (for himself, Ms. LANDRIEU, Mr. MERKLEY, Mrs. BOXER, Ms. CANTWELL, Ms. KLOBUCHAR, and Mrs. MURRAY)) to the amendment SA 4499 proposed by Mr. REID (for Mr. BAUCUS) to the bill H.R. 5297, to create the Small Business Lending Fund Program to direct the Secretary of the Treasury to make capital investments in eligible institutions in order to increase the availability of credit for small businesses, to amend the Internal Revenue Code of 1986 to provide tax incentives for small business job creation, and for other purposes; which was ordered to lie on the table; as follows:

At the end of the amendment, add the following:

Subtitle C—Stationary Source Regulations Delay

SEC. 5301. SUSPENSION OF CERTAIN EPA ACTION.

(a) IN GENERAL.—Except as provided in subsection (b), notwithstanding any provision of the Clean Air Act (42 U.S.C. 7401 et seq.), during the 2-year period beginning on the date of enactment of this Act, the Administrator of the Environmental Protection Agency may not take any action under the Clean Air Act (42 U.S.C. 7401 et seq.) with respect to any stationary source permitting requirement or any requirement under section 111 of that Act (42 U.S.C. 7411) relating to carbon dioxide or methane.

(b) EXCEPTIONS.—Subsection (a) shall not apply to—

(1) any action under part A of title II of the Clean Air Act (42 U.S.C. 7521 et seq.) relating to the vehicle emissions standards contained in Docket No. EPA–HQ–OAR–2009–0171 or Docket No. EPA–HQ–OAR–2009–0472;

(2) any action relating to the preparation of a report or the enforcement of a reporting requirement; or

(3) any action relating to the provision of technical support at the request of a State.

(c) TREATMENT.—Notwithstanding any other provision of law, no action taken by the Administrator of the Environmental Protection Agency before the end of the 2-year period described in subsection (a) shall be considered to make carbon dioxide or methane a pollutant subject to regulation under the Clean Air Act (42 U.S.C. 7401 et seq.) for any source other than a new motor vehicle or new motor vehicle engine, as described in section 202(a) of that Act (42 U.S.C. 7521(a)).

NOTICES OF INTENT TO SUSPEND THE RULES

Mr. MCCONNELL. Mr. President, I submit the following notice in writing: In accordance with rule V of the Standing Rules of the Senate, I hereby give notice in writing that it is my intention to move to suspend rule XXII, Paragraph 2, for the purpose of proposing and considering the following amendment:

SA 4514 can be found in today's RECORD under ''Text of Amendments.''

Mr. JOHANNS. Mr. President, I submit the following notice in writing: In accordance with rule V of the Standing Rules of the Senate, I hereby give notice in writing that it is my intention to move to suspend rule XXII for the purpose of proposing and considering the following amendment to amendment No. 4500 to the substitute amendment No. 4499 to H.R. 5297, including germaneness requirements:

SA 4515 can be found in today's RECORD under ''Text of Amendments.''

Mr. VITTER. Mr. President, I submit the following notice in writing: In accordance with rule V of the Standing Rules of the Senate, I hereby give notice in writing that it is my intention to move to suspend rule XXII, Paragraph 2, for the purpose of proposing and considering the following amendment:

SA 4516 can be found in today's RECORD under ''Text of Amendments.''

Ms. MURKOWSKI. Mr. President, I submit the following notice in writing: In accordance with rule V of the Standing Rules of the Senate, I hereby give notice in writing that it is my intention to move to suspend rule XXII, Paragraph 2, for the purpose of proposing and considering the following amendment:

SA 4517 can be found in today's RECORD under ''Text of Amendments.''

NOTICES OF HEARINGS

PERMANENT SUBCOMMITTEE ON INVESTIGATIONS

Mr. LEVIN. Mr. President, I would like to announce for the information of the Senate and the public that the Permanent Subcommittee on Investigations of the Committee on Homeland Security and Governmental Affairs has rescheduled its July 27th hearing entitled, ''Social Security Disability Fraud: Case Studies in Federal Employees and Commercial Driver's Licenses'' for Wednesday, August 4th. The Subcommittee hearing will focus on the findings of a Government Accountability Office Report, ''Social Security Administration: Cases of Federal Employees and Transportation Driver's and Owners Who Fraudulently and/or Improperly Received SSA Disability Payments.'' Witnesses for the hearing will include The Honorable Michael J. Astrue, the Commissioner of the Social Security Administration, and Mr. Gregory D. Kutz, Managing Director of Forensic Audits and Special Investigations at the Government Accountability Office.

The Subcommittee hearing has been rescheduled for Wednesday, August 4, 2010, at 2:30 p.m., in Room 342 of the Dirksen Senate Office Building. For further information, please contact Elise Bean of the Permanent Subcommittee on Investigations at 224–9505.

COMMITTEE ON INDIAN AFFAIRS

Mr. DORGAN. Mr. President, I would like to announce that the Committee on Indian Affairs will meet on Thursday, July 29, 2010, at 9:30 a.m. in room 628 of the Dirksen Senate Office Building to conduct an oversight hearing on Indian Gaming.

Mr. SCHUMER. Mr. President, I wish to announce that the Committee on Rules and Administration will meet on Wednesday, July 28, 2010, at 10:30 a.m., to hear testimony on ''Examining the Filibuster: Legislative Proposals to Change Senate Procedures.''

For further information regarding this meeting, please contact Lynden Armstrong at the Rules and Administration Committee on 202–224–6352.

PRIVILEGES OF THE FLOOR

Mr. WYDEN. Mr. President, I ask unanimous consent that Drew Johnston, the Wayne Morse fellow in my Senate office, be granted floor privileges during the debate on the DISCLOSE Act.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. SPECTER. Mr. President, I ask unanimous consent that a fellow in the office of Senator MARK UDALL, Kelly Knutsen, be granted floor privileges for the duration of the months of July and August.

The PRESIDING OFFICER. Without objection, it is so ordered.

ORDERS FOR TUESDAY, JULY 27, 2010

Mr. SPECTER. Madam President, I ask unanimous consent that when the Senate completes its business today, it adjourn until 10 a.m. tomorrow, Tuesday, July 27; that following the prayer and the pledge, the Journal of proceedings be approved to date, the morning hour be deemed expired, the time for the two leaders be reserved for their use later in the day; that following any leader remarks, the Senate proceed to a period of morning business, with Senators permitted to speak for up to 10 minutes each, with the time until 12:30 p.m. equally divided and controlled by the two leaders or their designees, with the majority controlling the first 30 minutes and the Republicans controlling the next 30 minutes; that the Senate recess from 12:30 to 2:15 to allow for the weekly caucus meetings.

The PRESIDING OFFICER. Without objection, it is so ordered.

PROGRAM

Mr. SPECTER. Under a previous order, at 2:45 p.m. tomorrow the Senate will proceed to vote on the motion to invoke cloture on the motion to proceed to S. 3628, the DISCLOSE Act.

ADJOURNMENT UNTIL 10 A.M. TOMORROW

Mr. SPECTER. Madam President, if there is no further business to come before the Senate, I ask unanimous consent that it adjourn under the previous order.

There being no objection, the Senate, at 6:17 p.m., adjourned until Tuesday, July 27, 2010, at 10 a.m.

EXTENSIONS OF REMARKS

HONORING THE LIFE OF ARTHUR HUG, JR.

HON. STEVE ISRAEL

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Monday, July 26, 2010

Mr. ISRAEL. Madam Speaker, I rise today to honor the life of Mr. Arthur Hug, Jr.

Mr. Hug, who passed away on June 12, 2010 at the age of 87, was a leader in the fields of business and journalism and made a strong impact on his community. Mr. Hug was a newspaper reporter for many years and in the 1950s launched the Long Island Commercial Review, which today is known as the Long Island Business News. As the newspaper's publisher, editor, and reporter, Mr. Hug made invaluable contributions to our community and to the public good.

Mr. Hug will be remembered by those that knew him for his deep commitment to his family and his friends, his love for politics and business, and for his strong principles.

RECOGNIZING THE 20TH ANNIVERSARY OF THE SOUTHEAST COMMUNITY DAY PARADE AND FESTIVAL, NEWPORT NEWS, VA

HON. ROBERT J. WITTMAN

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Monday, July 26, 2010

Mr. WITTMAN. Madam Speaker, I rise today to recognize the 20th Anniversary of the Southeast Community Day Parade and Festival in Newport News, VA and to congratulate Andrew Shannon for his longtime dedication to this special event and to the Southern Christian Leadership Conference.

The Southeast Community Day Parade and Festival was founded and organized in 1990 by Andrew Shannon for the purpose of strengthening community ties. The Southeast Community Day Parade and Festival is presented by the Southeast Community Day Planning Committee and Southern Christian Leadership Conference.

Last year, the event attracted over 60,000 attendees, including national civil rights leaders, and I am pleased that the Newport News Chapter of the Southern Christian Leadership Conference will continue this wonderful occasion for a 20th consecutive year.

I look forward to joining the citizens in the Hampton Roads region to celebrate this outstanding community event and I ask my colleagues to join me in recognizing this special occasion.

HONORING BRUCE GUNGLE

HON. RAÚL M. GRIJALVA

OF ARIZONA

IN THE HOUSE OF REPRESENTATIVES

Monday, July 26, 2010

Mr. GRIJALVA. Madam Speaker, I rise today to honor a community leader who has made a significant and long-lasting contribution to shaping Pima County, Arizona. For the last 13 years, Bruce Gungle has served as a respected member of the Pima County Planning and Zoning Commission, of which he was Chair for two years.

Originally from the north shore of Boston, Massachusetts, Bruce has had a longstanding interest in and acumen for the sciences and literature. He obtained dual Bachelors degrees in Earth Science and Creative Writing from Drake University in Des Moines, Iowa, where he was also a member of the track team. Bruce went on to earn a Masters of Art in Creative Writing from the University in New Hampshire before moving to Tucson in 1984.

That relocation transformed Bruce into a committed desert conservationist and activist, as well as a fervent University of Arizona Wildcat partisan (although he will always remain a Red Sox fan). Bruce earned a Master of Fine Arts in Creative Writing in 1990 and a Master of Science in Atmospheric Sciences in 2000, both from the University of Arizona.

Although I am honoring Bruce today for his exemplary public service as a Planning and Zoning Commissioner, a position to which I appointed him in 1997 during my tenure as a Pima County Supervisor, his public service as a hydrologist at the United States Geological Survey has also contributed significantly to federal and public knowledge about the San Pedro River, one of the last free-flowing rivers in the southwest United States. In his role at the USGS, Bruce has overseen the production of the annual "321" reports to Congress. These reports, which stem from Public Law 108–136, Section 321, describe the progress in achieving sustainable yield of the regional aquifer so as to protect the Upper San Pedro River and the San Pedro Riparian National Conservation Area in Arizona.

Bruce has been a key voice for protecting the Sonoran Desert, which has experienced historic levels of human development in Pima County over a relatively short period of time. Bruce was appointed at a time when Pima County was developing the nationally acclaimed Sonoran Desert Conservation Plan. Using this plan, Bruce consistently favored protecting delicate riparian areas, wildlife movement corridors, and other special areas from the ravages of bulldozers, asphalt and buildings.

In the face of myriad requests to amend the County's comprehensive plan, along with subsequent requests to rezone property and to make other land use changes, Bruce always dug into the mounds of paperwork to get to the core of an issue. His clear understanding of matters before the commission, and his perceptive questions from the dais, earned him the great respect of his fellow commissioners, county staff, applicants, the conservation community, and the public.

Bruce is one of those rare individuals who can maintain his principles and parlay his grasp of the issues into meaningful compromises that protect the County's unique physical assets and enable property owners to move forward on their proposed projects.

Bruce has shaped Pima County, and his absence from the Commission will be felt by all those with whom he worked. Perhaps no one will feel it more strongly than Pima County Supervisor Richard Elías, who followed me in reappointing Bruce to his last eight years on the commission as a District Five representative. The communities of unincorporated Pima County are much richer because of the invaluable contributions of Bruce Gungle.

EFFORTS TO REACH A SETTLEMENT ON CYPRUS

HON. STEVE COHEN

OF TENNESSEE

IN THE HOUSE OF REPRESENTATIVES

Monday, July 26, 2010

Mr. COHEN. Madam Speaker, I am encouraged that the newly elected Dr. Dervis Eroglu, President of the Turkish Republic of Northern Cyprus, has, like his predecessor, expressed his commitment for a "just and lasting comprehensive settlement through the ongoing negotiations" under UN auspices for a Cyprus settlement.

The Cyprus problem started not in 1974, but in December 1963, after the 1960 Partnership Republic of Cyprus was destroyed by a Greek-backed coup. The UN Peace Keeping Force, UNFICYP was stationed on the island on March 4, 1964, but was unable to prevent inter-communal violence which erupted in 1967 and 1974.

The embargoes on the Turkish Cypriot side existing since 1963 are especially unacceptable given the fact that it was the Turkish Cypriot people who overwhelmingly in 2004 voted to adopt the Annan Plan to end the division of the island. The Greek Cypriots, who voted "no" on the referendum three to one, was rewarded with European Union membership, thereby further isolating the Turkish Cypriots.

Although the Parliamentary Assembly of the Council of Europe and the Organization of Islamic Conference adopted resolutions calling for the lifting of restrictions on the Turkish Cypriots, their situation has not changed. This, even after the European Council of Foreign Ministers on April 26 invited the Commission "to bring forward comprehensive proposals. . .to put an end to the isolation of the Turkish Cypriot community and to facilitate the reunification of Cyprus by encouraging the economic development of the Turkish Cypriot Community."

The Cyprus dispute has a great impact, not just on the Island, but across Europe and

throughout the international community. The island's situation remains a source of contention between NATO allies, Turkey and Greece. Additionally, past negotiations have impacted the United Kingdom, the United Nations, and the United States. Therefore, I believe a swift resolution should be encouraged by the United States.

INDIAN ARTS AND CRAFTS AMENDMENTS ACT OF 2010

SPEECH OF

HON. LAURA RICHARDSON

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 21, 2010

Ms. RICHARDSON. Mr. Speaker, I rise today in strong support of H.R. 725, the Tribal Law and Order Act Amendments of 2010 as amended by the Senate, which would address the issues of violence and sexual assault that occur on Indian Reservations. I would like to thank Congressman ED PASTOR for his leadership in introducing this bill to the House floor.

Mr. Speaker, the Tribal Law and Order Act is an amendment to H.R. 725, The Indian Arts and Crafts Act. The Tribal Law and Order Act will create accountability measures for the Federal agencies that are responsible for investigating and prosecuting crime that occurs on Indian Reservations. The act would also equip Indian tribes with the means necessary to tackle crime within their local areas.

Mr. Speaker, I am sorry to say that domestic violence and sexual assault occur quite frequently on Indian Reservations. Most of the victims to such violent crimes are Indian women and children. Statistics show that one in three American Indian women will be raped in their lifetime and two out of every five women will face domestic violence. Within most Indian Reservations, very little police patrol takes place and tribal courts have very limited jurisdiction. Currently tribal courts have a maximum sentencing of only one year, and non Indian criminal offenders cannot be tried under tribal courts. These restrictions continue to put innocent men, women, and children at risk for higher incidents of violent and heinous crimes.

Native American communities continue to suffer from the effects of poverty, substance addiction, and other health related diseases. Unfortunately these communities have been some of the most underserved in our nation. Rampant violent crime that is preventable should not be an outstanding statistic among Indian Reservations. As a Representative from California, a state that has a large population of Native Americans, I am deeply committed to seeing the progress of these communities and ensuring that justice is rightfully served.

Mr.Speaker, the Senate Amendment to H.R. 725 is a way to ensure that the criminal justice system is improved among Indian nations and also that federal law enforcement becomes more responsive to the instances that occur on tribal land. It is critical that attention be given to our nation's justice system and the victims that rely on it the most in order to seek justice. In conclusion, I urge my colleagues to support H.R. 725 as amended by the Senate.

IN TRIBUTE TO ROXBURY VOLUNTEER EMERGENCY SERVICES ON THEIR 100TH ANNIVERSARY

HON. ANTHONY D. WEINER

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Monday, July 26, 2010

Mr. WEINER. Madam Speaker, I rise to recognize Roxbury Volunteer Emergency Services in honor of its centennial anniversary. Roxbury Volunteer Emergency Services has provided a hundred years of service to the beachside communities of Roxbury, Breezy Point, and Rockaway Point, which are located on the Rockaway peninsula in Queens, New York, the most populous barrier island in the country.

In the summer of 1910, Henry B. Page organized the Roxbury Volunteer Fire Department and became Roxbury's first fire chief. During World War II, the Ambulance and Rescue Corps was founded as a division of the Fire Department. Since its inception, the Roxbury vollies have responded to a number of important emergencies both on the peninsula and in New York City. Following the attacks on the World Trade Center on September 11, 2001, members of Roxbury Volunteer Emergency Services worked tirelessly alongside other first responders assisting in the rescue and recovery efforts at Ground Zero. Two months later, when American Airlines Flight 587 crashed shortly after take-off in Belle Harbor the Roxbury vollies were among the first on the scene. Be it fires, flooding, storm damage, or medical emergencies, our community and our city can always count on Roxbury Volunteer Emergency Services to come swiftly to our aid.

I would like to recognize all of the volunteers who have dedicated their time and are often asked to put their lives on the line for their neighbors. The vollies' members are Anthony Allocco, Timothy Arasin, Brian Baumann, Michael Beehler, James Caffrey, Alex Diffendale, Michael Duemig Jr., Richard Duemig Jr., David Feddem Jr., Diedre Feddern, Michael Forcina, Joseph Forcina, Danielle Hedderson, Paul Hedderson Jr., Gary Hunt, Edward Kurosz, Ryan McKinney, Christina Morton, James Morton, Sandra Morton, Kevin O'Brien, William Reid, Sean Rudolph, Tracy Rutter, Louis Satriano, Charles Thompson, Seamus Ward, Annemarie Willis and Robert Willis. Its life members are LuLu Allocco, William Bocker Sr., Mary Colleran, Richard Colleran Sr., Steven Colleran Sr., Mel Duemig, Michael Duemig Sr., Richard Duemig Sr., Robert Hanretty, William Hartman Sr., Paul Hedderson Sr., Arthur Kahlau, Michael Knowles, Harry Nungesser, and Kenneth Rutter. Its associate members are Robert Bernabo, Ronald Farrell, Eugene Hanretty, Eugene McEnroe and John Mulvanerty. I would also like to extend my congratulations to Richard Colleran, who has served as the vollies' chief for eight years. Roxbury Volunteer Emergency Services and all of its members have faithfully served the many communities of the Rockaway peninsula. They have provided necessary services to an isolated part of New York City that rarely receives the attention it deserves. I am pleased to congratulate Roxbury Volunteer Emergency Services on the occasion of its centennial anniversary.

BEYOND SWEATSHOPS

HON. GEORGE MILLER

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Monday, July 26, 2010

Mr. GEORGE MILLER of California. Madam Speaker, I rise to commend to my colleagues the following article on one company's attempts to do the right thing—inspired by the consumer choices made by thousands of students across the United States who say that there should be "No Sweat" in their sweatshirts.

For years I have fought against the use of sweatshop labor, exploited adult labor and exploited child labor, around the world. For many years now, the student movement in the United States has played an important role in helping to bring the issue of sweatshop labor to the attention of political leaders, corporate boardrooms, and the college and university community. I applaud them.

Now, one company is trying to do the right thing by making apparel without sweatshop labor. That is good for workers and good for our consumers. I applaud Knights Apparel and urge other companies to follow their example.

I am especially pleased by this development because of the history of the Alta Gracia factory in the Dominican Republic where Knights Apparel is producing its goods. This same factory was unceremoniously shut down in 2007, leaving over 1,000 employees out of work and in dire economic straits—many of them forced to sign agreements that they didn't understand waiving their right to receive adequate severance pay. As this new factory moves forward, it can become a shining example of a new trade model that works by ensuring that all workers are able to take advantage of broader prosperity, rather than by starting a race to the bottom that leaves only a select few better off.

The world looks to the United States to set standards for human rights, labor rights, and democracy. By making products with a decent wage and union rights, this company is setting the finest example of corporate responsibility for the world to see.

The article follows:

[From the New York Times, July 16, 2010]

FACTORY DEFIES SWEATSHOP LABEL, BUT CAN IT THRIVE?

(By Steven Greenhouse)

VILLA ALTAGRACIA, DOMINICAN REPUBLIC—Sitting in her tiny living room here, Santa Castillo beams about the new house that she and her husband are building directly behind the wooden shack where they now live.

The new home will be four times bigger, with two bedrooms and an indoor bathroom; the couple and their three children now share a windowless bedroom and rely on an outhouse two doors away.

Ms. Castillo had long dreamed of a bigger, sturdier house, but three months ago something happened that finally made it possible: she landed a job at one of the world's most unusual garment factories. Industry experts say it is a pioneer in the developing world because it pays a ''living wage''—in this case, three times the average pay of the country's apparel workers—and allows workers to join a union without a fight.''We never had the opportunity to make wages like this before,'' says Ms. Castillo, a soft-spoken woman who earns $500 a month. ''I feel blessed.''

The factory is a high-minded experiment, a response to appeals from myriad university

officials and student activists that the garment industry stop using poverty-wage sweatshops. It has 120 employees and is owned by Knights Apparel, a privately held company based in Spartanburg, S.C., that is the leading supplier of college-logo apparel to American universities, according to the Collegiate Licensing Company.

For Knights, the factory is a risky proposition, even though it already has orders to make T-shirts and sweatshirts for bookstores at 400 American universities. The question is whether students, alumni and sports fans will be willing to pay $18 for the factory's T-shirts—the same as premium brands like Nike and Adidas—to sustain the plant and its generous wages.

Joseph Bozich, the C.E.O. of Knights, is optimistic. ''We're hoping to prove that doing good can be good business, that they're not mutually exclusive,'' he says.

Not everyone is so confident. ''It's a noble effort, but it is an experiment,'' says Andrew Jassin, an industry consultant who says ''fair labor'' garments face a limited market unless deft promotion can snare consumers' attention—and conscience. ''There are consumers who really care and will buy this apparel at a premium price,'' he says, ''and then there are those who say they care, but then just want value.''

Mr. Bozich says the plant's T-shirts and sweats should command a premium because the company uses high-quality fabric, design and printing.

In the factory's previous incarnation, a Korean-owned company, BJ&B, made baseball caps for Nike and Reebok before shutting it in 2007 and moving the operation to lower-wage countries. Today, the reborn factory is producing under a new label, Alta Gracia, named after this poverty-ridden town as well as the Virgin of Altagracia, revered as protector of the Dominicans. (Alta gracia translates to ''exalted grace.'')

''This sometimes seems too good to be true,'' says Jim Wilkerson, Duke University's director of licensing and a leader of American universities' fair-labor movement.

He said a few other apparel companies have tried to improve working conditions, like School House, which was founded by a 25-year-old Duke graduate and uses a factory in Sri Lanka. Worker advocates applaud these efforts, but many say Alta Gracia has gone further than others by embracing higher wages and unionization. A living wage is generally defined as the amount of money needed to adequately feed and shelter a family.

''What really counts is not what happens with this factory over the next six months,'' Mr. Wilkerson says. ''It's what happens six years or 10 years from now. We want badly for this to live on.''

Santa Castillo agrees. She and many coworkers toiled at other factories for the minimum wage, currently $147 a month in this country's free-trade zones, where most apparel factories are located. That amount, worker after worker lamented in interviews for this article, falls woefully short of supporting a family.

The Alta Gracia factory has pledged to pay employees nearly three and a half times the prevailing minimum wage, based on a study done by a workers' rights group that calculated the living costs for a family of four in the Dominican Republic.

While some critics view the living wage as do-gooder mumbo-jumbo, Ms. Castillo views it as a godsend. In her years earning the minimum wage, she said she felt stuck on a treadmill—never able to advance, often borrowing to buy necessities.

''A lot of times there was only enough for my kids, and I'd go to bed hungry,'' she says. ''But now I have money to buy meat, oatmeal and milk.''

With higher wages, she says, her family can move up in the world. She is now able to borrow $1,000 to begin building her future home and feels able to fulfill her dreams of becoming a minister at her local evangelical church.

''I hope God will continue to bless the people who brought this factory to our community,'' she says.

In many ways, the factory owes its existence to an incident a decade ago, when Joe Bozich was attending his son's high school basketball game. His vision suddenly became blurred, and he could hardly make out his son on the court. A day later, he couldn't read.

A doctor told him the only thing that would cause his vision to deteriorate so rapidly was a brain tumor.

So he went in for an M.R.I. ''My doctor said, 'The good news is you don't have a brain tumor, but the bad news is you have multiple sclerosis,' '' he says.

For three days, he couldn't see. He worried that he would be relegated to a wheelchair and ventilator and wouldn't be able to support his family. At the same time, a close friend and his brother died, and then one of his children began suffering from anxiety.

''I thought of people who were going through the same thing as my child and me,'' Mr. Bozich recalls. ''Fortunately, we had the resources for medical help, and I thought of all the families that didn't.''

''I started thinking that I wanted to do something more important with my business than worry just about winning market share,'' he adds. ''That seemed kind of empty after what I've been through. I wanted to find a way to use my business to impact people that it touched on a daily basis.''

He regained his full vision after three weeks and says he hasn't suffered any further attacks. Shortly after Mr. Bozich recovered, Knights Apparel set up a charity, weKAre, that supports a home for orphans and abused children. But he says he wanted to do more.

A national collegiate bodybuilding champion at Vanderbilt, Mr. Bozich was hired by Gold's Gym after graduation and later founded a unit in the company that sold Gold's apparel to outside retailers. Building on that experience, Mr. Bozich started Knights Apparel in 2000.

Still solidly built at 47, he has made apparel deals with scores of universities, enabling Knights to surpass Nike as the No. 1 college supplier. Under Mr. Bozich, Knights cooperates closely with the Worker Rights Consortium, a group of 186 universities that press factories making college-logo apparel to treat workers fairly.

Scott Nova, the consortium's executive director, says Mr. Bozich seems far more committed than most other apparel executives to stamping out abuses—like failure to pay for overtime work. Knights contracts with 30 factories worldwide. At a meeting that the two men had in 2005 to address problems at a Philippines factory, Mr. Bozich floated the idea of opening a model factory.

Mr. Nova loved the idea. He was frustrated that most apparel factories worldwide still paid the minimum wage or only a fraction above—rarely enough to lift families out of poverty. (Minimum wages are 15 cents an hour in Bangladesh and around 85 cents in the Dominican Republic and many cities in China—the Alta Gracia factory pays $2.83 an hour.)

Mr. Bozich first considered opening a factory in Haiti, but was dissuaded by the country's poor infrastructure. Mr. Nova urged him to consider this depressed community, hoping that he would employ some of the 1,200 people thrown out of work when the Korean-owned cap factory closed.

Mr. Bozich turned to a longtime industry executive, Donnie Hodge, a former executive with J.P. Stevens, Milliken and Gerber Childrenswear. Overseeing a $500,000 renovation of the factory, Mr. Hodge, now president of Knights, called for bright lighting, five sewing lines and pricey ergonomic chairs, which many seamstresses thought were for the managers.

''We could have given the community a check for $25,000 or $50,000 a year and felt good about that,'' Mr. Hodge said. ''But we wanted to make this a sustainable thing.''

The factory's biggest hurdle is self-imposed: how to compete with other apparel makers when its wages are so much higher.

Mr. Bozich says the factory's cost will be $4.80 a T-shirt, 80 cents or 20 percent more than if it paid minimum wage. Knights will absorb a lower-than-usual profit margin, he said, without asking retailers to pay more at wholesale.

''Obviously we'll have a higher cost,'' Mr. Bozich said. ''But we're pricing the product such that we're not asking the retailer or the consumer to sacrifice in order to support it.''

Knights plans to sell the T's for $8 wholesale, with most retailers marking them up to $18.

''We think it's priced right and has a tremendous message, and it's going to be marketed like crazy,'' says Joel Friedman, vice president of general merchandise at Barnes & Noble College Booksellers. He says Barnes & Noble will at first have smaller-than-usual profit margins on the garments because it will spend heavily to promote them, through a Web campaign, large signs in its stores and other methods.

It helps to have many universities backing the project. Duke alone placed a $250,000 order and will run full-page ads in the campus newspaper, put postcards in student mailboxes and hang promotional signs on light poles. Barnes & Noble plans to have Alta Gracia's T's and sweats at bookstores on 180 campuses by September and at 350 this winter, while Follett, the other giant college bookstore operator, plans to sell the T's on 85 campuses this fall.

Still, this new, unknown brand could face problems being sold alongside Nike and Adidas gear. ''They have to brand this well—simply, clearly and elegantly—so college students can understand it very fast,'' says Kellie A. McElhaney, a professor of corporate social responsibility at the University of California, Berkeley. ''A lot of college students would much rather pay for a brand that shows workers are treated well.''

Nike and Adidas officials said their companies have sought to improve workers' welfare through increased wages and by belonging to the Fair Labor Association, a monitoring group that seeks to end sweatshop conditions. A Nike spokesman said his company would ''watch with interest'' the Knights initiative.

To promote its gear, Knights is preparing a video to be shown at bookstores and a Web documentary, both highlighting the improvements in workers' lives. The T-shirts will have hanging tags with pictures of Alta Gracia employees and the message ''Your purchase will change our lives.'' The tags will also contain an endorsement from the Worker Rights Consortium, which has never before backed a brand.

In a highly unusual move, United Students Against Sweatshops, a nationwide college group that often lambastes apparel factories, plans to distribute fliers at college bookstores urging freshmen to buy the Alta Gracia shirts.

''We're going to do everything we can to promote this,'' says Casey Sweeney, a leader of the group at Cornell. ''It's incredible that I can wear a Cornell hoodie knowing the

workers who made it are being paid well and being respected.''

One such worker is Maritza Vargas. When BJ&B ran the factory, she was a stand-up-for-your-rights firebrand fighting for 20 union supporters who had been fired.

Student groups and the Worker Rights Consortium pressed Nike and other companies that used the factory to push BJ&B to recognize the union and rehire the fired workers. BJ&B relented. Today, Ms. Vargas is president of the union at the new plant and sings a very different tune. In interviews, she and other union leaders praised the Alta Gracia factory and said they would do their utmost to make it succeed and grow. Mireya Perez said the living wage would enable her to send her 16-year-old daughter to college, while Yolando Simon said she was able to pay off a $300 debt to a grocer.

At other factories, workers said, managers sometimes yelled or slapped them. Several said they were not allowed to go home when sick, and sometimes had to work past midnight after beginning at 7:30 a.m.

Comparing this factory with other ones, Ms. Vargas said, ''The difference is heaven and earth.''

HONORING ROBERT DEDMAN

HON. JIM COOPER

OF TENNESSEE

IN THE HOUSE OF REPRESENTATIVES

Monday, July 26, 2010

Mr. COOPER. Madam Speaker, I rise today to recognize Robert Dedman, a dedicated public servant who is completing his third term as Wilson County Mayor. Since 1998, Mayor Dedman has served with distinction as Wilson County's Executive and has announced that he plans to retire at the end of the current term.

A lifelong resident of Lebanon and Wilson County, this native son has also rendered meritorious service to his fellow citizens as Wilson County Assessor of Property and as a Lebanon City Councilman representing Ward 4.

After completing a tour of duty in the United States Army in the 1950's, Robert Dedman worked for the American Legion for many years before entering public service. He began his long and distinguished career in government in 1972, when he was hired as the first Purchasing Agent for the City of Lebanon. He also enjoyed a productive tenure with the Tennessee Secretary of State's Personal Property and Inventory Division from 1978 until 1984. Robert Dedman additionally served Tennessee's 100th General Assembly as a Senate sergeant-at-arms.

Because of his broad experience in local, county, and state governments, Mayor Dedman was successful in promoting a harmonious relationship between and among all levels of government to accomplish Wilson County's future goals.

Madam Speaker and Distinguished Colleagues, Robert Dedman is a remarkable man who has compiled a singular record during his exemplary career in county and state government. Please join me in honoring him as he retires after thirty-eight years of outstanding service to the people of Wilson County and Tennessee.

NATIONAL COMMISSION ON CHILDREN AND DISASTERS REAUTHORIZATION ACT OF 2010

SPEECH OF

HON. LAURA RICHARDSON

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 20, 2010

Ms. RICHARDSON. Madam Speaker, I rise today in support of H.R. 5266, to extend the final report deadline and otherwise reauthorize the national commission on children and disasters. H.R. 5266, is an important piece of legislation that assists a commission whose job is to report to Congress and the President on the necessary precautions and actions needed before major disasters or emergencies.

I would like to thank Speaker PELOSI, Majority Leader HOYER, and Chairman OBERSTAR for their leadership in bringing this bill to the floor. I also thank the sponsor of this legislation, Congresswoman BROWN, for her important work on the reauthorization of the national commission on children and disasters through 2013.

Madam Speaker, in an average 3-year period, roughly 5 hurricanes strike the coastlines of the United States. The 2009 Atlantic hurricane season included 9 named storms, including 3 hurricanes, 2 of which were category 3 or higher. In 2009 there were 1843 earthquakes in the United States between the magnitudes of 3.0 and 6.0. From 2007 to the present, 269 fatalities have resulted from tornadoes. As Chair of the Subcommittee on Emergency Communications, Preparedness, and Response, my Subcommittee recently held a hearing on the difficulties of reaching those with special needs, such as children, during emergencies such as a hurricane or tornado. Children comprise about 25 percent of our population and have unique needs during a disaster that require specific recognition and coordination on the part of federal, state, Tribal and local governments and their non-governmental disaster-relief partners. The rise in major disaster declarations over the past two decades, and more recent disasters have highlighted the need to improve the gaps in preparedness, response and recovery policies that should specifically address the needs of children.

Madam Speaker, I am pleased that H.R. 5266 would reauthorize the National Commission on Children and Disasters through 2013. The National Commission on Children and Disasters examines and reports to the Congress and the President on the needs of children during the preparation for, response to, and recovery from major disasters and emergencies. Under current law, the commission would terminate in 2011.

I conclusion, Madam Speaker, I support this legislation to keep our children safe. I am pleased that Congress is taking action to promote increased safety measures in emergency situations as well as providing the funds in support.

Madam Speaker, I urge my colleagues to join me in supporting H.R. 5266.

PERSONAL EXPLANATION

HON. TODD TIAHRT

OF KANSAS

IN THE HOUSE OF REPRESENTATIVES

Monday, July 26, 2010

Mr. TIAHRT. Madam Speaker, on July 22nd, I missed six rollcall votes numbered 461, 462, 463, 464, 465, and 466 because I was unavoidably detained in Kansas.

Rollcall No. 461 was a vote on H. Res. 1550, providing for consideration of the Senate amendment to the House amendment to the Senate amendment to H.R. 4213, Unemployment Compensation Extension Act of 2010. Had I been present, I would have voted ''no.''

Rollcall No. 462 was a vote on H.R. 1469, the Child Protection Improvements Act of 2010. Had I been present, I would have voted ''aye.''

Rollcall No. 463 was a vote on H.R. 4213, the Unemployment Compensation Extension Act of 2010. Had I been present, I would have voted ''no.''

Rollcall No. 464 was a vote on H.R. 5341, to designate the facility of the United States Postal Service located at 100 Orndorf Drive in Brighton, Michigan, as the Joyce Rogers Post Office Building. Had I been present, I would have voted ''aye.''

Rollcall No. 465 was a vote on ordering the previous question for H.R. 4773, providing for consideration of H.R. 1264, Multiple Peril Insurance Act of 2009. Had I been present, I would have voted ''no.''

Rollcall No. 466 was a vote on H. Res. 1549, providing for consideration of H.R. 1264, Multiple Peril Insurance Act of 2009. Had I been present, I would have voted ''no.''

PERSONAL EXPLANATION

HON. JOHN BARROW

OF GEORGIA

IN THE HOUSE OF REPRESENTATIVES

Monday, July 26, 2010

Mr. BARROW. Madam Speaker, due to prior commitments in my district, I was absent from the House Monday, July 19 and Tuesday, July 20, 2010, and thus did not cast any votes on those dates. Had I been present, I would have voted in the following way on bills considered by the House: ''yea'' on rollcall 448; ''yea'' on rollcall 449; ''yea'' on rollcall 450; ''yea'' on rollcall 451; ''yea'' on rollcall 452; and ''yea'' on rollcall 453.

IN HONOR OF COLONEL GEORGE JUSKALIAN

HON. FRANK R. WOLF

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Monday, July 26, 2010

Mr. WOLF. Madam Speaker, I rise today to honor Army Colonel George Juskalian, a constituent from Centreville, Virginia, for his dedicated service in World War II, Korea, and Vietnam. He passed away on July 4, 2010, at age 96, having served nearly 30 years on active duty.

Colonel Juskalian was one of the most highly decorated Armenian-American veterans to

ever serve in the U.S. Military. He also was a member of the Armenian Assembly of America. He joined the United States Army in 1939 and was called to active duty as a first lieutenant in 1940 and served with distinction in World War II. He continued to serve for three decades, as a battalion commander in combat in the Korean War as well as a military adviser in the Vietnam campaign.

He was in General Eisenhower's secretariat in the Pentagon between 1945 and 1948 and an adviser to the Imperial Iranian Army in Tehran. He was captured by the Germans in Tunisia and spent 27 months in prisoner of war camps in Italy, Germany, and Poland. He retired with the rank of colonel in 1967.

Colonel Juskalian received the Army's second highest award, known as ''the Legion of Merit,'' for non-combat service. He also received the Silver Star, the Bronze Star, the Army Commendation Medal, the Air Medal and the Parachutist Badge, and the combat Infantry Badge with a Star awarded for World War II and the Korean War.

Madam Speaker, I salute Colonel Juskalian for his patriotism and service to our Nation and express deepest sympathy to his wife Lucine and family on his passing.

HONORING MR. J. CLYDE HOOKER, JR.

HON. THOMAS S.P. PERRIELLO

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Monday, July 26, 2010

Mr. PERRIELLO. Madam Speaker, I rise today in honor of a leader in the Martinsville, Virginia, community, Mr. J. Clyde Hooker, Jr., who died on Monday, July 12.

Born December 20, 1920, J. Clyde Hooker, Jr. was the son of J. Clyde Hooker, Sr. and Mabel Bassett Hooker. He graduated as valedictorian from Virginia Military Institute in 1942, and soon after, joined the allied troops in Europe during World War II. He served until 1946 when he was discharged with the rank of Captain. During his service in the Third Army, he was decorated with the Bronze Star and three campaign stars.

Upon returning from abroad, Mr. Hooker began working at his father's furniture business starting out in the factory before entering sales. In 1960, he was elected president of Hooker Furniture and during the ensuing 40 years, took the business to new heights. His ability to recognize changing trends and implement new manufacturing methods enabled the company to grow from 375 employees to over 2,000 and to increase sales from $4.4 million to $250 million. His peers recognized him as a giant in the furniture industry, inducting him into the American Furniture Hall of Fame in 1997. Yet, Mr. Hooker will be remembered throughout the Martinsville community for far more than just his contributions to the furniture industry.

Mr. Hooker was active as a philanthropist throughout Martinsville, helping support programs that benefitted a wide range of interests. He provided for children through his support of the local YMCA and Boy Scout troops, for the arts through his donations to the Piedmont Arts Association, for animals through his contributions to the local SPCA, and for the less fortunate through his gifts to the Martinsville-Henry County United Way. Mr. Hooker, however, gave far more than monetary contributions. He dedicated his time to these organizations and provided them with advice and support. As one local leader stated, ''He made everybody feel like they were the most important person in the world.''

Most notable, however, was his dedication to his employees. His workers admired him and he treated them as equals, often visiting with them on the floor of the manufacturing plant. Additionally, he and his mother set up the Hooker Educational Foundation to provide scholarships to children and spouses of Hooker Furniture employees.

Mr. Hooker's passing, our community lost a leader and dear friend who can never be replaced. His memory will live on in all of the lives he touched. Mr. Hooker is survived by his devoted wife, Katherine; his daughter Katherine, three grandchildren, and three great-grandchildren. On behalf of Virginia's 5th District, I honor the passing of one of our finest business visionaries and magnanimous philanthropists, and ask that his legacy be remembered for years to come.

HONORING BISHOP WALTER L. HAWKINS

HON. BARBARA LEE

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Monday, July 26, 2010

Ms. LEE of California. Madam Speaker, I rise today to honor the extraordinary life of Grammy Award-winning gospel singer and musical trailblazer, Bishop Walter L. Hawkins. With his passing on July 11, 2010, at the age of 61, we look to Bishop Hawkins' personal legacy of spiritual service, the joy he inspired, and the outstanding quality of his life's work.

A Bay Area native, Walter Hawkins began an unanticipated career in gospel music when, at the age of 19, he sang with the Berkeley-based Ephesians Church of God in Christ's youth choir. The choir, directed by older brother Edwin Hawkins, recorded an album to sell locally as a fundraising effort. It exceeded expectations when the track, ''Oh Happy Day,'' sold over a million copies as an instant pop hit. The Hawkins' enjoyed success as they toured nationally and internationally with the legendary Edwin Hawkins Singers. And in the early 1970s, Walter Hawkins decided to forge another path by entering the ministry.

In 1973, Bishop Hawkins founded the Love Center Church in Oakland where he directed the Love Center Choir. The choir's live album, ''Going Up Yonder,'' became one of the decade's highest selling gospel albums and stayed on Billboard's Gospel Top 40 Chart for three consecutive years. The church's ''Love Alive'' series of recordings sold over a million copies from the 1970s through the 1990s, with ''Love Alive IV'' spending an astounding 39 weeks at the top of Billboard's Gospel Chart.

Throughout his prolific career of composition, collaboration, directing, producing, recording and performance, Bishop Hawkins earned myriad accolades, including a Grammy Award, eight Grammy nominations, three Dove Awards and Gospel Music's Lifetime Heritage Award. Even with Bishop Hawkins' musical success, he remained committed to his spirit-filled ministry throughout the Bay Area and the nation.

In Oakland, Bishop Hawkins' ministry enriched and touched the lives of many residents throughout the 9th Congressional District. The musical component of his teachings inspired both spiritual and artistic communities alike with its profound messages of love and hope. Bishop Hawkins was a spiritual leader, an American icon, a gospel music innovator—and he was also a close friend. It was a great joy for me when Bishop Hawkins accepted my invitation a few years ago to perform at the prayer breakfast during the Congressional Black Caucus Foundation's Annual Legislative Conference. We all sat transfixed as Bishop Hawkins moved us by performing old gospel classics. It is a memory that I will forever cherish.

Today, California's 9th Congressional District salutes and honors Bishop Walter L. Hawkins. We celebrate his amazing life as we mourn his passing. He was a friend and a great man who will be remembered as one of the most beloved figures in contemporary gospel music. Although we will miss Bishop Hawkins tremendously, his musical genius, his ministry and his abounding spirit will live on with his legacy. My thoughts and prayers are with Bishop Hawkins' brother Edwin, his children, grandchildren, and an extended group of loved ones. It is my hope that they find comfort in their deep and abiding faith during this time of loss. Bishop Hawkins will be deeply missed. May his soul rest in peace.

IN RECOGNITION OF YERECIC LABEL OF NEW KENSINGTON, PENNSYLVANIA

HON. MARK S. CRITZ

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Monday, July 26, 2010

Mr. CRITZ. Madam Speaker, I rise today to recognize Yerecic Label, a New Kensington, Pennsylvania company who has been honored with the Employer Support Freedom Award from the Secretary of Defense.

Initiated in 1996, the Employer Support Freedom Award was created by the Employer Support of the Guard and Reserve (ESGR), an organization within the Department of Defense. The ESGR's mission is to ''develop and promote employer support for Guard and Reserve service by advocating relevant initiatives, recognizing outstanding support, increasing awareness of applicable laws, and resolving conflict between employers and service members.'' As a part of fulfilling that mission, the ESGR awards 15 employers nationally who go above and beyond in offering support to employees that are members of the National Guard or the Reserves.

Out of 2,500 nominations from Guard and Reserve members and their families, Yerecic Label was chosen as one of our country's top employers who take the extra initiative to support our men and women in uniform. Starting as a small labeling company out of a garage in western Pennsylvania in 1969, Yerecic has grown to accommodate the needs of customers throughout the eastern half of the United States. Along with their continued successful business practices, Yerecic has stood by and offered assistance to its employees who are on call and ready to defend our country.

Three of Yerecic's 90 employees were deployed to the Pennsylvania Army National Guard from September 2008 to September 2009. While proudly serving their country overseas, Yerecic provided these guardsmen with international cell phones and laptops capable of video chat and internet access. Yerecic also continued to pay their salaries while they were deployed. The three guardsmen also received numerous letters, cards and care packages from fellow employees to keep their spirits high while overseas.

Madam Speaker, Yerecic Label knows what it truly means to support our troops. Through their generosity and kindness, they have provided our Guard and Reserve members and their families with the reassurance they need to make it through this tumultuous time of war. The company's president, Art Yerecic, even gives his personal phone number to families of deployed employees, should they need any additional support.

In the 15 years that the Employer Support Freedom Award has existed, only 130 companies nationwide have been presented with the award. Madam Speaker, I would like to once again honor Yerecic Label for receiving this prestigious award and for supporting our men and women serving abroad.

HOMELAND SECURITY SCIENCE AND TECHNOLOGY AUTHORIZATION ACT OF 2010

SPEECH OF

HON. LAURA RICHARDSON

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 20, 2010

Ms. RICHARDSON. Mr. Speaker, I rise today in support of H.R. 4842, the Homeland Security Science and Technology Authorization Act of 2010, which authorizes important management functions and programs within the Department of Homeland Security Science &Technology (S&T) Directorate.

I would like to acknowledge Speaker PELOSI and Majority Leader HOYER for their leadership in bringing this important resolution to the floor. I would also like to thank my colleagues Chairman THOMPSON and Congresswoman CLARKE, who authored this legislation, which represents a milestone for the S&T Directorate and the Homeland Security Committee. It is the first authorization bill for S&T since the Department was created in 2002.

As Chair of the Homeland Security Subcommittee on Emergency Communications, Preparedness, and Response, I have been concerned about these issues. Through the Committee's years of oversight work, I have a great appreciation for not only S&T's strengths and successes, but also its weaknesses, which include a lack of accessibility, transparency, and responsiveness.

H.R. 4842 addresses those weaknesses and acknowledges the importance of science and technology research, development, testing, and evaluation in ensuring the safety and security of the American people and our nation. This bill ensures that the Science and Technology Directorate has the right tools available to be successful, such as delivering products into the hands of our first responders, law enforcement officials, or critical infrastructure owners to help them achieve their mission and make America more secure. This legislation also authorizes critical management functions and programs within S&T, including the Securing the Cities program.

In conclusion, Mr. Speaker, I support this legislation because we need the very best science and technology available to defend the threats against our homeland. I am pleased that Congress and the Committee on Homeland Security are taking action to promote these improvements and adequately fund the areas of government responsible for science and technology research.

Mr. Speaker, I urge my colleagues to join me in supporting H.R. 4842.

TRIBUTE TO LONNIE ANDERSON

HON. HAROLD ROGERS

OF KENTUCKY

IN THE HOUSE OF REPRESENTATIVES

Monday, July 26, 2010

Mr. ROGERS of Kentucky. Madam Speaker, I rise today to pay tribute to Lonnie Anderson, whose passion for youth in Southern and Eastern Kentucky has forever impacted the education and success of generations of families in Whitley County, Kentucky.

Lonnie Anderson retired as the longest, consecutive-term superintendent to serve the Whitley County School District. Since 1991, Lonnie has been evaluating needs and developing solutions for the students, parents and staff members in the Whitley County School District. The programs he implemented were dedicated to much more than merely improving test scores. Lonnie established programs to improve reading not only for his students, but for their parents. He developed a jobs program geared specifically to students at risk of dropping out of school. He also opened a day care center for teen parents attending the middle and high schools. Lonnie understands that our students face much different challenges in our world today and has made a goal of supplying each one with the tools they need to be successful in life. The results of his efforts were highlighted when the Whitley County School District ranked as the highest performing, highest poverty school in Kentucky in 1997.

Lonnie Anderson also teaches his students to be civically responsible by his own actions. Lonnie lends his wisdom across the region through his service on numerous boards and community organizations including the Operation UNITE Board of Directors and rallying students to participate in PRIDE environmental cleanups. Outside of education, Lonnie is also a savvy business owner. In fact, it is his entrepreneurial skills that turned around the Whitley County School District's general fund from bankruptcy at $300,000 in 1990 to $4.64 million in 1999, moving the entire district among the top performing school systems in the state. The phenomenal impact he has made on the school district and economy of Whitley County will resound for decades.

Madam Speaker, I ask my colleagues to join me in honoring Lonnie Anderson for dedicating a lifetime of service to the youth and families of Eastern Kentucky.

CONGRATULATING THE MEN'S BASKETBALL TEAM OF NORTHWESTERN COLLEGE IN ROSEVILLE, MN ON THEIR NATIONAL CHAMPIONSHIP TITLE

HON. BETTY McCOLLUM

OF MINNESOTA

IN THE HOUSE OF REPRESENTATIVES

Monday, July 26, 2010

Ms. MCCOLLUM. Madam Speaker, it is my honor to congratulate the men's basketball team of Northwestern College in Roseville, Minnesota. The Eagles are the 2010 National Christian Collegiate Athletic Association (NCCAA) Division I Men's Basketball National Tournament champions.

The players and coaches of the Northwestern men's basketball team worked diligently throughout the season—ultimately finishing with a 22–7 record, and winning 18 of their last 19 games. They earned this championship title through much hard work and determination. This is their first NCCAA Division I Men's Basketball Championship, and they have made their fans, their university, and the state of Minnesota proud.

The odds were against the Eagles from the start of the tournament. They were ranked number six out of eight teams, and Northwestern was one of only two Division III universities competing for the title. The team members and coaches were aware of their apparent disadvantage, but they worked their hardest to prove their skeptics wrong.

The championship game was a close competition between Northwestern and their opponent, King College, which was ranked number one in the tournament. Both teams played admirably, but the Eagles' stellar offense and solid defense propelled them to victory over King College. The dedication and strength of character this team has shown are an inspiration to persevere even in the face of defeat.

Madam Speaker, please join me in honoring the players and coaches of the men's basketball team of Northwestern College, whose talent and perseverance led them to the 2010 NCCAA Division I championship.

OUR UNCONSCIONABLE NATIONAL DEBT

HON. MIKE COFFMAN

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Monday, July 26, 2010

Mr. COFFMAN of Colorado. Madam Speaker, today our national debt is $13,248,524,997,009.91.

On January 6th, 2009, the start of the 111th Congress, the national debt was $10,638,425,746,293.80.

This means the national debt has increased by $2,610,099,250,716.11 so far this Congress.

This debt and its interest payments we are passing to our children and all future Americans.

PERSONAL EXPLANATION

HON. MICHAEL E. CAPUANO

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Monday, July 26, 2010

Mr. CAPUANO. Madam Speaker, due to the passing of my mother, Mrs. Rita Capuano, I was not present during the week of July 19, 2010 to vote on rollcall Nos. 448 through 466. Had I been present, I would have voted in the following manner: ''yea'' on rollcall No. 448; ''yea'' on rollcall No. 449; ''yea'' on rollcall No. 450; ''yea'' on rollcall No. 451; ''yea'' on rollcall No. 452; ''yea'' on rollcall No. 453; ''yea'' on rollcall No. 454; ''yea'' on rollcall No. 455; ''yea'' on rollcall No. 456; ''yea'' on rollcall No. 457; ''yea'' on rollcall No. 458; ''yea'' on rollcall No. 459; ''yea'' on rollcall No. 460; ''yea'' on rollcall No. 461; ''yea'' on rollcall No. 462; ''yea'' on rollcall No. 463; ''yea'' on rollcall No. 464; ''yea'' on rollcall No. 465; ''yea'' on rollcall No. 466.

HONORING AMERICA'S KOREAN WAR VETERANS ON JULY 27, 2010, NATIONAL KOREAN WAR VETERANS ARMISTICE DAY

HON. CHARLES B. RANGEL

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Monday, July 26, 2010

Mr. RANGEL. Madam Speaker, I rise to commemorate the National Korean War Veterans Armistice Day, a day especially set aside to ensure America remembers the valiant sacrifices and the patriotic service of the Korean War veterans.

On Tuesday, the stars and stripes will be flown across our great nation in their honor, as a result of President Obama's enactment of the Korean War Veterans Recognition Act, which became Public Law (111–41) last year after it unanimously passed in both chambers of the U.S. Congress.

At the National Korean War Memorial on the morning of the Korean War Veterans Armistice Day, July 27, 2010, hundreds of veterans, their friends and families, members of the U.S. Armed Services, and foreign dignitaries will pay tribute to all those who served in Korea, and lay wreaths for the fallen who never made it back home. Among those in attendance are members of the Korean War Veterans Association, who have gathered in Washington, D.C., for their 2010 Convention and Gathering to mark the occasion.

Sixty years ago, war broke out on the Korean Peninsula, when North Korea invaded the South on June 25, 1950. Before the ceasefire three years later, 1.8 million Americans had served in Korea and the region, more than 54,000 had been killed, more than 103,000 wounded and up to 8,176 listed as missing. Today, there's no peace treaty ending the war, and 28,500 American soldiers are still stationed in South Korea, guarding democracy's eastern flank.

Despite the great loss of life in such a short time, Korea—a so-called United Nations conflict sandwiched between World War II and Vietnam War—was simply forgotten. I hope the flags displayed on this day would remind Americans to remember and recognize the Korean War veterans of a war that has yet to end.

INTRODUCTION OF THE ''NO PRISONER ACCESS TO SOCIAL SECURITY NUMBERS ACT OF 2010''

HON. EARL POMEROY

OF NORTH DAKOTA

IN THE HOUSE OF REPRESENTATIVES

Monday, July 26, 2010

Mr. POMEROY. Madam Speaker, I rise to introduce the ''No Prisoner Access to Social Security Numbers Act of 2010.'' I am honored to be joined by the Ranking Member and other members of the Committee on Ways and Means as cosponsors of this needed legislation.

The bill would protect the accuracy of Social Security records and help shield individuals from identity theft by prohibiting federal, state, and local governments from employing prisoners in any capacity that would allow inmates access to full or partial Social Security numbers (SSNs) of other individuals.

Some prisons allow inmates to work while incarcerated, generally for the government or government contractors. In the course of their duties for these prison industries, some inmates perform duties such as data entry and digital scanning of documents, which allow them to view SSNs on student transcripts and employee wage statements for Federal, State or local governments. Such access raises the potential for crimes such as harassment or stalking, and SSN-related identity theft, which damages the integrity of Social Security records and puts individuals and businesses at risk for fraud.

Identity theft remains the fastest growing type of fraud in the United States. In 2009 over 11 million Americans were reportedly victims of identity theft, an increase of about 12 percent from the number of cases in 2008. In addition, the Federal Trade Commission estimates that it costs consumers about $50 billion annually. Access to Social Security numbers provides criminals with a key that unlocks many other sources of private personal information that can be used to perpetrate identity theft. The Social Security system relies on accurate earnings records associated with an individual's SSN. When an SSN is used by more than one person, it affects the accuracy and integrity of the Social Security system.

The Office of Inspector General (OIG) for the Social Security Administration (SSA) has investigated the use of prison inmates to process SSN information in several reports. In a 2006 report, the OIG found 13 states had allowed prison inmates to perform work that allowed them access to personally identifiable information, including SSNs. SSA responded by contacting the state governments and advising them of the dangers of this practice. In response, five states stopped this work. However, a more recent audit found that several states continue to allow prisoner access to SSN information. The states are Alabama, Arkansas, Kansas, Nebraska, Oklahoma, South Dakota, and Tennessee. Some of these states have adopted limited safeguards to keep prisoners from stealing the information, but the OIG's audit found these protections generally insufficient. SSA and the OIG agreed that legislation to ban on this practice altogether was warranted.

The Committee's comprehensive SSN privacy bill (H.R. 3306) included a prohibition on prisoner access. That bill was reported out of the Committee on Ways and Means unanimously in the 110th Congress but has not advanced. Based on the findings in the Inspector General's report, however, Ranking Member JOHNSON and I agreed that the prohibition on prisoner access was needed immediately and therefore we have introduced it in its own bill, so that we may move to enact it as quickly as possible.

I urge my colleagues to support this legislation, which will help shut down a dangerous and unnecessary threat to the privacy of Social Security numbers.

HONORING DUANE ZUCKSCHWERDT

HON. DALE E. KILDEE

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Monday, July 26, 2010

Mr. KILDEE. Madam Speaker, I ask the House of Representatives to join me in congratulating Duane Zuckschwerdt on his retirement after 46 years of service to the UAW. A dinner will be held in his honor tomorrow to celebrate his life and work.

Duane Zuckschwerdt began his affiliation with the UAW in 1964 at Local 652 in Lansing. One year later he was hired at the Flint Chevrolet Manufacturing complex and he became a member of Local 659. Over the years he was elected to several positions with the Local including 1st Vice President in 1990 and President in 1996. He served as Chairman of the Greater Flint Area President's Council, and President of the Flint Area Community Action Program Council.

Appointed the UAW International Staff in 1998, Duane was selected to be the Assistant Director of UAW Region 1–C in 2002. In 2006 he was selected by the delegates at the UAW Constitution Convention as Regional Director leading the 90,000 active and retired UAW members in an 11 county area.

Recognized for his achievements by his peers, Duane is a recipient of the Walter Reuther Award. He has attended every Constitutional Convention and Bargaining Convention, except two, since the early 1970s. Duane and his wife, Connie, have two sons and four grandchildren.

Madam Speaker, I would like to thank Duane Zuckschwerdt for his friendship, his counsel, and his service. Duane works to benefit people and has set an example of compassion, enthusiasm, and goodwill for others to emulate. I wish him the best as he moves into this new phase of his life.

CELEBRATION OF LIFE: THE LATE LEO EARL HOLLIE SR.

HON. EDDIE BERNICE JOHNSON

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Monday, July 26, 2010

Ms. EDDIE BERNICE JOHNSON of Texas. Madam Speaker, George S. Patton, Jr. said ''It is foolish and wrong to mourn the men who died. Rather we should thank God that such

men lived.'' For that reason, on July 14, 2010 we did not mourn Mr. Leo Earl Hollie Sr.'s death, rather we celebrated his life.

He left behind his wife of forty-two years and his two children, Constance Hollie-Ramirez and Leo E. Hollie, Jr. In addition to his wife and children, he leaves behind 6 brothers, 4 sisters and 7 grandchildren. He will rest in peace with his late mother Ella B. Mallard, his late brother Kent Hollie, his late brother Columbus Hollie, and his late brother Charlie Frank Hollie.

Mr. Hollie was a faithful member of Hopewell Missionary Baptist church and a proud twenty-year coach of the Oak Cliff Cowboys. He was also a member of the Teamsters Union Local #745 and had been recently reelected as the Dallas county Precinct Chair of District #3302. Not only did he serve his community in the Dallas area, but he served his country in the United States Army during the Vietnam War Era.

Madam Speaker, we are proud of our community leader and the accomplishments he has left behind. We will not mourn that he has left us behind; rather we will rejoice what he has left behind.

HONORING BRUCE KERN

HON. BARBARA LEE

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Monday, July 26, 2010

Ms. LEE of California. Madam Speaker, I rise today to honor Mr. Bruce Kern for a long career of public service and leadership on the occasion of his retirement. As Executive Director of the East Bay Economic Development Alliance (East Bay EDA), Mr. Kern led a local public/private partnership responsible for the retention and attraction of business and the promotion of sustainable development.

Native to California and born in the Bay Area, Bruce Kern has enjoyed a multi-faceted career for the State of California as an Economic Analyst, as well as for Alameda County as Director of Research and Planning for its Criminal Justice Planning Board and Director of Planning for the Alameda County Social Services Agency. Between 1982 and 1986, Mr. Kern also lectured part-time on social planning and public policy for the School of Social Welfare at the University of California, Berkeley.

As a county employee in 1990, Mr. Kern was assigned with coordinating a County taskforce comprising 14 of its cities and private and nonprofit community leaders in response to the significant impact of military base closures in the region. This taskforce became a committee of the County commissioned by the Mayors' Council of Alameda County, which eventually evolved into the Economic Development Advisory Board (EDAB) and later expanded to include Contra Costa County.

Now with a membership of over 700, including leaders in business, local government, education, labor and community service, the East Bay Economic Development Alliance strives to maintain the East Bay as a world-recognized location attracting revenue, business growth and the creation of quality jobs. Under Mr. Kern's vision and leadership, the East Bay EDA has been a driving force for collaborative leadership in the region to strengthen local infrastructure and promote economic prosperity.

Additionally, Mr. Kern has been a member of the Board of Directors of the Corporation for Manufacturing Excellence (Manex), the Technology Venture Corporation, the California Association for Local Economic Development (CalEd) and the Alameda County Work Force Investment Board. His many accolades include the 1998 Golden Bear Award from the California Association for Local Economic Development rewarding his vision, drive, enthusiasm, creativity and commitment to CALED and the economic development profession.

On behalf of California's 9th Congressional District, Mr. Bruce Kern, we salute you. Thank you for your many contributions to our community, which will continue to influence local business leaders, economic development and working men and women for years to come. I am confident that the East Bay Economic Development Alliance will continue in your legacy of excellence and success. Once again, congratulations on your many achievements. We wish you and your loved ones all the best in this next chapter of life.

UNEMPLOYMENT COMPENSATION EXTENSION ACT OF 2010

SPEECH OF

HON. CAROLYN B. MALONEY

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 22, 2010

Mrs. MALONEY. Mr. Speaker, Thursday the House took action to help nearly 2.5 million Americans with the very basic needs of putting food on the table and paying the bills by extending unemployment insurance. After weeks of Republican efforts to withhold these benefits, we are sending a lifeline to families while sending a jolt to our economy because most of the aid will be spent quickly on food, rent, and other necessities.

The Emergency Unemployment Compensation, EUC, Program began to phase out at the end of May. This means individuals exhausting their 26 weeks of regular unemployment benefits since that time, or exhausting any of the tiers of Federal EUC benefits, are not eligible for emergency unemployment benefits. H.R. 4213 retroactively restores those benefits and continues the EUC program through November.

Those in the Minority who are opposed to helping our middle class families often claim that providing unemployment insurance discourages Americans from seeking work. This couldn't be further from the truth. The Joint Economic Committee, which I chair, has just released its 2010 Annual Report. One of the findings is that extending unemployment benefits does not discourage job seekers from looking for work. The JEC report finds that unemployment benefits actually serve to keep some workers attached to the labor force who might otherwise shift to other more costly government programs.

By the end of the year, if no further action is taken, some 290,000 unemployed disabled workers will exhaust their unemployment benefits, and two-thirds of these workers will leave the labor force and move onto the Social Security Disability Insurance program. Shifting these workers from the labor market and onto the SSDI rolls would be a $24.2 billion lifetime cost. Compare that with the $721.3 million cost of extending unemployment benefits for these workers.

These numbers demonstrate that extending unemployment benefits is not only morally right, it is the fiscally responsible thing to do.

PERSONAL EXPLANATION

HON. ZOE LOFGREN

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Monday, July 26, 2010

Ms. ZOE LOFGREN of California. Madam Speaker, on Thursday, July 22, I was absent from three votes due to a stomach virus. Had I been present I would have voted: Rollcall No. 466, ''aye''; Rollcall No. 465, ''yea''; and Rollcall No. 464, ''aye.''

SENATE COMMITTEE MEETINGS

Title IV of Senate Resolution 4, agreed to by the Senate on February 4, 1977, calls for establishment of a system for a computerized schedule of all meetings and hearings of Senate committees, subcommittees, joint committees, and committees of conference. This title requires all such committees to notify the Office of the Senate Daily Digest—designated by the Rules Committee—of the time, place, and purpose of the meetings, when scheduled, and any cancellations or changes in the meetings as they occur.

As an additional procedure along with the computerization of this information, the Office of the Senate Daily Digest will prepare this information for printing in the Extensions of Remarks section of the CONGRESSIONAL RECORD on Monday and Wednesday of each week.

Meetings scheduled for Tuesday, July 27, 2010 may be found in the Daily Digest of today's RECORD.

MEETINGS SCHEDULED

JULY 28

Time to be announced

Health, Education, Labor, and Pensions

Business meeting to consider H.R. 5610, to provide a technical adjustment with respect to funding for independent living centers under the Rehabilitation Act of 1973 in order to ensure stability for such centers, and any pending nominations.

Room to be announced

10 a.m.

Foreign Relations

To hold hearings to examine the nominations of Terence Patrick McCulley, of Oregon, to be Ambassador to the Federal Republic of Nigeria, Michele Thoren Bond, of the District of Columbia, to be Ambassador to the Kingdom of Lesotho, and Robert Porter Jackson, of Virginia, to be Ambassador to the Republic of Cameroon, all of the Department of State.

SD–419

Homeland Security and Governmental Affairs

Business meeting to consider H.R. 2868, to amend the Homeland Security Act of 2002 to enhance security and protect against acts of terrorism against chemical facilities, to amend the Safe Drinking Water Act to enhance the security of public water systems, and to amend the Federal Water Pollution Control Act to enhance the security of wastewater treatment works, S. 3335, to require Congress to establish a unified and searchable database on a public website for congressional earmarks as called for by the President in his 2010 State of the Union Address to Congress, S. 2991, to amend title 31, United States Code, to enhance the oversight authorities of the Comptroller General, S. 3243, to require U.S. Customs and Border Protection to administer polygraph examinations to all applicants for law enforcement positions with U.S. Customs and Border Protection, to require U.S. Customs and Border Protection to complete all periodic background reinvestigations of certain law enforcement personnel, S. 2902, to improve the Federal Acquisition Institute, H.R. 3980, to provide for identifying and eliminating redundant reporting requirements and developing meaningful performance metrics for homeland security preparedness grants, H.R. 1517, to allow certain U.S. Customs and Border Protection employees who serve under an overseas limited appointment for at least 2 years, and whose service is rated fully successful or higher throughout that time, to be converted to a permanent appointment in the competitive service, an original bill to amend chapter 21 of title 5, U.S. Code, to provide the fathers of certain permanently disabled or deceased veterans shall be included with mothers of such veterans as preferable eligibles for treatment in the civil service, S. 3567, to designate the facility of the United States Postal Service located at 100 Broadway in Lynbrook, New York, as the ''Navy Corpsman Jeffrey L. Wiener Post Office Building'', H.R. 5278, to designate the facility of the United States Postal Service located at 405 West Second Street in Dixon, Illinois, as the ''President Ronald W. Reagan Post Office Building'', and H.R. 5395, to designate the facility of the United States Postal Service located at 151 North Maitland Avenue in Maitland, Florida, as the ''Paula Hawkins Post Office Building''.

SD–342

Judiciary

To hold an oversight hearing to examine the Federal Bureau of Investigation.

SD–226

10:30 a.m.

Rules and Administration

To resume hearings to examine the filibuster, focusing on legislative proposals to change Senate procedures.

SR–301

2:30 p.m.

Banking, Housing, and Urban Affairs

Business meeting to consider the nominations of Janet L. Yellen, of California, to be Vice Chairman of the Board of Governors of the Federal Reserve System, Peter A. Diamond, of Massachusetts, Sarah Bloom Raskin, of Maryland, all to be a Member of the Board of Governors of the Federal Reserve System, Osvaldo Luis Gratacs Munet, of Puerto Rico, to be Inspector General, Export-Import Bank, and Steve A. Linick, of Virginia, to be Inspector General of the Federal Housing Finance Agency.

SD–538

Environment and Public Works

To hold hearings to examine protecting America's water treatment facilities.

SD–406

Judiciary

To hold hearings to examine the nominations of Kathleen M. O'Malley, of Ohio, to be United States Circuit Judge for the Federal Circuit, Beryl Alaine Howell, of the District of Columbia, to be United States District Judge for the District of Columbia, and Robert Leon Wilkins, of the District of Columbia, to be a United States District Judge for the District of Columbia.

SD–226

3 p.m.

Homeland Security and Governmental Affairs

State, Local, and Private Sector Preparedness and Integration Subcommittee

Disaster Recovery Subcommittee

To hold joint hearings to examine flood preparedness and mitigation, focusing on map modernization, levee inspection, and levee repairs.

SD–342

JULY 29

9:30 a.m.

Armed Services

To hold hearings to examine the new START.

SD–G50

Indian Affairs

To hold an oversight hearing to examine Indian gaming.

SD–628

10 a.m.

Homeland Security and Governmental Affairs

Contracting Oversight Subcommittee

To hold hearings to examine mismanagement of contracts at Arlington National Cemetery.

SD–342

Health, Education, Labor, and Pensions

Children and Families Subcommittee

To hold hearings to examine the state of the American child, focusing on the impact of Federal policies on children.

SD–430

Finance

To hold hearings to examine the nominations of Michael C. Camuez, of California, to be Assistant Secretary of Commerce, and Charles P. Blahous, III, of Maryland, and Robert D. Reischauer, of Maryland, both to be a Member of the Board of Trustees of the Federal Hospital Insurance Trust Fund, a Member of the Board of Trustees of the Federal Supplementary Medical Insurance Trust Fund, and a Member of the Board of Trustees of the Federal Old-Age and Survivors Insurance Trust Fund and the Federal Disability Insurance Trust Fund.

SD–215

Judiciary

Business meeting to consider S. 3397, to amend the Controlled Substances Act to provide for take-back disposal of controlled substances in certain instances, S. 2925, to establish a grant program to benefit victims of sex trafficking, S. 518, to establish the Star-Spangled Banner and War of 1812 Bicentennial Commission, and the nominations of Mary Helen Murguia, of Arizona, to be United States Circuit Judge for the Ninth Circuit, Edmond E–Min Chang, to be United States District Judge for the Northern District of Illinois, Leslie E. Kobayashi, to be United States District Judge for the District of Hawaii, Denise Jefferson Casper, to be United States District Judge for the District of Massachusetts, Carlton W. Reeves, to be United States District Judge for the Southern District of Mississippi, and John F. Walsh, to be United States Attorney for the District of Colorado, John William Vaudreuil, to be United States Attorney for the Western District of Wisconsin, William J. Ihlenfeld, II, to be United States Attorney for the Northern District of West Virginia, Mark Lloyd Ericks, to be United States Marshal for the Western District of Washington, Joseph Patrick Faughnan, Sr., to be United States Marshal for the District of Connecticut, Harold Michael Oglesby, to be United States Marshal for the Western District of Arkansas, and Conrad Ernest Candelaria, to be United States Marshal for the District of New Mexico, all of the Department of Justice.

SD–226

2 p.m.

Intelligence

Closed business meeting to consider pending calendar business.

SH–219

2:30 p.m.
Foreign Relations
To hold joint hearings to examine Al-Megrahi release, focusing on one year later.
SH–216
Homeland Security and Governmental Affairs
Oversight of Government Management, the Federal Workforce, and the District of Columbia Subcommittee
To hold hearings to examine closing the language gap, focusing on improving the Federal government's foreign language capabilities.
SD–342
Judiciary
Terrorism and Homeland Security Subcommittee
To hold hearings to examine the passport issuance process, focusing on closing the door to fraud, part II.
SD–226

AUGUST 3

9:30 a.m.
Armed Services
To hold hearings to examine the report of the Quadrennial Defense Review Independent Panel.
SD–G50

10 a.m.
Homeland Security and Governmental Affairs
Oversight of Government Management, the Federal Workforce, and the District of Columbia Subcommittee
To hold hearings to examine implementation, improvement, and sustainability, focusing on management matters at the Department of Homeland Security.
SD–342

AUGUST 4

9 a.m.
Impeachment Trial Committee (Porteous)
Organizational meeting of the Impeachment Trial Committee on the Articles Against Judge G. Thomas Porteous, Jr.
SR–301

2:30 p.m.
Homeland Security and Governmental Affairs
Investigations Subcommittee
To hold hearings to examine social security disability fraud, focusing on case studies in Federal employees and commercial drivers licenses.
SD–342

AUGUST 5

9:30 a.m.
Veterans' Affairs
Business meeting to consider pending calendar business.
SR–418

SEPTEMBER 22

10 a.m.
Veterans' Affairs
To hold hearings to examine a legislative presentation focusing on the American Legion.
345, Cannon Building

SEPTEMBER 23

9:30 a.m.
Veterans' Affairs
To hold an oversight hearing to examine Veterans' Affairs disability compensation, focusing on presumptive disability decision-making.
SDG–50

Daily Digest

Senate

Chamber Action

Routine Proceedings, pages S6229–S6262

Measures Introduced: Six bills were introduced, as follows: S. 3645–3650. **Page S6245**

Measures Reported:

Reported on Friday, July 23, during the adjournment:

S. 3644, making appropriations for the Departments of Transportation, and Housing and Urban Development, and related agencies for the fiscal year ending September 30, 2011. (S. Rept. No. 111–230)

Reported on Monday, July 26:

S. 1862, to provide that certain Secret Service employees may elect to transition to coverage under the District of Columbia Police and Fire Fighter Retirement and Disability System. (S. Rept. No. 111–231)

Report to accompany S. 3638, to establish a national safety plan for public transportation. (S. Rept. No. 111–232)

H.R. 3562, To designate the federally occupied building located at 1220 Echelon Parkway in Jackson, Mississippi, as the ''James Chaney, Andrew Goodman, and Michael Schwerner Federal Building'', with an amendment in the nature of a substitute. **Page S6245**

Measures Considered:

Disclose Act: Senate resumed consideration of the motion to proceed to consideration of S. 3628, to amend the Federal Election Campaign Act of 1971 to prohibit foreign influence in Federal elections, to prohibit government contractors from making expenditures with respect to such elections, and to establish additional disclosure requirements with respect to spending in such elections. **Pages S6230–39**

Messages from the House: **Page S6244**

Measures Referred: **Page S6244**

Measures Placed on the Calendar: **Pages S6229, S6244–45**

Additional Cosponsors: **Pages S6245–46**

Statements on Introduced Bills/Resolutions: **Pages S6246–47**

Additional Statements: **Pages S6243–44**

Amendments Submitted: **Pages S6247–62**

Notices of Intent: **Page S6262**

Notices of Hearings/Meetings: **Page S6262**

Privileges of the Floor: **Page S6262**

Adjournment: Senate convened at 3 p.m. and adjourned at 6:17 p.m., until 10 a.m. on Tuesday, July 27, 2010. (For Senate's program, see the remarks of the Acting Majority Leader in today's Record on page S6262.)

Committee Meetings

(Committees not listed did not meet)

No committee meetings were held.

House of Representatives

Chamber Action

Public Bills and Resolutions Introduced: 15 public bills, H.R. 5849, 5851–5864; and 4 resolutions, H. Con. Res. 304; and H. Res. 1555, 1557–1558, were introduced. **Page H6042**

Additional Cosponsors: **Pages H6042–43**

Reports Filed: A report was filed on July 22, 2010 as follows:

H.R. 3377, to amend the Robert T. Stafford Disaster Relief and Emergency Assistance Act to enhance the Nation's disaster preparedness, response, recovery, and mitigation capabilities, with an amendment (H. Rept. 111–562).

Reports were filed today as follows:

H.R. 3101, to ensure that individuals with disabilities have access to emerging Internet Protocol-based communication and video programming technologies in the 21st Century, with an amendment (H. Rept. 111–563);

H.R. 5850, making appropriations for the Department of Transportation, and Housing and Urban Development, and related agencies for the fiscal year ending September 30, 2011 (H. Rept. 111–564);

Report on the Suballocation of Budget Allocations for Fiscal Year 2011 (H. Rept. 111–565); and

H. Res. 1556, providing for consideration of the concurrent resolution (H. Con. Res. 301) directing the President, pursuant to section 5(c) of the War Powers Resolution, to remove the United States Armed Forces from Pakistan (H. Rept. 111–566).

Page H6042

Speaker: Read a letter from the Speaker wherein she appointed Representative Richardson to act as Speaker pro tempore for today. **Page H5987**

Recess: The House recessed at 12:31 p.m. and reconvened at 2 p.m. **Page H5987**

Permitting individuals to be admitted to the Hall of the House: The House agreed to H. Res. 1555, permitting individuals to be admitted to the Hall of the House in order to document the improved accessibility of the Hall of the House.

Page H5987

Suspensions: The House agreed to suspend the rules and pass the following measures:

Recognizing and honoring the 20th anniversary of the enactment of the Americans with Disabilities Act of 1990: H. Res. 1504, amended, to recognize and honor the 20th anniversary of the enactment of the Americans with Disabilities Act of 1990, by a ⅔ yea-and-nay vote of 377 yeas with none voting "nay", Roll No. 468;

Pages H5989–96, H6021

Twenty-first Century Communications and Video Accessibility Act: H.R. 3101, amended, to ensure that individuals with disabilities have access to emerging Internet Protocol-based communication and video programming technologies in the 21st Century, by a ⅔ yea-and-nay vote of 348 yeas to 23 nays, Roll No. 469; **Pages H5996–H6007, H6023**

Honoring and praising the Sojourn to the Past organization: H. Res. 1058, amended, to honor and praise the Sojourn to the Past organization on the occasion of its 10th anniversary; **Pages H6007–08**

Congratulating the University of Dayton men's basketball team: H. Res. 1456, to congratulate the University of Dayton men's basketball team for winning the 2010 National Invitation Tournament basketball championship; **Pages H6010–11**

Expressing support for designation of the week beginning on the second Sunday of September as Arts in Education Week: H. Con. Res. 275, amended, to express support for designation of the week beginning on the second Sunday of September as Arts in Education Week; **Pages H6011–13**

Supporting the observance of "Spirit of '45 Day": H. Con. Res. 226, to support the observance of "Spirit of '45 Day"; **Pages H6013–14**

Honoring the 50th anniversary of the publication of "To Kill a Mockingbird": H. Res. 1525, to honor the 50th anniversary of the publication of "To Kill a Mockingbird", a classic American novel authored by Nelle Harper Lee of Monroeville, Alabama; and **Pages H6014–17**

Federal Advisory Committee Act Amendments: H.R. 1320, amended, to amend the Federal Advisory Committee Act to increase the transparency and accountability of Federal advisory committees, by a ⅔ yea-and-nay vote of 250 yeas to 124 nays, Roll No. 467. **Pages H6017–20, H6020–21**

Recess: The House recessed at 3:31 p.m. and reconvened at 3:40 p.m. **Page H6007**

Recess: The House recessed at 5 p.m. and reconvened at 6 p.m. **Page H6020**

Suspension—Proceedings Postponed: The House debated the following measure under suspension of the rules. Further proceedings were postponed:

Honoring the educational significance of Dr. Jane Goodall's work: H. Res. 1543, to honor the educational significance of Dr. Jane Goodall's work on this the 50th anniversary of the beginning of her work in Tanzania, Africa. **Pages H6008–10**

Directing the Clerk of the House of Representatives to correct the enrollment of H.R. 725: The House agreed to H. Con. Res. 304, to direct the Clerk of the House of Representatives to correct the enrollment of H.R. 725. **Pages H6024–25**

Senate Message: Message received from the Senate by the Clerk and subsequently presented to the House today appears on page H5996.

Quorum Calls—Votes: Three yea-and-nay votes developed during the proceedings of today and appear on pages H6020, H6021, and H6023. There were no quorum calls.

Adjournment: The House met at 12:30 p.m. and adjourned at 9:17 p.m.

Committee Meetings

DIRECTING THE PRESIDENT, PURSUANT TO SECTION 5(c) OF THE WAR POWERS RULE, TO REMOVE THE UNITED STATES ARMED FORCES FROM PAKISTAN

Committee on Rules: Granted, by a voice vote, a closed rule providing for consideration of H. Con. Res. 301, the ''Directing the President, pursuant to section 5(c) of the War Powers Rule, to remove the United States Armed Forces from Pakistan.'' The rule provides one hour of debate in the House with 30 minutes to be controlled by Rep. Kucinich and 30 minutes to be equally divided and controlled by the chair and ranking minority member of the Committee on Foreign Affairs. The rule waives all points of order against consideration of the concurrent resolution. The rule provides that the concurrent resolution shall be considered as read. Testimony was heard by Representative Kucinich.

Joint Meetings

No joint committee meetings were held.

NEW PUBLIC LAWS

(For last listing of Public Laws, see DAILY DIGEST, *p. D838)*

S. 1508, to amend the Improper Payments Information Act of 2002 (31 U.S.C. 3321 note) in order to prevent the loss of billions in taxpayer dollars. Signed on July 22, 2010. (Public Law 111–204)

H.R. 4213, to amend the Internal Revenue Code of 1986 to extend certain expiring provisions. Signed on July 22, 2010. (Public Law 111–205)

COMMITTEE MEETINGS FOR TUESDAY, JULY 27, 2010

(Committee meetings are open unless otherwise indicated)

Senate

Committee on Appropriations: Subcommittee on Financial Services and General Government, business meeting to mark up proposed budget estimates for fiscal year 2011 for Financial Services and General Government, 10:30 a.m., SD–138.

Subcommittee on Labor, Health and Human Services, Education, and Related Agencies, business meeting to mark up proposed budget estimates for fiscal year 2011 for Labor, Health and Human Services, Education, and Related Agencies, 2:15 p.m., SD–138.

Committee on Armed Services: to hold hearings to examine independent analyses of the New START, 9:30 a.m., SD–G50.

Full Committee, to hold hearings to examine the nomination of James N. Mattis, USMC, for reappointment to the grade of general and to be Commander, United States Central Command, 3 p.m., SD–G50.

Committee on Commerce, Science, and Transportation: To hold hearings to examine consumer online privacy, 2:30 p.m., SR–253.

Committee on Environment and Public Works: Subcommittee on Water and Wildlife, to hold hearings to examine assessing natural resource damages resulting from the BP Deepwater Horizon disaster, 2:30 p.m., SD–406.

Committee on Foreign Relations: To hold hearings to examine perspectives on reconciliation options in Afghanistan, 9:30 a.m., SD–419.

Full Committee, business meeting to consider the nominations of Peter Michael McKinley, of Virginia, to be Ambassador to the Republic of Colombia, Rose M. Likins, of Virginia, to be Ambassador to the Republic of Peru, Christopher W. Murray, of New York, to be Ambassador to the Republic of the Congo, Mark Charles Storella, of Maryland, to be Ambassador to the Republic of Zambia, James Frederick Entwistle, of Virginia, to be Ambassador to the Democratic Republic of the Congo, Eric D. Benjaminson, of Oregon, to be Ambassador to the Gabonese Republic, and to serve concurrently and without additional compensation as Ambassador to the Democratic Republic of Sao Tome and Principe, Phillip Carter III, of Virginia, to be Ambassador to the Republic of Cote d'Ivoire, J. Thomas Dougherty, of Wyoming, to be Ambassador to Burkina Faso, Michael S. Owen, of Virginia, to be Ambassador to the Republic of Sierra Leone, and Laurence D. Wohlers, of Washington, to be Ambassador to the Central African Republic, all of the Department of State, Mark Feierstein, of Virginia, to be an Assistant Administrator of the United States Agency for International Development, and Mimi E. Alemayehou, Executive Vice President of the Overseas Private Investment Corporation, to be a Member of the Board of Directors of the African Development Foundation, 2:15 p.m., S–116, Capitol.

Full Committee, to hold hearings to examine the nominations of Alejandro Daniel Wolff, of California, to be Ambassador to the Republic of Chile, Larry Leon Palmer, of Georgia, to be Ambassador to the Bolivarian Republic of Venezuela, Pamela E. Bridgewater Awkard, of Virginia, to be Ambassador to Jamaica, and Phyllis Marie Powers, of Virginia, to be Ambassador to the Republic of Panama, all of the Department of State, 3 p.m., SD–419.

Committee on Homeland Security and Governmental Affairs: Subcommittee on Oversight of Government Management, the Federal Workforce, and the District of Columbia, to hold hearings to examine high-risk logistics planning, focusing on progress on improving Department of Defense supply chain management, 2:30 p.m., SR–418.

Committee on the Judiciary: To hold hearings to examine Exxon Valdez to Deepwater Horizon, focusing on protecting victims of major oil spills, 2:30 p.m., SD–226.

Committee on Small Business and Entrepreneurship: To hold hearings to examine the deepwater drilling moratorium, 10 a.m., SD–106.

Select Committee on Intelligence: To hold closed hearings to examine certain intelligence matters, 2:30 p.m., SH–219.

House

Committee on Appropriations, to mark up the following: The FY 2011 Agriculture, Rural Development, Food and Drug Administration, and Related Agencies Appropriations Bill and the FY 2011 Homeland Security Appropriations bill, 3 p.m., 2359 Rayburn.

Subcommittee on Defense, executive, to mark up the Defense Appropriations bill, 1:30 p.m., H–140 Capitol.

Committee on Armed Services, hearing on Japan: Recent Security Developments, 10 a.m., 2118 Rayburn.

Committee on the Budget, hearing on Budget Implications of Closing Yucca Mountain, 10:15 a.m., 210 Cannon.

Committee on Energy and Commerce, Subcommittee on Commerce, Trade and Consumer Protection, hearing entitled ''The BP Oil Spill and Gulf Coast Tourism: Assessing the Impact,'' 10 a.m., 2123 Rayburn.

Subcommittee on Health, hearing entitled ''Implementation of the Health Information Technology for Economic and Clinical (HITECH) Act,'' 1 p.m., 2322 Rayburn.

Committee on Financial Services, to consider the following bills: H.R. 5814, Public Housing Reinvestment and Tenant Protection Act of 2010; H.R. 4868, Housing Preservation and Tenant Protection Act of 2010; H.R. 2267, Internet Gambling Regulation, Consumer Protection, and Enforcement Act; H.R. 3421, Medical Debt Relief Act of 2009; H.R. 4790, Shareholder Protection Act of 2010; H.R. 5823, United States Covered Bond Act of 2010; and H.R. 476, House Fairness Act of 2009, 10 a.m., 2128 Rayburn.

Committee on Foreign Affairs, Subcommittee on Asia, The Pacific and the Global Environment, hearing on Climate Change Finance: Providing Assistance for Vulnerable Countries, 2 p.m., 2172 Rayburn.

Subcommittee on International Organizations, Human Rights and Oversight, hearing on Achieving the United Nationals Millennium Development Goals: Progress through Partnerships, 9:30 a.m., 2172 Rayburn.

Committee on Homeland Security, Subcommittee on Emergency Communications, Preparedness, and Response, hearing entitled '' Interoperable Emergency Communications: Does the National Broadband Plan Meet the Needs of First Responders?'' 10 a.m., 311 Cannon.

Committee on the Judiciary, Subcommittee on Commercial and Administrative Law, hearing on Federal Rulemaking and the Regulatory Process, 11 a.m., 2237 Rayburn.

Subcommittee on Courts and Competition Policy, hearing on the Federal Trade Commissions's Bureau of Competition and the U.S. Department of Justice's Antitrust Division, 10:15 a.m., 2141 Rayburn.

Committee on Natural Resources, Subcommittee on Insular Affairs, Oceans and Wildlife, hearing on the following bills: H.R. 3850, Nutria Eradication and Control Act of 2009; H.R. 3910, Longline Catcher Processor Subsector Single Fishery Cooperative Act; H.R. 4914, Coastal Jobs Creation Act of 2010; H.R. 5180, National Marine Fisheries Service Ombudsman Act of 2010; H.R. 5331, To revise the boundaries of John H. Chaffee Coastal Barrier Resources System Sachuest Point Unit RI–04P, Easton Beach Unit RI–05P, Almy Pony Unit RI–06, and Hazards Beach Unit RI–07 in Rhode Island; H.R. 5380, Hakalau Forest National Wildlife Refuge Expansion Act of 2010; and H.R. 5482, Corolla Wild Horses Protection Act, 10 a.m., 1324 Longworth.

Committee on Oversight and Government Reform, Subcommittee on Federal Workforce, Postal Service, and the District of Columbia, hearing entitled '' Female D.C. Code Felons: Unique Challenges in Prison and At Home,'' 10 a.m., 2154 Rayburn.

Committee on Rules, to consider H.R. 5822, Military Construction and Veterans Affairs and Related Agencies Appropriations Act, 2011, 2 p.m., H–313 Capitol.

Committee on Transportation and Infrastructure, hearing on Recovery Act: Progress Report for Transportation Infrastructure Investments, 10 a.m., 2167 Rayburn.

Committee on Veterans' Affairs, Subcommittee on Disability Assistance and Memorial Affairs, to mark up the following bills: H.R. 3787, To amend title 38, United States Code, to deem certain service in the reserve components as active service for purposes of laws administered by the Secretary of Veterans Affairs; H.R. 4541, Veterans Pensions Protection Act of 2010; H.R. 5064, Fair Access to Veterans Benefits Act of 2010; and H.R. 5549, RAPID Claims Act, 2 p.m., 334 Cannon.

Subcommittee on Oversight and Investigations, hearing on Gulf War Illness: The Future for Dissatisfied Veterans, 10 a.m., 334 Cannon.

Committee on Ways and Means, Subcommittee on Trade, hearing on Enhancing the U.S.-EU Trade Relationship, 1:30 p.m., 1100 Longworth.

Permanent Select Committee on Intelligence, executive, briefing on Defense Intelligence Agency Program, 10 a.m., 304–HVC.

Subcommittee on Intelligence Community Management, executive, hearing on Information Sharing, 2:30 p.m., 304–HVC.

Joint Meetings

Commission on Security and Cooperation in Europe: to hold hearings to examine instability in Kyrgyzstan, focusing on the international response, prospects for stability, democracy, interethnic reconciliation, and implications for United States policy, 2:30 p.m., 210, Cannon Building.

Joint Economic Committee: to hold hearings to examine promoting a clean energy economy, 10 a.m., SH–216.

Next Meeting of the SENATE

10 a.m., Tuesday, July 27

Senate Chamber

Program for Tuesday: After the transaction of any morning business (not to extend beyond 12:30 p.m.), Senate will continue consideration of the motion to proceed to consideration of S. 3628, DISCLOSE Act, and vote on the motion to invoke cloture on the motion to proceed to consideration of the bill at 2:45 p.m.

(Senate will recess from 12:30 p.m. until 2:15 p.m. for their respective party conferences.)

Next Meeting of the HOUSE OF REPRESENTATIVES

9 a.m., Tuesday, July 27

House Chamber

Program for Tuesday: Consideration of the following suspensions: (1) H.R. 5730—Surface Transportation Earmark Rescission, Savings, and Accountability Act; (2) H. Con. Res. 258—Congratulating the Commandant of the Coast Guard and the Superintendent of the Coast Guard Academy and its staff for 100 years of operation of the Coast Guard Academy in New London, Connecticut; (3) H. Res. 1401—Expressing gratitude for air traffic controllers of the United States; (4) H. Res. 1366—Recognizing and honoring the freight rail industry; (5) H.R. 5825—To review, update, and revise the factors to measure the severity, magnitude, and impact of a disaster; (6) H. Con. Res. 266—Expressing the sense of Congress that Taiwan should be accorded observer status in the International Civil Aviation Organization; (7) H. Res. 1538—Condemning the July 11, 2010, terrorist attacks in Kampala, Uganda; (8) H.R. 1623—International Megan's Law; (9) H.R. 3040—Senior Financial Empowerment Act; (10) Senate Amendments to H.R. 2765—Securing the Protection of our Enduring and Established Constitutional Heritage Act; (11) H.R. 5281—Removal Clarification Act; (12) H.R. 2780—Federal Restricted Buildings and Grounds Improvement Act; (13) H.R. 5827—Protecting Gun Owners in Bankruptcy Act; (14) H.R. 5143—National Criminal Justice Commission Act; (15) H.R. 5810—Securing Aircraft Cockpits Against Lasers Act; (16) H.R.—Temporary extension of programs under the Small Business Act and the Small Business Investment Act of 1958; (17) H.R. 5681—To improve certain administrative operations of the Library of Congress; (18) H.R. 5682—To improve the operation of certain facilities and programs of the House of Representatives; (19) H.R. 415—Fallen Heroes Flag Act; (20) H.R. 2480—Truth in Fur Labeling Act; (21) H.R. 5320—Assistance, Quality, and Affordability Act; (22) H.R. 1796—Residential Carbon Monoxide Poisoning Prevention Act; (23) H.R. 5156—Clean Energy Technology Manufacturing and Export Assistance Act; (24) H.R. 4692—National Manufacturing Strategy Act; and (25) H.R. 847—James Zadroga 9/11 Health and Compensation Act.

Extensions of Remarks, as inserted in this issue

HOUSE

Barrow, John, Ga., E1420
Capuano, Michael E., Mass., E1423
Coffman, Mike, Colo., E1422
Cohen, Steve, Tenn., E1417
Cooper, Jim, Tenn., E1420
Critz, Mark S., Pa., E1421
Grijalva, Raúl M., Ariz., E1417
Israel, Steve, N.Y., E1417
Johnson, Eddie Bernice, Tex., E1423
Kildee, Dale E., Mich., E1423
Lee, Barbara, Calif., E1421, E1424
Lofgren, Zoe, Calif., E1424
McCollum, Betty, Minn., E1422
Maloney, Carolyn B., N.Y., E1424
Miller, George, Calif., E1418
Perriello, Thomas S.P., Va., E1421
Pomeroy, Earl, N.D., E1423
Rangel, Charles B., N.Y., E1423
Richardson, Laura, Calif., E1418, E1420, E1422
Rogers, Harold, Ky., E1422
Tiahrt, Todd, Kans., E1420
Weiner, Anthony D., N.Y., E1418
Wittman, Robert J., Va., E1417
Wolf, Frank R., Va., E1420

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