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House of Representatives

SMITHSONIAN CONSERVATION BIOLOGY INSTITUTE ENHANCEMENT ACT

Mrs. DAVIS of California. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 5717) to authorize the Board of Regents of the Smithsonian Institution to plan, design, and construct a facility and to enter into agreements relating to education programs at the National Zoological Park facility in Front Royal, Virginia, and for other purposes, as amended.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 5717

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 ''Smithsonian Conservation Biology Institute Enhancement Act''.

SEC. 2. FACILITY FOR RESEARCH AND EDUCATIONAL PROGRAMS.

(a) IN GENERAL.—The Board of Regents of the Smithsonian Institution is authorized to plan, design, and construct a facility on National Zoological Park property in Front Royal, Virginia for the purpose of conducting research and educational programs.

(b) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to carry out subsection (a)—

(1) $1,000,000 for each of fiscal years 2010 and 2011; and

(2) $3,000,000 in the aggregate for all succeeding fiscal years.

SEC. 3. AGREEMENTS FOR HOUSING AND OTHER SERVICES.

(a) IN GENERAL.—The Board of Regents of the Smithsonian Institution is authorized to enter into agreements for the provision of housing and other services to the participants in the programs referenced in section 2.

(b) COSTS.—The housing and other services described in subsection (a) shall be provided at no cost to the Smithsonian Institution.

SEC. 4. ANIMAL HOLDING FACILITY.

The Board of Regents of the Smithsonian Institution is authorized to plan, design, and construct animal holding and related program facilities on National Zoological Park property in Front Royal, Virginia, to be funded from non-federal sources.

The SPEAKER pro tempore. Pursuant to the rule, the gentlewoman from California (Mrs. DAVIS) and the gentleman from California (Mr. DANIEL E. LUNGREN) each will control 20 minutes.

The Chair recognizes the gentlewoman from California.

GENERAL LEAVE

Mrs. DAVIS of California. Mr. Speaker, I ask unanimous consent that all Members have 5 legislative days to revise and extend their remarks in the RECORD and to include extraneous matter on this legislation.

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

There was no objection.

Mrs. DAVIS of California. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, H.R. 5717 would upgrade the Smithsonian Institution's scientific and educational activities at its unique animal conservation facility, the Smithsonian Conservation Biology Institute at Front Royal, Virginia.

Mr. Speaker, in the interest of time, I understand that there is a consensus on this legislation.

I reserve the balance of my time.

Mr. DANIEL E. LUNGREN of California. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, it is a pleasure to rise in support of H.R. 5717. Once again, we are back in a bipartisan state supporting this bill.

Mr. Speaker, the Smithsonian Institution is an invaluable part of our national heritage and our ongoing commitment to historical preservation and scientific advancement. I am pleased to support this legislation sponsored by our friend and colleague, Congressman SAM JOHNSON, and the congressional members of the Smithsonian Board of Regents. This legislation will help further the institution's founding mission, which is to support and increase the diffusion of knowledge.

This authorizing legislation supports the Smithsonian's important biological conservation work conducted at the National Zoological Park located in Front Royal, Virginia, and strengthens their collaborative partnership with George Mason University in these efforts. The planned renovation and construction, which leverages a very modest Federal investment with significant non-Federal funds, will enhance the education and professional training programs currently underway.

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The Smithsonian is truly a unique part of our American culture. I am pleased to support this authorization which helps the Smithsonian maintain its well-deserved international reputation for excellence in scientific discovery and advancement and its continued commitment to the environment that we must steward.

Mr. Speaker, I urge my colleagues to support H.R. 5717.

Mr. OBERSTAR. Mr. Speaker, I rise in support of H.R. 5717, the ''Smithsonian Conservation Biology Institute Enhancement Act''.

H.R. 5717, as amended, authorizes the Smithsonian Institution to expand the National Zoological Park facility in Front Royal, Virginia, in furtherance of conservation biology research, education and training.

Specifically, this legislation will authorize the Smithsonian to: renovate a building to be used primarily for classroom and laboratory space; enter into agreements that will enable third party strategic partners to construct and operate housing and food service facilities on Smithsonian property; and plan, design, and construct animal holding facilities—all at the Front Royal property.

The building renovation project is to be funded equally by Federal appropriation, in the amount of $5 million, and by Smithsonian trust sources. The housing and food service facilities are to be funded entirely by third-party financing. The animal holding facility is to be funded entirely from Smithsonian trust sources (i.e., non-Federal sources).

The plans and cost estimates for the building renovation project, for which Federal funding is sought, have been carefully reviewed by the Committee on Transportation and Infrastructure. The Committee finds the plans and estimates to be reasonable and in consonance with the Smithsonian mission to increase the diffusion of knowledge. Further, the Smithsonian's plans to partner with a third party, in this particular case, George Mason University, to shoulder the capital and operating costs of the residential and food service facilities, is a sensible and business-savvy way to further the Smithsonian's scientific and educational reach.

I urge my colleagues to join me in supporting H.R. 5717.

Mr. DANIEL E. LUNGREN of California. I yield back the balance of my time.

Mrs. DAVIS of California. Mr. Speaker, I certainly support the Smithsonian in this effort, and I look forward to passage of this important legislation.

I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentlewoman from California (Mrs. DAVIS) that the House suspend the rules and pass the bill, H.R. 5717, as amended.

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

A motion to reconsider was laid on the table.

BANKRUPTCY TECHNICAL CORRECTIONS ACT OF 2010

Mr. SCOTT of Virginia. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 6198) to amend title 11 of the United States Code to make technical corrections; and for related purposes, as amended.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 6198

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 ''Bankruptcy Technical Corrections Act of 2010''.

SEC. 2. TECHNICAL CORRECTIONS RELATING TO AMENDMENTS MADE BY PUBLIC LAW 109–8.

(a) TITLE 11 OF THE UNITED STATES CODE.—Title 11 of the United States Code is amended—

(1) in section 101—

(A) in paragraph (13A)—

(i) in subparagraph (A) by inserting ''if used as the principal residence by the debtor'' after ''structure'' the 1st place it appears, and

(ii) in subparagraph (B) by inserting ''if used as the principal residence by the debtor'' before the period at the end,

(B) in paragraph (35) by striking ''(23) and (35)'' and inserting ''(21B) and (33)(A)'',

(C) in paragraph (40B) by striking ''written document relating to a patient or a'' and inserting ''record relating to a patient, including a written document or a'',

(D) in paragraph (42) by striking ''303, and 304'' and inserting ''303 and 1504'',

(E) in paragraph (51B) by inserting ''thereto'' before the period at the end,

(F) in paragraph (51D) by inserting ''of the filing'' after ''date'' the 1st place it appears, and

(G) by redesignating paragraphs (56A) and (53D) as (53D) and (53E), respectively,

(2) in section 103(a) by striking ''362(n)'' and inserting ''362(o)'',

(3) in section 105(d)(2) by inserting ''may'' after ''Procedure,'',

(4) in section 106(a)(1) by striking ''728,'',

(5) in section 107(a) by striking ''subsection (b) of this section'' and inserting ''subsections (b) and (c)'',

(6) in section 109—

(A) in subsection (b)(3)(B) by striking ''1978'' and inserting ''1978)'', and

(B) in subsection (h)(1)—

(i) by inserting ''other than paragraph (4) of this subsection'' after ''this section'', and

(ii) by striking ''preceding'' and inserting ''ending on'',

(7) in section 110—

(A) in subsection (b)(2)(A) by inserting ''or on behalf of'' after ''from'', and

(B) in subsection (h)—

(i) in the last sentence of paragraph (1)—

(I) by striking ''a'' and inserting ''the'', and

(II) by inserting ''or on behalf of'' after ''from'',

(ii) in paragraph (3)(A)—

(I) by striking ''found to be in excess of the value of any services'', and

(II) in clause (i) by inserting ''found to be in excess of the value of any services'' after ''(i)'', and

(iii) in paragraph (4) by striking ''paragraph (2)'' and inserting ''paragraph (3)'',

(8) in section 111(d)(1)(E)—

(A) by striking the period at the end and insert ''; and'', and

(B) by indenting the left margin of such subparagraph 2 additional ems to the right,

(9) in section 303 by redesignating subsection (l) as subsection (k),

(10) in section 308(b)—

(A) by striking ''small business debtor'' and inserting ''debtor in a small business case'', and

(B) in paragraph (4)—

(i) in subparagraph (A)—

(I) by striking ''(A)'', and

(II) by redesignating clauses (i) and (ii) as subparagraphs (A) and (B), respectively,

(ii) in subparagraph (B)—

(I) by striking ''(B)'' and inserting ''(5)'',

(II) by striking ''subparagraph (A)(i)'' and inserting ''paragraph (4)(A)'', and

(III) by striking ''subparagraph (A)(ii)'' and inserting ''paragraph (4)(B)'',

(iii) by redesignating subparagraph (C) as paragraph (6), and

(11) in section 348—

(A) in subsection (b)—

(i) by striking ''728(a), 728(b),'', and

(ii) by striking ''1146(a), 1146(b),'', and

(B) in subsection (f)(1)(C)(i) by inserting ''of the filing'' after ''date'',

(12) in section 362—

(A) in subsection (a)(8)—

(i) by striking ''corporate debtor's'', and

(ii) by inserting ''of a debtor that is a corporation'' after ''liability'' the 1st place it appears,

(B) in subsection (c)—

(i) in paragraph (3), in the matter preceding subparagraph (A), by inserting ''a'' after ''against'', and

(ii) in paragraph (4)(A)(i) by inserting ''under a chapter other than chapter 7 after dismissal'' after ''refiled'',

(C) in subsection (d)(4) by striking ''hinder, and'' and inserting ''hinder, or'', and

(D) in subsection (l)(2) by striking ''nonbankrupcty'' and inserting ''nonbankruptcy'',

(13) in section 363(d)—

(A) in the matter preceding paragraph (1) by striking ''only'',

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

''(1) in the case of a debtor that is a corporation or trust that is not a moneyed business, commercial corporation, or trust, only in accordance with nonbankruptcy law applicable to the transfer of property by a debtor that is such a corporation or trust; and'', and

(C) in paragraph (2) by inserting ''only'' after ''(2)'',

(14) in section 505(a)(2)(C) by striking ''any law (other than a bankruptcy law)'' and inserting ''applicable nonbankruptcy law'',

(15) in section 507(a)(8)(A)(ii) by striking the period at the end and inserting ''; or'',

(16) in section 521(a)—

(A) in paragraph (2)—

(i) in subparagraph (A)—

(I) by striking ''the debtor shall'', and

(II) by adding ''and'' at the end,

(ii) in subparagraph (B)—

(I) by striking ''the debtor shall'', and

(II) by striking ''and'' at the end, and

(iii) in subparagraph (C) by striking ''(C)'' and inserting the following:

''except that'', and

(B) in paragraphs (3) and (4) by inserting ''is'' after ''auditor'',

(17) in section 522—

(A) in subsection (b)(3)(A)—

(i) by striking ''at'' the 1st place it appears and inserting ''to'', and

(ii) by striking ''at'' the 2d place it appears and inserting ''in'', and

(B) in subsection (c)(1) by striking ''section 523(a)(5)'' and inserting ''such paragraph'',

(18) in section 523(a)—

(A) in paragraph (2)(C)(ii)(II) by striking the period at the end and inserting a semicolon, and

(B) in paragraph (3) by striking ''521(1)'' and inserting ''521(a)(1)'',

(19) in section 524(k)—

(A) in the last undesignated paragraph of the quoted matter in paragraph (3)(J)(i)—

(i) by striking ''security property'' the 1st place it appears and inserting ''property securing the lien'',

(ii) by striking ''current value of the security property'' and inserting ''amount of the allowed secured claim'', and

(iii) in the last sentence by inserting ''must'' after ''you'', and

(B) in paragraph (5)(B) by striking ''that'' and inserting ''that,'',

(20) in section 526(a)—

(A) in paragraph (2) by striking ''untrue and'' and inserting ''untrue or'', and

(B) in paragraph (4) by inserting ''a'' after ''preparer'',

(21) in the 3d sentence of the 4th undesignated paragraph of the quoted matter in section 527(b), by striking ''Schedules and Statement of Financial Affairs, as well as in some cases a Statement of Intention'' and inserting ''Schedules, and Statement of Financial Affairs, and in some cases a Statement of Intention,'',

(22) in section 541(b)(6)(B) by striking ''section 529(b)(7)'' and inserting ''section 529(b)(6)'',

(23) in section 554(c) by striking ''521(1)'' and inserting ''521(a)(1)'',

(24) in section 704(a)(3) by striking ''521(2)(B)'' and inserting ''521(a)(2)(B)'',

(25) in section 707—

(A) in subsection (a)(3) by striking ''521'' and inserting ''521(a)'', and

(B) in subsection (b)—

(i) in paragraph (2)(A)(iii)(I) by inserting ''of the filing'' after ''date'', and

(ii) in paragraph (3) by striking ''subparagraph (A)(i) of such paragraph'' and inserting ''paragraph (2)(A)(i)'',

(26) in section 723(c) by striking ''Notwithstanding section 728(c) of this title, the'' and inserting ''The'',

(27) in section 724(b)(2)—

(A) by striking ''507(a)(1)'' and inserting ''507(a)(1)(C) or 507(a)(2)'',

(B) by inserting ''under each such section'' after ''expenses'' the 1st place it appears,

(C) by striking ''chapter 7 of this title'' and inserting ''this chapter'', and

(D) by striking ''507(a)(2),'' and inserting ''507(a)(1)(A), 507(a)(1)(B),'',

(28) in section 726(b) by striking ''or (8)'' and inserting ''(8), (9), or (10)'',

(29) in section 901(a)—

(A) by inserting ''333,'' after ''301,'', and

(B) by inserting ''351,'' after ''350(b)'',

(30) in section 1104—

(A) in subsection (a)

(i) in paragraph (1) by inserting ''or'' at the end,

(ii) in paragraph (2) by striking ''; or'' and inserting a period, and

(iii) by striking paragraph (3), and

(B) in subsection (b)(2)(B)(ii) by striking ''subsection (d)'' and inserting ''subsection (a)'',

(31) in section 1106(a)—

(A) in paragraph (1) by striking ''704'' and inserting ''704(a)'', and

(B) in paragraph (2) by striking ''521(1)'' and inserting ''521(a)(1)'',

(32) in section 1111(a) by striking ''521(1)'' and inserting ''521(a)(1)'',

(33) amending section 1112—

(A) in subsection (b)—

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

''(1) Except as provided in paragraph (2) and subsection (c), on request of a party in interest, and after notice and a hearing, the court shall convert a case under this chapter to a case under chapter 7 or dismiss a case under this chapter, whichever is in the best interests of creditors and the estate, for cause unless the court determines that the appointment under section 1104(a) of a trustee or an examiner is in the best interests of creditors and the estate.'', and

(ii) in paragraph (2)—

(I) by striking the matter preceding subparagraph (A) and inserting the following:

''(2) The court may not convert a case under this chapter to a case under chapter 7 or dismiss a case under this chapter if the court finds and specifically identifies unusual circumstances establishing that converting or dismissing the case is not in the best interests of creditors and the estate, and the debtor or any other party in interest establishes that—'', and

(II) in subparagraph (B) by striking ''granting such relief'' and inserting ''converting or dismissing the case'', and

(B) in subsection (e) by striking ''521'' and inserting ''521(a)'',

(34) in section 1127(f)(1) by striking ''subsection (a)'' and inserting ''subsection (e)'',

(35) in section 1129(a)(16) by striking ''of the plan'' and inserting ''under the plan'',

(36) in section 1141(d)(5)—

(A) in subparagraph (B)—

(i) in clause (i) by striking ''and'' at the end; and

(ii) by adding at the end the following:

''(iii) subparagraph (C) permits the court to grant a discharge; and'', and

(B) in subparagraph (C) —

(i) by striking ''unless'' and inserting ''the court may grant a discharge if,'',

(ii) in clause (ii) by striking the period at the end and inserting a semicolon, and

(iii) by adding at the end the following: ''and if the requirements of subparagraph (A) or (B) are met.'',

(37) in section 1145(b) by striking ''2(11)'' each place it appears and inserting ''2(a)(11)'',

(38) in section 1202(b)—

(A) in paragraph (1) by striking ''704(2), 704(3), 704(5), 704(6), 704(7), and 704(9)'' and inserting ''704(a)(2), 704(a)(3), 704(a)(5), 704(a)(6), 704(a)(7), and 704(a)(9)'', and

(B) in paragraph (5) by striking ''704(8)'' and inserting ''704(a)(8)'',

(39) in section 1302(b)(1) by striking ''704(2), 704(3), 704(4), 704(5), 704(6), 704(7), and 704(9)'' and inserting ''704(a)(2), 704(a)(3), 704(a)(4), 704(a)(5), 704(a)(6), 704(a)(7), and 704(a)(9)'',

(40) in section 1304(c) by striking ''704(8)'' and inserting ''704(a)(8)'',

(41) in section 1307—

(A) in subsection (c)—

(i) by striking ''subsection (e)'' and inserting ''subsection (f)'',

(ii) in paragraph (9) by striking ''521'' and inserting ''521(a)'', and

(iii) in paragraph (10) by striking ''521'' and inserting ''521(a)', and

(B) in subsection (d) by striking ''subsection (e)'' and inserting ''subsection (f)'',

(42) in section 1308(b)(2)—

(A) in subparagraph (A) by striking ''paragraph (1)'' and inserting ''paragraph (1)(A)'',

(B) in subparagraph (B) by striking ''paragraph (2)'' and inserting ''paragraph (1)(B)'', and

(C) by striking ''this subsection'' each place it appears and inserting ''paragraph (1)'',

(43) in section 1322(a)—

(A) by striking ''shall'' the 1st place it appears,

(B) in paragraph (1) by inserting ''shall'' after ''(1)'',

(C) in paragraph (2) by inserting ''shall'' after ''(2)'',

(D) in paragraph (3) by inserting ''shall'' after ''claims,'', and

(E) in paragraph (4) by striking ''a plan'',

(44) in section 1325—

(A) in the last sentence of subsection (a) by inserting ''period'' after ''910-day'', and

(B) in subsection (b)(2)(A)(ii) by striking ''548(d)(3)'' and inserting ''548(d)(3))'',

(45) in the heading of section 1511 by inserting '', 302,'' after ''301'',

(46) in section 1519(f) by striking ''362(n)'' and inserting ''362(o)'',

(47) in section 1521(f) by striking ''362(n)'' and inserting ''362(o)'',

(48) in section 1529(1) by inserting ''is'' after ''States'',

(49) in the table of sections of chapter 3, by striking the item relating to section 333 and inserting the following:

''333. Appointment of patient care ombudsman.'', and

(50) in the table of sections of chapter 5, by striking the item relating to section 562 and inserting the following:

''562. Timing of damage measure in connection with swap agreements, securities contracts, forward contracts, commodity contracts, repurchase agreements, and master netting agreements.''.

(b) TITLE 18 OF THE UNITED STATES CODE.—Section 157 of title 18, United States Code is amended—

(1) in paragraph (1) by striking ''bankruptcy'', and

(2) in paragraphs (2) and (3) by striking '', including a fraudulent involuntary bankruptcy petition under section 303 of such title''.

(c) TITLE 28 OF THE UNITED STATES CODE.—

(1) AMENDMENT RELATING TO APPEALS.—Section 158(d)(2)(D) of title 28 of the United States Code is amended by striking ''appeal in'' and inserting ''appeal is''.

(2) AMENDMENT RELATING TO BANKRUPTCY STATISTICS.—Section 159(c)(3)(H) of title 28 of the United States Code is amended by inserting ''the'' after ''against''.

(3) TECHNICAL AMENDMENTS.—Section 586(a) of title 28 of the United States Code is amended—

(A) in paragraph (3)(A)(ii) is amended by striking the period at the end and inserting a semicolon,

(B) in paragraph (7)(C) by striking ''identify'' and inserting ''determine'', and

(C) in paragraph (8) by striking ''the United States trustee shall''.

SEC. 3. TECHNICAL CORRECTION TO PUBLIC LAW 109–8.

Section 1406(b)(1) of Public Law 109–8 is amended by striking ''cept'' and inserting ''Except''.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Virginia (Mr. SCOTT) and the gentleman from Texas (Mr. SMITH) each will control 20 minutes.

The Chair recognizes the gentleman from Virginia.

GENERAL LEAVE

Mr. SCOTT of Virginia. Mr. Speaker, I ask unanimous consent that all Members have 5 legislative days to revise and extend their remarks and include extraneous material on the bill under consideration.

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

There was no objection.

Mr. SCOTT of Virginia. I yield myself such time as I may consume.

Mr. Speaker, 5 years ago, the Bankruptcy Abuse Prevention and Consumer Protection Act of 2005 was enacted into law. It exceeded 500 pages in length and made significant changes in our Nation's bankruptcy law.

Since its enactment, a number of technical drafting errors have been identified. These include spelling errors, erroneous statutory cross-references, incorrect grammar and terminology references, and mistakes in punctuation. I am pleased that H.R. 6198, the Bankruptcy Technical Corrections Act of 2010, corrects these purely technical errors.

Mr. Speaker, I urge my colleagues to support H.R. 6198.

H.R. 6198, THE ''BANKRUPTCY TECHNICAL CORRECTIONS ACT OF 2010'' SECTION-BY-SECTION EXPLANATION

Sec. 1. Short Title. Section 1 sets forth the short title of the bill as the ''Bankruptcy Technical Corrections Act of 2010.''

Sec. 2. Technical Corrections Relating to Amendments Made by Public Law 109–8. Section 2 makes a series of technical corrections to the Bankruptcy Abuse Prevention and Consumer Protection Act of 2005 (2005 Act).

Subsection (a)(1)(A) amends section 101(13A) of title 11 of the United States Code (Bankruptcy Code), which defines ''debtor's principal residence.'' The amendment clarifies that the definition pertains to a structure used by the debtor as a principal residence.

Subsection (a)(1)(B) amends Bankruptcy Code section 101(35), which defines ''insured depository institution.'' The amendment corrects erroneous statutory references in this provision.

Subsection (a)(1)(C) amends Bankruptcy Code section 101(40B), which defines ''patient records.'' The amendment clarifies that the term means a record relating to a patient, including a written document or an electronic record.

Subsection (a)(1)(D) amends Bankruptcy Code section 101(42), which defines ''petition.'' The amendment deletes the reference to section 304 of the Bankruptcy Code, which was eliminated as a result of the 2005 Act, and adds a reference to section 1504, which was added by the 2005 Act.

Subsection (a)(1)(E) amends Bankruptcy Code section 101(51D), which defines ''small business debtor.'' The amendment clarifies that the debt limit specified therein is determined as of the date of the filing of the petition.

Subsection (a)(1)(F) redesignates paragraphs (56A) and (53D) of Bankruptcy Code section 101 as (53D) and (53E), respectively.

Subsection (a)(2) amends Bankruptcy Code section 103(a), which pertains to the applicability of chapters of the Code. The amendment corrects an erroneous statutory reference in this provision.

Subsection (a)(3) amends Bankruptcy Code section 105(d)(2), which pertains to status conferences. The amendment makes a grammatical correction.

Subsection (a)(4) amends Bankruptcy Code section 106(a)(1), which pertains to the waiver of sovereign immunity. The amendment deletes a reference to Bankruptcy Code section 728, which was eliminated by the 2005 Act.

Subsection (a)(5) amends Bankruptcy Code section 107(a), which pertains to public access to bankruptcy cases. The amendment corrects a drafting instruction error.

Subsection (a)(6) makes several amendments to Bankruptcy Code section 109, which sets forth the eligibility criteria for a debtor. Subsection (a)(6)(A) amends Bankruptcy Code section 109(b)(3)(B) to add a missing parenthesis. Subsection (a)(6)(B) makes a conforming amendment to Bankruptcy Code section 109(h)(1) to clarify that Bankruptcy Code section 109(h)(4) is an exception. In addition, subsection (a)(6)(B) clarifies that the 180-day period ends on the date of the filing of the petition.

Subsection (a)(7) amends Bankruptcy Code section 110, which pertains to bankruptcy petition preparers. It makes conforming amendments to Bankruptcy Code section 110(b)(2)(A) and (h)(1) so that they conform to other provisions in section 110 with respect to fees received by a petition preparer on behalf of a debtor. In addition, subsection (a)(7) restructures section 110(h)(3) to clarify the court's authority to disallow fees under this provision.

Subsection (a)(8) amends Bankruptcy Code section 111, which concerns nonprofit budget and credit counseling agencies and financial management instructional courses. The amendment corrects two typographical errors in Bankruptcy Code section 111(d)(1)(E). The first error concerns incorrect punctuation and the second error pertains to incorrect indentation of the subparagraph.

Subsection (a)(9) amends Bankruptcy Code section 303, which pertains to involuntary bankruptcy cases. The amendment corrects the misdesignation of subsection (l) by redesignating it as subsection (k).

Subsection (a)(10) amends Bankruptcy Code section 308, which concerns reporting requirements for small business debtors. The amendment restructures subsection 308(b)(4) to clarify its intent.

Subsection (a)(11) makes two amendments to Bankruptcy Code section 348, which pertains to the effect of conversion of a case. First, it amends Bankruptcy Code section 348(b) to strike references to Bankruptcy Code sections 728(a), 728(b), 1146(a) and 1146(b) as these provisions were eliminated by the 2005 Act. Second, it amends Bankruptcy Code section 348(f)(1)(C)(i) to clarify that the provision applies with respect to the date of the filing of the petition.

Subsection (a)(12) amends Bankruptcy Code section 362, which pertains to the automatic stay, in several respects. First, the amendment makes a stylistic correction to subsection 362(a)(8) with respect to its reference to a debtor that is a corporation. Second, it adds a missing article in subsection 362(c)(3). Third, the amendment conforms the reference in subsection 362(c)(4)(A)(i) to ''refiled'' with subsection 362(c)(3) so that it applies to a case filed under a chapter other than chapter 7 after dismissal of a prior case pursuant to Bankruptcy Code section 707(b). Fourth, it corrects an erroneous conjunctive in subsection 362(d)(4). Fifth, it corrects a spelling error in subsection 362(l).

Subsection (a)(13) amends Bankruptcy Code section 363, which concerns the use, sale, or lease of property. The amendment restructures subsection 363(d) to clarify its intent.

Subsection (a)(14) amends Bankruptcy Code section 505, which pertains to the determination of tax liability. The amendment corrects the provision's use of terminology.

Subsection (a)(15) amends Bankruptcy Code section 507, which pertains to priorities. The amendment corrects a punctuation error.

Subsection (a)(16) amends Bankruptcy Code section 521, which pertains to the duties of the debtor. The amendment makes several revisions. First, it deletes redundant text in subsection 521(a)(2)(A) and (B). Second, it restructures section 521(a)(2) to clarify its meaning. Third, the amendment corrects grammatical errors in paragraphs (3) and (4) of subsection 521(a).

Subsection (a)(17) amends Bankruptcy Code section 522, which concerns exemptions. The amendment corrects two grammatical errors in subsection 522(b)(3)(A). In addition, it makes a conforming revision to subsection 522(c)(1).

Subsection (a)(18) amends Bankruptcy Code section 523, which pertains to the dischargeability of debts. The amendment corrects a punctuation error in subsection 523(a)(2)(C)(ii)(II) and corrects an erroneous statutory cross reference in subsection 523(a)(3).

Subsection (a)(19) amends Bankruptcy Code section 524, which concerns reaffirmation agreements, among other matters. The amendment makes several revisions. First, it corrects erroneous terminology in subsection 524(k)(3)(J)(i) and inserts a missing verb. Second, it corrects a punctuation error in subsection 524(k)(5)(B).

Subsection (a)(20) amends Bankruptcy Code section 526, which deals with restrictions on debt relief agencies. The amendment makes a conforming revision to subsection 526(a)(2). It also adds a missing article to subsection 526(a)(4).

Subsection (a)(21) amends Bankruptcy Code section 527, which concerns disclosures by debt relief agencies. The amendment makes a grammatical correction.

Subsection (a)(22) amends Bankruptcy Code section 541, which deals with property of the estate. The amendment corrects a statutory reference to the Internal Revenue Code of 1986 in section 541(b)(6)(B).

Subsection (a)(23) amends Bankruptcy Code section 554, which concerns abandonment. The amendment corrects an erroneous a statutory reference in subsection 554(c).

Subsection (a)(24) amends Bankruptcy Code section 704, which pertains to duties of the trustee. The amendment corrects an erroneous statutory reference in subsection 704(a)(3).

Subsection (a)(25) amends Bankruptcy Code section 707, which concerns dismissal of a chapter 7 case or conversion to a case under chapter 11 or 13. The amendment makes several revisions. First, it corrects an erroneous statutory cross reference in subsection 707(a)(3). Second, the amendment clarifies that the provision's reference to date means the date of the filing of the petition in subsection 707(b)(2)(A)(iii)(I). Third, the amendment corrects an erroneous statutory reference in subsection 707(b)(3).

Subsection (a)(26) amends Bankruptcy Code section 723(c), which pertains to the rights of a partnership trustee against general partners. The amendment strikes a reference to Bankruptcy Code section 728, which was eliminated by the 2005 Act.

Subsection (a)(27) amends Bankruptcy Code section 724, which concerns the treatment of liens. The amendment clarifies certain statutory references in section 724(b)(2) and makes other clarifying revisions.

Subsection (a)(28) amends Bankruptcy Code section 726(b), which concerns distribution priorities in a chapter 7 case, to add a statutory reference to section 507(a)(9) and (10).

Subsection (a)(29) amends Bankruptcy Code section 901, which concerns the applicability of the Bankruptcy Code to municipality cases. The amendment adds references to Bankruptcy Code sections 333, dealing with the appointment of a patient care ombudsman, and 351, concerning the disposal of patient records, both of which were added by the 2005 Act.

Subsection (a)(30) amends Bankruptcy Code section 1104, which pertains to the appointment of a trustee and examiner. The amendment restructures subsection 1104(a) to clarify the provision's intent and how it relates to Bankruptcy Code section 1112(b), as amended by the 2005 Act. In addition, it corrects an erroneous statutory reference in subsection 1104(b)(2)(B)(ii).

Subsection (a)(31) amends Bankruptcy Code section 1106, which pertains to the duties of a trustee and examiner. The amendment corrects two erroneous statutory references in section 1106(a).

Subsection (a)(32) amends Bankruptcy Code section 1111, which concerns claims and interests. The amendment corrects an erroneous statutory reference in section 1111(a).

Subsection (a)(33) amends Bankruptcy Code section 1112(b), which sets forth the grounds for converting or dismissing a chapter 11 case. The amendment restructures this provision to eliminate an internal redundancy. In addition, it corrects an erroneous statutory reference in section 1112(e).

Subsection (a)(34) amends Bankruptcy Code section 1127, which pertains to modification of a chapter 11 plan. The amendment corrects an erroneous statutory reference in section 1127(f)(1).

Subsection (a)(35) amends Bankruptcy Code section 1129(a), which sets forth the criteria for confirmation of a chapter 11 plan. The amendment makes a grammatical correction to section (a)(16).

Subsection (a)(36) amends Bankruptcy Code section 1141(d)(5), which concerns the effect of confirmation. The amendment clarifies the intent of this provision.

Subsection (a)(37) amends Bankruptcy Code section 1145(b), which pertains to the applicability of securities laws. The amendment corrects an erroneous statutory reference in this section.

Subsection (a)(38) amends Bankruptcy Code section 1202, which details the responsibilities of a trustee in a chapter 12 case. The amendment corrects several erroneous statutory references in section 1202(b).

Subsection (a)(39) amends Bankruptcy Code section 1302, which details the responsibilities of a trustee in a chapter 13 case. The amendment corrects several erroneous statutory references in section 1302(b)(1).

Subsection (a)(40) amends Bankruptcy Code section 1304, which concerns a chapter

13 debtor engaged in business. The amendment corrects an erroneous statutory reference in section 1304(c).

Subsection (a)(41) amends Bankruptcy Code section 1307, which sets forth the grounds for converting or dismissing a chapter 13 case. The amendment corrects several erroneous statutory references in this section.

Subsection (a)(42) amends Bankruptcy Code section 1308, which concerns the filing of prepetition tax returns. The amendment clarifies several statutory references in section 1308(b)(2).

Subsection (a)(43) amends Bankruptcy Code section 1322(a), which pertains to the contents of a chapter 13 plan. The amendment corrects an internal inconsistency.

Subsection (a)(44) amends Bankruptcy Code section 1325, which pertains to confirmation of a chapter 13 plan. The amendment adds a missing word to subsection 1325(a) and adds a missing parenthesis to subsection 1325(b)(2)(A)(ii).

Subsection (a)(45) amends the heading of Bankruptcy Code section 1511, to include a reference to section 302.

Subsection (a)(46) amends Bankruptcy Code section 1519, which pertains to the relief that may be granted upon the filing of a petition for recognition in a chapter 15 case. The amendment corrects an erroneous statutory reference in section 1519(f).

Subsection (a)(47) amends Bankruptcy Code section 1521(f), which concerns relief that may be granted upon recognition in a chapter 15 case. The amendment corrects an erroneous statutory reference.

Subsection (a)(48) amends Bankruptcy Code section 1529, which concerns the coordination of a case under title 11 and a foreign proceeding. The amendment adds a missing word to section 1529(1).

Subsection (a)(49) amends the table of sections for chapter 3 of the Bankruptcy Code to correct an erroneous description of section 333.

Subsection (a)(50) amends the table of sections for chapter 5 of the Bankruptcy Code to correct an erroneous description of section 562.

Subsection (b) amends section 157 of title 18 of the United States Code, which concerns bankruptcy fraud. The amendment removes superfluous references in this section.

Subsection (c)(1) amends section 158 of title 28 of the United States Code, which pertains to bankruptcy appeals. The amendment corrects a grammatical error in section 158(d)(2)(D).

Subsection (c)(2) amends section 159 of title 28 of the United States Code, which pertains to the collection of bankruptcy statistics. The amendment adds a missing word to section 159(c)(3)(H).

Subsection (c)(3) amends section 586 of title 28 of the United States Code, which concerns the United States Trustee Program. The amendment corrects a punctuation error in section 586(a)(3)(A)(ii), corrects erroneous terminology in section 586(a)(7)(C), and eliminates redundant language in section 586(a)(8).

Sec. 3. Technical Correction to Public Law 109–8. Section 3 amends section 1406(b)(1) of the 2005 Act to correct a spelling error.

I reserve the balance of my time.

Mr. SMITH of Texas. Mr. Speaker, I yield myself such time as I may consume.

The Bankruptcy Technical Corrections Act of 2010 contains a number of useful spelling, grammatical, and other purely technical amendments to the Bankruptcy Code. These amendments will facilitate the work of bankruptcy lawyers and judges.

When any provision of law is unclear or its text inaccurate, judges and lawyers may become confused about how Congress intends for the law to operate. Sometimes legislative inaccuracies even open the door to judicial activism. It is particularly important that the Bankruptcy Code be error free, as the number of bankruptcy filings continues to rise.

Last week, economists at the National Bureau of Economic Research told us that the recession technically ended in June 2009, but the American people have not seen the end of the recession's effects. The number of bankruptcy filings by small businesses and individuals continues to increase at a rate of about 30 percent per year.

The bill under consideration today adopts many amendments suggested by the Administrative Office of the United States Courts. The Administrative Office suggested these changes in consultation with bankruptcy practitioners and judges. As a result, I expect this bill to yield a more user-friendly Bankruptcy Code.

It is important to highlight on the record that this bill does not, and is not intended to, enact any substantive change to the Bankruptcy Code. The changes made to the Code by this bill are purely technical in nature.

No Federal judge should interpret any provision of this bill to confer, modify, or delete any substantive bankruptcy right, nor should anyone infer a congressional intent to alter substantive rights from the bill's attention to one section of the Bankruptcy Code but not another.

With this understanding, I am pleased to cosponsor the Bankruptcy Technical Corrections bill.

I yield back the balance of my time.

Mr. SCOTT of Virginia. Mr. Speaker, I yield myself such time as I may consume.

There were strong differences of opinion about the changes made in 2005. Many of us questioned whether some of those changes were justified and whether they were fair or constructive, but those discussions are left to another day.

This bill before us today is simply a technical cleanup of the 2005 legislation. I would like to thank the ranking member of the full committee, Mr. SMITH, for making this a bipartisan effort. I urge my colleagues to support the bill.

I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Virginia (Mr. SCOTT) that the House suspend the rules and pass the bill, H.R. 6198, as amended.

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

A motion to reconsider was laid on the table.

FEDERAL COURTS JURISDICTION AND VENUE CLARIFICATION ACT OF 2010

Mr. SCOTT of Virginia. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 4113) to amend title 28, United States Code, to clarify the jurisdiction of the Federal courts, and for other purposes, as amended.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 4113

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 Courts Jurisdiction and Venue Clarification Act of 2010''.

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

TITLE I—JURISDICTIONAL IMPROVEMENTS

SEC. 101. TREATMENT OF RESIDENT ALIENS.

Section 1332(a) of title 28, United States Code, is amended—

(1) by striking the last sentence; and

(2) in paragraph (2), by inserting after ''foreign state'' the following: '', except that the district courts shall not have original jurisdiction under this subsection of an action between citizens of a State and citizens or subjects of a foreign state who are lawfully admitted for permanent residence in the United States and are domiciled in the same State''.

SEC. 102. CITIZENSHIP OF CORPORATIONS AND INSURANCE COMPANIES WITH FOREIGN CONTACTS.

Section 1332(c)(1) of title 28, United States Code, is amended—

(1) by striking ''any State'' and inserting ''every State and foreign state'';

(2) by striking ''the State'' and inserting ''the State or foreign state''; and

(3) by striking all that follows ''party-defendant,'' and inserting ''such insurer shall be deemed a citizen of—

''(A) every State and foreign state of which the insured is a citizen;

''(B) every State and foreign state by which the insurer has been incorporated; and

''(C) the State or foreign state where the insurer has its principal place of business; and''.

SEC. 103. REMOVAL AND REMAND PROCEDURES.

(a) ACTIONS REMOVABLE GENERALLY.—Section 1441 of title 28, United States Code, is amended as follows:

(1) The section heading is amended by striking ''**Actions removable generally**'' and inserting ''**Removal of civil actions**''.

(2) Subsection (a) is amended—

(A) by striking ''(a) Except'' and inserting ''(a) GENERALLY.—Except''; and

(B) by striking the last sentence;

(3) Subsection (b) is amended to read as follows:

''(b) REMOVAL BASED ON DIVERSITY OF CITIZENSHIP.—(1) In determining whether a civil action is removable on the basis of the jurisdiction under section 1332(a) of this title, the citizenship of defendants sued under fictitious names shall be disregarded.

''(2) A civil action otherwise removable solely on the basis of the jurisdiction under section 1332(a) of this title may not be removed if any of the parties in interest properly joined and served as defendants is a citizen of the State in which such action is brought.'' ''.

(4) Subsection (c) is amended to read as follows:

''(c) JOINDER OF FEDERAL LAW CLAIMS AND STATE LAW CLAIMS.—(1) If a civil action includes—

''(A) a claim arising under the Constitution, laws, or treaties of the United States (within the meaning of section 1331 of this title), and

''(B) a claim not within the original or supplemental jurisdiction of the district court or a claim that has been made nonremovable by statute,

the entire action may be removed if the action would be removable without the inclusion of the claim described in subparagraph (B).

''(2) Upon removal of an action described in paragraph (1), the district court shall sever from the action all claims described in paragraph (1)(B) and shall remand the severed claims to the State court from which the action was removed. Only defendants against whom a claim described in paragraph (1)(A) has been asserted are required to join in or consent to the removal under paragraph (1).''.

(5) Subsection (d) is amended by striking ''(d) Any'' and inserting ''(d) ACTIONS AGAINST FOREIGN STATES.—Any''.

(6) Subsection (e) is amended by striking ''(e)(1) Notwithstanding'' and inserting ''(e) MULTIPARTY, MULTIFORUM JURISDICTION.—(1) Notwithstanding''.

(7) Subsection (f) is amended—

(A) by striking ''(f) The court'' and inserting ''(f) DERIVATIVE REMOVAL JURISDICTION.—The court''; and

(B) by striking ''under this section'' and inserting ''under this title or other applicable law''.

(b) PROCEDURE FOR REMOVAL OF CIVIL ACTIONS.—Section 1446 of title 28, United States Code, is amended as follows:

(1) The section heading is amended to read as follows:

''§ 1446. Procedure for removal of civil actions''.

(2) Subsection (a) is amended—

(A) by striking ''(a) A defendant'' and inserting ''(a) GENERALLY.—A defendant''; and

(B) by striking ''or criminal prosecution''.

(3) Subsection (b) is amended—

(A) by striking ''(b) The notice'' and inserting ''(b) REQUIREMENTS; GENERALLY.—(1) The notice''; and

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

''(2)(A) When a civil action is removed solely under section 1441(a), all defendants who have been properly joined and served must join in or consent to the removal of the action.

''(B) Each defendant shall have 30 days after receipt by or service on that defendant of the initial pleading or summons described in paragraph (1) to file the notice of removal.

''(C) If defendants are served at different times, and a later-served defendant files a notice of removal, any earlier-served defendant may consent to the removal even though that earlier-served defendant did not previously initiate or consent to removal.

''(3) Except as provided in subsection (c), if the case stated by the initial pleading is not removable, a notice of removal may be filed within thirty days after receipt by the defendant, through service or otherwise, of a copy of an amended pleading, motion, order or other paper from which it may first be ascertained that the case is one which is or has become removable.'';

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

''(c) REQUIREMENTS; REMOVAL BASED ON DIVERSITY OF CITIZENSHIP.—(1) A case may not be removed under subsection (b)(3) on the basis of jurisdiction conferred by section 1332 more than 1 year after commencement of the action, unless the plaintiff has acted in bad faith in order to prevent a defendant from removing the action.

''(2) If removal of a civil action is sought on the basis of the jurisdiction conferred by section 1332(a), the sum demanded in good faith in the initial pleading shall be deemed to be the amount in controversy, except that—

''(A) the notice of removal may assert the amount in controversy if the initial pleading seeks—

''(i) nonmonetary relief; or

''(ii) a money judgment, but the State practice either does not permit demand for a specific sum or permits recovery of damages in excess of the amount demanded; and

''(B) removal of the action is proper on the basis of an amount in controversy asserted under subparagraph (A) if the district court finds, by the preponderance of the evidence, that the amount in controversy exceeds the amount specified in section 1332(a).

''(3)(A) If the case stated by the initial pleading is not removable solely because the amount in controversy does not exceed the amount specified in section 1332(a), information relating to the amount in controversy in the record of the State proceeding, or in responses to discovery, shall be treated as an 'other paper' under subsection (b)(3).

''(B) If the notice of removal is filed more than 1 year after commencement of the action and a finding is made that the plaintiff deliberately failed to disclose the actual amount in controversy to prevent removal, that finding shall be deemed bad faith under paragraph (1).''.

(4) Section 1446 is further amended—

(A) in subsection (d), by striking ''(d) Promptly'' and inserting ''(d) NOTICE TO ADVERSE PARTIES AND STATE COURT.—Promptly'';

(B) by striking ''thirty days'' each place it appears and inserting ''30 days'';

(C) by striking subsection (e); and

(D) in subsection (f), by striking ''(f) With respect'' and inserting ''(e) COUNTERCLAIM IN 337 PROCEEDING.—With respect''.

(c) PROCEDURE FOR REMOVAL OF CRIMINAL ACTIONS.—Chapter 89 of title 28, United States Code, is amended by adding at the end the following new section:

''§ 1454. Procedure for removal of criminal prosecutions

''(a) NOTICE OF REMOVAL.—A defendant or defendants desiring to remove any criminal prosecution from a State court shall file in the district court of the United States for the district and division within which such prosecution is pending a notice of removal signed pursuant to Rule 11 of the Federal Rules of Civil Procedure and containing a short and plain statement of the grounds for removal, together with a copy of all process, pleadings, and orders served upon such defendant or defendants in such action.

''(b) REQUIREMENTS.—(1) A notice of removal of a criminal prosecution shall be filed not later than 30 days after the arraignment in the State court, or at any time before trial, whichever is earlier, except that for good cause shown the United States district court may enter an order granting the defendant or defendants leave to file the notice at a later time.

''(2) A notice of removal of a criminal prosecution shall include all grounds for such removal. A failure to state grounds that exist at the time of the filing of the notice shall constitute a waiver of such grounds, and a second notice may be filed only on grounds not existing at the time of the original notice. For good cause shown, the United States district court may grant relief from the limitations of this paragraph.

''(3) The filing of a notice of removal of a criminal prosecution shall not prevent the State court in which such prosecution is pending from proceeding further, except that a judgment of conviction shall not be entered unless the prosecution is first remanded.

''(4) The United States district court in which such notice is filed shall examine the notice promptly. If it clearly appears on the face of the notice and any exhibits annexed thereto that removal should not be permitted, the court shall make an order for summary remand.

''(5) If the United States district court does not order the summary remand of such prosecution, it shall order an evidentiary hearing to be held promptly and, after such hearing, shall make such disposition of the prosecution as justice shall require. If the United States district court determines that removal shall be permitted, it shall so notify the State court in which prosecution is pending, which shall proceed no further.

''(c) WRIT OF HABEAS CORPUS.—If the defendant or defendants are in actual custody on process issued by the State court, the district court shall issue its writ of habeas corpus, and the marshal shall thereupon take such defendant or defendants into the marshal's custody and deliver a copy of the writ to the clerk of such State court.''.

(d) CONFORMING AMENDMENTS.—

(1) The table of sections for chapter 89 of title 28, United States Code, is amended—

(A) in the item relating to section 1441, by striking ''Actions removable generally'' and inserting ''Removal of civil actions'';

(B) in the item relating to section 1446, by inserting ''of civil actions'' after ''removal''; and

(C) by adding at the end the following new item:

''1454. Procedure for removal of criminal prosecutions.''.

(2) Section 1453(b) of title 28, United States Code, is amended by striking ''1446(b)'' and inserting ''1446(c)(1)''.

SEC. 104. EFFECTIVE DATE.

(a) IN GENERAL.—Subsection (b), the amendments made by this title shall take effect upon the expiration of the 30-day period beginning on the date of the enactment of this Act, and shall apply to any action or prosecution commenced on or after such effective date.

(b) TREATMENT OF CASES REMOVED TO FEDERAL COURT.—For purposes of subsection (a), an action or prosecution commenced in State court and removed to Federal court shall be deemed to commence on the date the action or prosecution was commenced, within the meaning of State law, in State court.

TITLE II—VENUE AND TRANSFER IMPROVEMENTS

SEC. 201. SCOPE AND DEFINITIONS.

(a) IN GENERAL.—Chapter 87 of title 28, United States Code, is amended by inserting before section 1391 the following new section:

''§ 1390. Scope

''(a) VENUE DEFINED.—As used in this chapter, the term 'venue' refers to the geographic specification of the proper court or courts

for the litigation of a civil action that is within the subject-matter jurisdiction of the district courts in general, and does not refer to any grant or restriction of subject-matter jurisdiction providing for a civil action to be adjudicated only by the district court for a particular district or districts.

''(b) EXCLUSION OF CERTAIN CASES.—Except as otherwise provided by law, this chapter shall not govern the venue of a civil action in which the district court exercises the jurisdiction conferred by section 1333, except that such civil actions may be transferred between district courts as provided in this chapter.

''(c) CLARIFICATION REGARDING CASES REMOVED FROM STATE COURTS.—This chapter shall not determine the district court to which a civil action pending in a State court may be removed, but shall govern the transfer of an action so removed as between districts and divisions of the United States district courts.''.

(b) CONFORMING AMENDMENT.—The table of sections at the beginning of chapter 87 of title 28, United States Code, is amended by inserting before the item relating to section 1391 the following new item:

''Sec. 1390. Scope.''.

SEC. 202. VENUE GENERALLY.

Section 1391 of title 28, United States Code, is amended as follows:

(1) By striking subsections (a) through (d) and inserting the following:

''(a) APPLICABILITY OF SECTION.—Except as otherwise provided by law—

''(1) this section shall govern the venue of all civil actions brought in district courts of the United States; and

''(2) the proper venue for a civil action shall be determined without regard to whether the action is local or transitory in nature.

''(b) VENUE IN GENERAL.—A civil action may be brought in—

''(1) a judicial district in which any defendant resides, if all defendants are residents of the State in which the district is located;

''(2) a judicial district in which a substantial part of the events or omissions giving rise to the claim occurred, or a substantial part of property that is the subject of the action is situated; or

''(3) if there is no district in which an action may otherwise be brought as provided in this section, any judicial district in which any defendant is subject to the court's personal jurisdiction with respect to such action.

''(c) RESIDENCY.—For all venue purposes—

''(1) a natural person, including an alien lawfully admitted for permanent residence in the United States, shall be deemed to reside in the judicial district in which that person is domiciled;

''(2) a party with the capacity to sue and be sued in its common name under applicable law, whether or not incorporated, shall be deemed to reside, if a defendant, in any judicial district in which such defendant is subject to the court's personal jurisdiction with respect to the civil action in question and, if a plaintiff, only in the judicial district in which it maintains its principal place of business; and

''(3) a defendant not resident in the United States may be sued in any judicial district, and the joinder of such a defendant shall be disregarded in determining where the action may be brought with respect to other defendants.

''(d) RESIDENCY OF CORPORATIONS IN STATES WITH MULTIPLE DISTRICTS.—For purposes of venue under this chapter, in a State which has more than one judicial district and in which a defendant that is a corporation is subject to personal jurisdiction at the time an action is commenced, such corporation shall be deemed to reside in any district in that State within which its contacts would be sufficient to subject it to personal jurisdiction if that district were a separate State, and, if there is no such district, the corporation shall be deemed to reside in the district within which it has the most significant contacts.''.

(2) In subsection (e)—

(A) in the first paragraph—

(i) by striking ''(1)'', ''(2)'', and ''(3)'' and inserting ''(A)'', ''(B)'', and ''(C)'', respectively; and

(ii) by striking ''(e) A civil action'' and inserting the following:

''(e) ACTIONS WHERE DEFENDANT IS OFFICER OR EMPLOYEE OF THE UNITED STATES.—

''(1) IN GENERAL.—A civil action''; and

(B) in the second undesignated paragraph by striking ''The summons and complaint'' and inserting the following:

''(2) SERVICE.—The summons and complaint''.

(3) In subsection (f), by striking ''(f) A civil action'' and inserting ''(f) CIVIL ACTIONS AGAINST A FOREIGN STATE.—A civil action''.

(4) In subsection (g), by striking ''(g) A civil action'' and inserting ''(g) MULTIPARTY, MULTIFORUM LITIGATION.—A civil action''.

SEC. 203. REPEAL OF SECTION 1392.

Section 1392 of title 28, United States Code, and the item relating to that section in the table of sections at the beginning of chapter 87 of such title, are repealed.

SEC. 204. CHANGE OF VENUE.

Section 1404 of title 28, United States Code, is amended—

(1) in subsection (a), by inserting before the period at the end the following: ''or to any district or division to which all parties have consented''; and

(2) in subsection (d), by striking ''As used in this section'' and inserting ''Transfers from a district court of the United States to the District Court of Guam, the District Court for the Northern Mariana Islands, or the District Court of the Virgin Islands shall not be permitted under this section. As otherwise used in this section,''.

SEC. 205. EFFECTIVE DATE.

The amendments made by this title—

(1) shall take effect upon the expiration of the 30-day period beginning on the date of the enactment of this Act; and

(2) shall apply to—

(A) any action that is commenced in a United States district court on or after such effective date; and

(B) any action that is removed from a State court to a United States district court and that had been commenced, within the meaning of State law, on or after such effective date.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Virginia (Mr. SCOTT) and the gentleman from Texas (Mr. SMITH) each will control 20 minutes.

The Chair recognizes the gentleman from Virginia.

GENERAL LEAVE

Mr. SCOTT of Virginia. Mr. Speaker, I ask unanimous consent that all Members have 5 legislative days to revise and extend their remarks and include extraneous material on the bill under consideration.

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

There was no objection.

Mr. SCOTT of Virginia. I yield myself such time as I may consume.

Mr. Speaker, H.R. 4113, the Federal Courts Jurisdiction and Venue Clarification Act of 2010, is intended to clarify a number of uncertainties and technical flaws in laws regarding Federal court jurisdiction and venue that have come to light in recent years. Let me just cite one example.

Under current law, we have an odd scenario where State law claims can be brought in Federal court using a diversity of citizenship basis for Federal jurisdiction even though both parties are residents of the same State; but because one party is a permanent resident, not a citizen, they can claim diversity of citizenship.

H.R. 4113 makes clear that permanent legal residents are treated the same as citizens for the purpose of diversity of citizenship. There are many other technical clarifications in the bill like that.

I would like to thank our ranking member of the full committee, Mr. SMITH, for his leadership in bringing this bill to the floor, and I urge my colleagues to support the bill.

I reserve the balance of my time.

Mr. SMITH of Texas. Mr. Speaker, I yield myself such time as I may consume.

The Federal Courts and Venue Clarification Act brings more clarity to the operation of jurisdictional statutes and facilitates the identification of the appropriate State or Federal court in which action should be brought.

I support this legislation and appreciate the bipartisan effort that has been made on the part of Mr. SCOTT, the gentleman from Virginia.

Judges believe the current rules force them to waste time determining jurisdictional issues at the expense of adjudicating the underlying litigation. The contents of this bill are based on recommendations developed and approved by the United States Judicial Conference.

The first version of the bill was developed in 2006, when I chaired the Courts Subcommittee. At the time, we confined our review to jurisdictional issues. Following a hearing and bill introduction, the Courts Subcommittee favorably reported the legislation to the full Judiciary Committee, but no further action was taken.

Since then, jurists, legal scholars, bar groups, and policy-makers rekindled interest in resurrecting the project. This led to a rewriting of the bill to include a second title pertaining to venue.

Given the press of legislative business, the Judiciary Committee was unable to conduct a hearing or markup of H.R. 4113. Instead, we processed, reviewed, and amended the bill informally, working closely with the judiciary and various stakeholders.

In this regard, I thank the Administrative Office of the U.S. Courts, which functioned as a clearinghouse to vet the bill with the Judicial Conference's Federal-State Jurisdiction Committee, academics, and interested stakeholders.

The groups that assisted in this effort include the American Bar Association, Lawyers for Civil Justice, the Federal Bar Association, the American Association for Justice, and the U.S. Chamber of Commerce.

Legal scholars from the law schools at Houston, Chicago-Kent, Loyola, and Duke endorse suggested changes to the original text as developed by Professor Arthur Hellman of the University of Pittsburgh School of Law, who testified at the 2005 Subcommittee hearing and contributed substantially to the project in the 111th Congress.

The result is a thoroughly processed, well-conceived bill that addresses important if mundane jurisdictional and venue issues.

It's legislation that helps federal judges process their work more promptly and fairly while clarifying what litigants should expect as they prepare their cases.

H.R. 4113 contains a number of revisions to federal jurisdictional and venue law. Among the changes, the bill—

clarifies the definition of ''citizenship'' for foreign corporations and domestic corporations doing business abroad;

separates the removal provisions governing civil cases and those governing criminal cases into two statutes;

promotes timeliness of removal by giving each defendant 30 days after service to file a notice of removal;

creates a general venue statute that unifies the approach to venue in diversity and federal question cases, while maintaining current venue standards;

eliminates the outdated ''local action'' rule, which unnecessarily restricts venue choices for certain real-property actions; and

stipulates that a natural person is deemed to reside in the judicial district in which that person is domiciled.

Mr. Speaker, it's taken us about 5 years to reach this point, but the wait was worth the journey. The ''Federal Courts Jurisdiction and Venue Clarification Act'' illustrates how Congress can work with the Judiciary and stakeholders to pursue legislative initiatives that enhance the practice of law and the operations of our federal courts.

This is a bill that ultimately benefits American citizens who use our legal system in defense of their legal rights and civil liberties.

I urge the Members to support H.R. 4113.

I yield back the balance of my time.

Mr. SCOTT of Virginia. 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 Virginia (Mr. SCOTT) that the House suspend the rules and pass the bill, H.R. 4113, as amended.

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

A motion to reconsider was laid on the table.

ORGANIZED RETAIL THEFT INVESTIGATION AND PROSECUTION ACT OF 2010

Mr. SCOTT of Virginia. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 5932) to establish the Organized Retail Theft Investigation and Prosecution Unit in the Department of Justice, and for other purposes, as amended.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 5932

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 ''Organized Retail Theft Investigation and Prosecution Act of 2010''.

SEC. 2. ORGANIZED RETAIL THEFT INVESTIGATION AND PROSECUTION UNIT.

(a) ESTABLISHMENT.—Not later than 180 days after the date of enactment of this Act, the Attorney General shall establish the Organized Retail Theft Investigation and Prosecution Unit (hereinafter in this Act referred to as the ''ORTIP Unit'').

(b) COMPOSITION.—The ORTIP Unit shall include representatives from the Federal Bureau of Investigation, United States Immigration and Customs Enforcement, the United States Secret Service, the United States Postal Inspection Service, prosecutors, and any other personnel necessary to carry out the duties of the ORTIP Unit.

(c) DUTIES.—The duties of the ORTIP Unit are as follows:

(1) To investigate and prosecute those instances of organized retail theft over which the Department of Justice has jurisdiction.

(2) To assist State and local law enforcement agencies in investigating and prosecuting organized retail theft.

(3) To consult with key stakeholders, including retailers and online marketplaces, to obtain information about instances of and trends in organized retail theft.

SEC. 3. DEFINITION.

In this Act, the term ''organized retail theft'' means—

(1) the obtaining of retail merchandise by illegal means for the purpose of reselling or otherwise placing such merchandise back into the stream of commerce; or

(2) aiding or abetting the commission of or conspiring to commit any of the acts described in paragraph (1).

SEC. 4. REPORT.

Not later than 1 year after the date of enactment of this Act, the Attorney General shall submit a report containing recommendations on how retailers, online businesses, and law enforcement agencies can help prevent and combat organized retail theft to the Chairs and Ranking Members of the Committee on the Judiciary of the House of Representatives and of the Committee on the Judiciary of the Senate. The Attorney General shall make the report available to the public on the web site of the Department of Justice.

SEC. 5. AUTHORIZATION OF APPROPRIATIONS.

There are authorized to be appropriated to the Attorney General to carry out this Act, $5,000,000 for each of fiscal years 2011 through 2015.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Virginia (Mr. SCOTT) and the gentleman from Texas (Mr. SMITH) each will control 20 minutes.

The Chair recognizes the gentleman from Virginia.

GENERAL LEAVE

Mr. SCOTT of Virginia. Mr. Speaker, I ask unanimous consent that all Members have 5 legislative days to revise and extend their remarks and include extraneous material on the legislation under consideration.

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

There was no objection.

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Mr. SCOTT of Virginia. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, H.R. 5932 directs the Attorney General to establish an Organized Retail Theft Investigation and Prosecution Unit to combat the growing problem of organized retail crime.

Theft from retail establishments has been a problem as long as stores have existed. The problem has gradually grown beyond simple isolated cases of shoplifting and burglary into something far more complex.

It wasn't until the 1980s that organized retail theft was recognized as a phenomenon, and the problem has continued to grow in volume, sophistication and scope. Today, sophisticated, multilevel criminal organizations steal large amounts of high volume products, focusing on small and easily resalable items, and then they resell the goods through a variety means, including flea markets, smaller stores, and, increasingly the Internet. Sales of stolen items over the Internet have evolved to the point where there has been a new crime phenomenon referred to as ''E-fencing.''

With organized retail theft reaching an estimated $30 billion to $42 billion, it impacts everyone from the Big Box retailers to the small independent stores. This type of crime obviously has a direct impact on stores from which the items are stolen. They have fewer items in their inventory to sell and their profits suffer. To make up for it, they must pass along the burden to consumers in the form of higher prices.

Consumer safety is also at risk when retail crime organizations steal consumable products, especially over-the-counter drug items and infant formula, two popular items for organized theft rings. In many cases, after merchandise has been stolen, the products are not stored properly, which can render the products ineffective or even dangerous.

Retailers spend lots of time and resources trying to prevent such thefts and trying to catch the thieves, but it is becoming increasingly difficult to do so. Last year, the Judiciary Committee Subcommittee on Crime held a hearing about the role of the Federal law enforcement in combating this kind of crime. I was encouraged to see that agencies such as the FBI; Immigration and Customs Enforcement, ICE; the Secret Service; and postal inspectors all play a role in investigating organized retail theft.

Through this hearing we learned that there is a definite need for Federal law enforcement agencies in this area because local enforcement agencies face unique challenges in combating organized retail theft. In particular, organized retail theft rings often operate in multiple jurisdictions, making it impossible for any one State or local law enforcement agency to investigate them and prosecute them effectively. In addition, the Internet has made it

easier for such sellers to access a national, even international market, for buyers of stolen goods. Finally, the proceeds of these crimes are often laundered with tremendous sophistication.

Because of these challenges and the threat this type of crime poses to our businesses, I believe we must have a better coordinated and much more concentrated Federal effort. H.R. 5932 accordingly directs the Attorney General to establish an Organized Retail Theft Investigation and Prosecution Unit comprised of Federal prosecutors and investigators from the FBI, ICE, the Secret Service, and the Postal Inspection Service. This unit will investigate and prosecute instances of organized retail theft under Federal jurisdiction as well as assist State and local law enforcement agencies in their efforts against these crimes.

I want to thank the retail and online community for their support of this bill, and I commend their efforts to find ways to work together on this effort. We have also received letters in support of the bill from a number of major business groups, including the Coalition Against Retail Crime, the Food Marketing Institute, the National Association of Chain Drugstores, the Entertainment Merchants Association, the Retail Industry Leaders Association, and the National Retail Federation. EBay has also expressed support for the bill.

I am pleased this bill has strong bipartisan support, and I would like to thank the committee chairman, the gentleman from Michigan, Mr. CONYERS, the ranking member, the gentleman from Texas, Mr. SMITH, and my colleague from Virginia, Mr. GOODLATTE, for cosponsoring this important legislation and for their consistent commitment to this issue. I urge my colleagues to support H.R. 5932.

COALITION AGAINST
ORGANIZED RETAIL CRIME

Hon. ROBERT SCOTT,
House Judiciary Committee, House of Representatives, Washington, DC.

DEAR CONGRESSMAN SCOTT: On behalf of the Coalition Against Organized Retail Crime (CAORC) and our membership, we urge you to support and pass H.R. 5932 the ''Organized Retail Theft Investigation and Prosecution Act of 2010.'' This bipartisan legislation, introduced by Representatives Conyers, Smith, Scott and Goodlatte, is an important first step in addressing this serious issue.

The CAORC, formed in 2001, is comprised of major retailers, grocers, product manufacturers and trade associations committed to bringing attention to the harmful effects and public safety risks associated with organized retail crime. As you know, sophisticated and methodical organized retail crime rings operate across state and local jurisdictions. These crime rings often use organized retail crime to fund other violent activities and utilize traditional money laundering techniques to conceal their profits. It is time the Department of Justice have the resources it needs to effectively investigate and prosecute these criminals.

Retailers spend millions of dollars on robust a security and loss prevention effort, that protects their goods and ensures consumer safety. They are continually upgrading and adapting these programs to limit retail crime. Nevertheless, this criminal activity continues to grow despite our best efforts.

We thank you for your consideration of H.R. 5932 and urge its passage. We look forward to seeing this legislation become law and working with you in the future to continue to work on this crime epidemic.

Sincerely,

JOHN G. EMLING,
Senior Vice President, Government Affairs, Retail Industry Leaders Association.

FOOD MARKETING INSTITUTE,
Arlington, VA, September 20, 2010.

Hon. BOBBY SCOTT,
House of Representatives, Washington, DC.

DEAR REPRESENTATIVE SCOTT: The Food Marketing Institute (FMI), on behalf of the nation's grocery industry, wishes to express the industry's strong support for a bill (H.R. 5932) entitled the ''Organized Retail Crime Theft Investigation and Prosecution Act of 2010.'' This bi-partisan initiative, sponsored by Representatives Bobby Scott (D–VA), John Conyers (D–MI), Lamar Smith (R–TX) and Bob Goodlatte (R–VA), will likely be scheduled for consideration and a vote on the floor of the House on Thursday, September 23, 2010.

If enacted into law, H.R. 5932 will establish a special unit within the U.S. Department of Justice (DOJ) to investigate and prosecute instances of organized retail theft (ORT) over which DOJ has jurisdiction as well as provide assistance to State and local law enforcement agencies in their efforts against what is clearly a very serious criminal problem in our country.

The grocery industry is routinely victimized by sophisticated theft rings that are responsible for stealing millions of dollars worth of merchandise from our members' stores annually. FMI firmly believes a more formal federal response as called for in H.R. 5932 is needed because ORT translates into as much as $30 billion in losses each year to the retail community nationwide. Not only do consumers pay higher prices as retailers attempt to recover losses resulting from ORT, but state revenues are also adversely impacted by approximately $1.6 billion in lost sales tax revenue attributable to ORT activity.

Most disturbing is the fact that our customers are often placed at great risk when these criminal enterprises steal certain FDA regulated products, such as infant formula, over-the-counter medications and diabetic supplies, and then resell them in flea markets, pawn shops, swap meets, questionable store front operations and more frequently in recent years via internet auction sites. ORT rings have been known to tamper with the contents of the product and to change labels and expiration dates thereby endangering the health and safety of unknowing consumers, especially infants and the elderly.

In closing, FMI endorses H.R. 5932 and we urge you to vote in favor of this very important initiative.

Sincerely,

LESLIE G. SARASIN,
President and Chief Executive Officer.

ENTERTAINMENT
MERCHANTS ASSOCIATION,
Encino, CA, September 22, 2010.

Re: Organized Retail Theft Investigation and Prosecution Act of 2010 (H.R. 5932).

Hon. ROBERT C. SCOTT,
Chairman, Subcommittee on Crime, Terrorism, and Homeland Security, Committee on the Judiciary, House of Representatives, Washington, DC.

DEAR MR. CHAIRMAN: I am writing on behalf of the Entertainment Merchants Association (EMA) and the approximately 40,000 retail locations operated by our members throughout the United States to express support for the Organized Retail Theft Investigation and Prosecution Act of 2010 (H.R. 5932). We commend you for introducing this important measure.

Unfortunately, the relatively small size and high desirability of DVDs and video games make them popular targets for organized retail crime perpetrators. Based on the ''shrink'' experience of our members, EMA estimates the loss to retailers in 2008 from DVD shrink (both internal and external sources) to be $449 million and from video game shrink to be $197 million. (Not all of these losses are attributable to organized retail crime, of course.) The losses are even more harmful in light of the 13% decline in DVD sales and 11% decline in video game software sales in 2009. The growth of organized retail crime undoubtedly contributes to these declines in sales.

EMA believes that federal organized retail crime legislation can help stem the shrink of DVD and video games. Specifically, EMA advocates, in part, that federal law should specifically criminalize organized retail crime, prevent criminal gangs from using online marketplaces as fencing bazaars, crack down on counterfeit devices that are used to facilitate organized retail crime, and provide additional resources to investigate and prosecute organized retail crime. (We believe this can and should be done without either unduly impairing the ability of video and video game retailers to participate in the used DVD and video game market or undermining the First Sale provision of the Copyright Act (permitting the resale, rental, or other alienation of a lawfully made copy of a copyrighted work without authorization from the copyright holder), which promotes vigorous retail competition and the wide dissemination of popular works.)

H.R. 5932 would establish an Organized Retail Theft Investigation and Prosecution Unit (ORTIP Unit) in the Department of Justice that would be staffed with investigators, prosecutors and others. The ORTIP Unit would be responsible for investigating and prosecuting instances of organized retail theft, over which the Department of Justice has jurisdiction, assisting State and local law enforcement agencies in investigating and prosecuting organized retail theft. and consulting with and advising victims of organized retail theft. The bill would define ''organized retail theft'' as obtaining retail merchandise by illegal means for the purpose of reselling or otherwise placing such merchandise back into the stream of commerce, aiding or abetting the commission of such acts, or conspiring to commit such acts. H.R. 5932 would also require the Attorney General to submit a report containing recommendations on how retailers, online businesses, and law enforcement agencies can help prevent and combat organized retail theft. Finally, it authorizes $5 million per year for fiscal years 2011 through 2015 to fund the ORTIP Unit.

EMA believes that the Organized Retail Theft Investigation and Prosecution Act of 2010 will enhance the federal government's focus and provide beneficial coordination

among all levels of government on organized retail crime. We, therefore, urge its adoption.

About Entertainment Merchants Association

The Entertainment Merchants Association (EMA) is the not-for-profit international trade association dedicated to advancing the interests of the $34 billion home entertainment industry. EMA-member companies operate approximately 35,000 retail outlets in the U.S. and 45,000 around the world that sell and/or rent DVDs, computer and console video games, and digitally distributed versions of these products. Membership comprises the full spectrum of retailers (from single-store specialists to multi-line mass merchants, and both brick and mortar and online stores), distributors, the home video divisions of major and independent motion picture studios, video game publishers, and other related businesses that constitute and support the home entertainment industry. EMA was established in April 2006 through the merger of the Video Software Dealers Association (VSDA) and the Interactive Entertainment Merchants Association (IEMA).

If you have any questions or need further information, you may contact me.

Thank you for the opportunity to express our support for this much-needed bill.

Sincerely,

SEAN DEVLIN BERSELL,
Vice President, Public Affairs.

NATIONAL ASSOCIATION
OF CHAIN DRUG STORES,
Alexandria, VA, September 21, 2010.

Hon. BOBBY SCOTT,
House of Representatives, Longworth House Office Building, Washington, DC.

Hon. LAMAR SMITH,
House of Representatives, Rayburn House Office Building, Washington, DC.

DEAR REPRESENTATIVES SCOTT AND SMITH: The National Association of Chain Drug Stores (NACDS) is writing to thank you for your extraordinary leadership in the fight against organized retail crime (ORC) by introducing and advancing H.R. 5932, the Organized Retail Theft Investigation and Prosecution Act of 2010. This bipartisan legislation is a strong first step to stem the growing problem of organized retail crime by creating a specific task force within the U.S. Department of Justice to investigate and prosecute instances involving ORC.

NACDS represents traditional drug stores, supermarkets, and mass merchants with pharmacies. Its more than 170 chain member companies include regional chains with a minimum of four stores to national companies. NACDS members also include more than 1,000 suppliers of pharmacy and front-end products, and nearly 90 international members representing 29 countries. Chains operate more than 39,000 pharmacies, and employ a total of more than 2.5 million employees, including 118,000 pharmacists. They fill more than 2.5 billion prescriptions yearly, and have annual sales of over $750 billion. For more information about NACDS, visit www.NACDS.org.

As you know, organized retail crime is responsible for over $30 billion in losses annually, resulting in increased costs for merchants, higher prices for consumers, and lost tax revenue for state and local governments. In addition to increased costs faced by retailers to cover losses and investment in additional security measures, consumers are placed at risk when package tampering occurs on consumer health care products, such as infant formula and OTC medications. These stolen products are repackaged and relabeled to falsely extend a product's expiration date or to hide the fact that the item has been stolen.

NACDS has long advocated for federal legislation that treats theft committed by organized, professional crime rings as a federal felony—especially since much of the stolen product is transported across state lines. Therefore, as Congress continues to examine this issue, we would strongly urge you to consider enacting legislation, such as H.R. 1173, the Organized Retail Crime Act of 2009, which would give federal law enforcement officials the authority to pursue and prosecute individuals who engage in such criminal activities, and H.R. 1166, the E-fencing Enforcement Act of 2009, which would combat the growing problem of the use of online marketplaces by criminals to redistribute stolen merchandise, including those obtained through organized retail crime.

We commend you again for introducing and advancing strong bipartisan legislation that will assist retailers and law enforcement combat the serious problem of organized retail crime, and we look forward to working with you to enact this important legislation.

Sincerely,

STEVEN C. ANDERSON,
President and Chief Executive Officer.

RETAIL INDUSTRY
LEADERS ASSOCIATION,
Arlington, VA.

House of Representatives,
Washington, DC.

DEAR CONGRESSMAN SCOTT: On behalf of the Coalition Against Organized Retail Crime (CAORC) and our membership, we would urge you to vote in favor of H.R. 5932 the ''Organized Retail Theft Investigation and Prosecution Act of 2010'' when it comes before the full body later this week.

RILA is a trade association of the largest and most successful companies in the retail industry. Its member companies include more than 200 retailers, product manufacturers, and service suppliers, which together account for more than $1.5 trillion in annual sales. RILA members operate more than 100,000 stores, manufacturing facilities and distribution centers, have facilities in all 50 states, and provide millions of jobs domestically and worldwide.

This bipartisan legislation, introduced by Representatives Conyers, Smith, Scott and Goodlatte, would create a unit inside the Department of Justice dedicated to investigating and prosecuting organized retail crime (ORC) and assisting state and local law enforcement and prosecuting agencies.

As the U.S Immigration and Customs Enforcement has indicated, ''ORC rings are very sophisticated, compartmentalized and operate similar to criminal organizations involved in drug trafficking or human smuggling. Furthermore, transnational criminal syndicates such as Eastern European street gangs and organized crime elements have become increasingly involved, and utilize traditional money laundering techniques to conceal their profits.'' Furthermore, estimates conclude this crime costs retailers tens of billions of dollars per year and deprives states of hundreds of millions of dollars in lost sales tax revenue.

Retailers spend millions of dollars on robust a security and loss prevention effort, that protects their goods and ensures consumer safety. They are continually upgrading and adapting these programs to limit retail crime. Nevertheless, this criminal activity continues to grow despite their best efforts.

Once again, we ask you to support H.R. 5932.

Sincerely,

JOHN G. EMLING,
Senior Vice President, Government Affairs.

NATIONAL RETAIL FEDERATION,
Washington, DC, September 22, 2010.

Re: Support the ''Organized Retail Theft Investigation and Prosecution Act of 2010'' (H.R. 5932).

Hon. NANCY PELOSI,
Speaker of the House, House of Representatives, The Capitol, Washington, DC.

DEAR SPEAKER PELOSI: On behalf of the National Retail Federation (NRF), I am writing to you today to urge your support for the ''Organized Retail Theft Investigation and Prosecution Act of 2010'' (H.R. 5932) when it comes up for a vote on the suspension calendar this week. We believe this bill is one of the keys to protecting both retailers and consumers against the massive economic costs and very real public health and safety risks posed by organized retail crime. Establishing a team of law enforcement professionals dedicated to fighting these crimes and working in close consultation with retailers shows the importance of this issue to industry, consumers and law enforcement, and serves as an important deterrent to perpetrators.

Retailers lose between $15 and $30 billion to organized retail crime (ORC) each year, according to the FBI and retail loss prevention experts. In addition, 89 percent of retailers reported that they were victims of organized retail crime in the past year, according to an annual NRF survey released earlier this year.

ORC rings typically target everyday consumer products that are in high demand and easy to steal, such as infant formula, razor blades, batteries, analgesics, cosmetics and gift cards. More expensive products such as DVDs, CDs, video games, designer clothing and electronics are also highly prized. Once stolen, the goods are resold at pawn shops, flea markets, swap meets and on the Internet. These thefts force retailers to increase prices to cover the losses, and also threaten public health when crime rings tamper with items such as infant formula or medication by extending expiration dates or repackaging and relabeling the items.

This bill will be an important tool in the fight against ORC. It would accomplish this through several key steps. First, it would create an Organized Retail Theft Investigation and Prosecution Unit (ORTIP Unit) in the Department of Justice staffed with investigators, prosecutors and other personnel charged with investigating and prosecuting instances of ORC over which the Department of Justice has jurisdiction. Second, it would define ''organized retail theft'' as obtaining retail merchandise by illegal means for the purpose of reselling or otherwise placing such merchandise back into the stream of commerce, aiding or abetting the commission of such acts, or conspiring to commit such acts. Third, it requires the Attorney General to submit a report containing recommendations on how retailers, online businesses and law enforcement agencies can help prevent and combat organized retail crime. Finally, it authorizes $5 million per year for fiscal years 2011 through 2015 to fund the ORTIP Unit.

As the world's largest retail trade association and the voice of retail worldwide, NRF's global membership includes retailers of all sizes, formats and channels of distribution as well as chain restaurants and industry partners from the United States and more than 45 countries abroad. In the United States, NRF represents the breadth and diversity of an industry with more than 1.6 million American companies that employ nearly 25 million workers and generated 2009 sales of $2.3 trillion.

We thank Representatives Bobby Scott (D–VA), John Conyers (D–MI), Lamar Smith (R–

TX) and Bob Goodlatte (R–VA) for their leadership on this important issue. We urge all members of Congress to support their efforts and vote in favor of H.R. 5932.

Sincerely,

STEVE PFISTER,
Senior Vice President, Government Relations.

I reserve the balance of my time.

Mr. SMITH of Texas. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, H.R. 5932, the Organized Retail Theft Investigation and Prosecution Act of 2010, is an important step in combating a crime that costs retailers and taxpayers billions of dollars every year. I am pleased to join my Judiciary Committee colleagues Chairman CONYERS, Chairman SCOTT, and Congressman GOODLATTE as an original sponsor of this legislation.

Organized retail theft involves the theft of large quantities of merchandise from retail stores. Unlike shoplifters, these thieves steal the merchandise with the intention of selling it back into the marketplace.

In the past, the majority of these stolen goods were resold at swap meets, flea markets, or pawn shops. Today, the most popular venue for selling stolen goods is the Internet. Web sites such as eBay, Craigslist, and Amazon are being exploited by organized retail thieves to sell their stolen goods with relative ease and anonymity. This dynamic makes it increasingly more difficult for retailers and law enforcement agents to identify and apprehend these thieves.

According to FBI estimates, organized retail theft rings cost businesses more than $30 billion in losses annually. A recent survey conducted by the National Retail Federation found that nearly 90 percent of the retailers surveyed have been victimized by organized retail theft, an 11 percent increase from 2007. The survey also found that roughly 6 out of 10 retailers have seen an increase in organized retail theft in just the last 12 months.

In 2003, the FBI established an Organized Retail Crime Initiative to identify and dismantle large multijurisdictional organized retail crime rings. This initiative included the formation of a National Retail Federation FBI intelligence network. The network is intended to establish an effective means of sharing organized retail crime information and intelligence to discuss trends as they relate to specific sectors and regions of the retail market, and to identify and target the more sophisticated criminal enterprises.

Earlier this year, the National Retail Federation partnered with eBay to develop greater information sharing between eBay and participating retailers. This partnership is a significant step forward in the fight against organized retail theft. Bringing these two industries together will hopefully increase the likelihood of linking thefts from retail stores to goods offered for sale on eBay's Web site.

H.R. 5932 builds upon these efforts by increasing the Federal resources dedicated to organized retail theft investigation. The bill requires the Attorney General to establish an Organized Retail Theft Investigation and Prosecution Unit within the Department of Justice. This unit will include representatives from the FBI, ICE, the U.S. Secret Service and postal inspectors, as well as prosecutors.

The unit will investigate and prosecute large-scale organized retail thefts and provide assistance to State and local law enforcement agencies. The unit will also work in consultation with retailers and online marketplaces to gather information about and identify trends in organized retail thefts.

H.R. 5932 instructs the Attorney General to prepare a report to Congress on how retailers and law enforcement agencies can best combat OCR. The bill authorizes $5 million a year over 5 years to operate the unit.

This legislation is supported by the National Retail Federation, the Retail Industry Leaders Association, the Coalition Against Organized Retail Crime, the Food Marketing Institute, the National Association of Chain Drugstores, eBay, and the Entertainment Merchants Association.

I would like to thank my colleagues again, Chairman CONYERS, Chairman SCOTT, and Congressman GOODLATTE for their dedication to this issue and for working together to draft this bipartisan legislation. I urge my colleagues to support this bill.

Mr. Speaker, I hope the individual I just mentioned, the gentleman from Virginia, Mr. GOODLATTE, is on his way to the floor, and I hope he will be able to speak on this bill shortly. So I reserve the balance of my time.

Mr. SCOTT of Virginia. Mr. Speaker, I have no further requests for time, and I reserve the balance of my time.

Mr. SMITH of Texas. Mr. Speaker, I appreciate the indulgence of the gentleman from Virginia (Mr. SCOTT), but since our expected speaker is not yet on the floor and I am not entirely certain of the time of his arrival, although I am stalling slightly, I will yield back the balance of my time.

Mr. SCOTT of Virginia. As has been said, Mr. Speaker, I have no further requests for time. I would like to thank the gentleman from Texas for his strong support.

Mr. Speaker, I yield such time as he may consume to my colleague, the gentleman from Virginia (Mr. GOODLATTE).

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Mr. GOODLATTE. Mr. Speaker, I rise in support of H.R. 5932, the Organized Retail Theft Investigation and Prosecution Act of 2010. This legislation is an important step in combating a growing threat to retailers and consumers.

I am pleased to join my Judiciary Committee colleagues Chairman CONYERS, Ranking Member SMITH and Chairman SCOTT as an original sponsor of this legislation, and I thank the gentleman for true bipartisanship in allowing me to catch my breath in order to be able to give these remarks.

Organized retail theft is a huge and growing problem in the United States. According to FBI estimates, organized retail theft rings cost businesses more than $30 billion in losses annually. Organized retail theft groups target anything from everyday household commodities to health products to baby formula that can be easily sold through flea markets, swap meets, shady storefront operations, and through online marketplaces.

Thieves often travel from retail store to retail store, stealing relatively small amounts of goods from each store but cumulatively stealing significant amounts of goods. Once stolen, these products are sold back to fencing operations, which can dilute, alter, repackage the goods, and then resell them, sometimes back to the same stores from which the products were originally stolen. These goods are also sold at flea markets, pawn shops and increasingly on the Internet.

When a product does not travel through the authorized channels of distribution, there is an increased potential that the product has been altered, diluted, reproduced, and/or repackaged. These so-called ''diverted products'' pose significant health risks to the public, especially the diverted medications and food products. Diverted products also cause considerable financial losses for legitimate manufacturers and retailers. Ultimately, the consumers bear the brunt of these losses as retail establishments are forced to raise prices to cover the additional costs of security and theft prevention measures.

Even more troubling is where the money is going. We have seen evidence that organized retail theft is increasingly being used to fund international organized crime and other nefarious activities. At the State level, organized retail theft crimes are normally prosecuted under State shoplifting statutes as mere misdemeanors. As a result, the thieves who participate in organized retail crime rings typically receive the same punishment as common shoplifters. The thieves who are convicted usually see very limited jail time or are placed on probation.

I believe that the punishment does not fit the crime in these situations. Mere slaps on the wrists of these criminals have practically no deterrent effect. In addition, the low-level criminals who are actually stealing these goods from the shelves are easily replaced by the criminal organization's higher level coordinators.

During my 8 years of working on ways to combat organized retail theft, I found that the Federal law enforcement community believed it had adequate Federal laws to prosecute organized retail theft crimes, but that poor communication, lack of coordination among State and local law enforcement and lack of resources were major impediments to effective enforcement.

In order to improve the communications and intelligence-sharing between industry and law enforcement, I offered an amendment to the Department of Justice's reauthorization bill back in 2005, which created a Federal definition of organized retail theft crimes and directed the FBI to contribute to the construction of a national database housed in the private sector where retail establishments, as well as Federal, State and local law enforcement, could compile evidence on specific organized retail theft crimes to aid investigations and prosecutions. This database, which has now become the current LERPnet, has helped to put the pieces together to show the organized and multi-state nature of these crimes as well as to provide important evidence for prosecutions.

I am also pleased to report that the private sector is working together to address this problem. Earlier this year, the National Retail Federation partnered with eBay to develop greater information sharing between eBay and participating retailers. This partnership will hopefully increase the likelihood that more organized retail theft will be detected and prosecuted. H.R. 5932 will build upon the successes of these efforts to provide additional resources to the FBI to investigate organized retail theft.

The bill funds and requires the Attorney General to establish an organized retail theft investigation and prosecution unit within the Department of Justice. This unit will include representatives from the FBI, ICE, U.S. Secret Service, and postal inspectors, as well as prosecutors. The unit will investigate and prosecute large-scale organized retail thefts and will provide assistance to State and local law enforcement agencies. The unit will also work in consultation with retailers and online marketplaces to gather information about and identify trends in organized retail thefts.

In addition, H.R. 5932 instructs the Attorney General to prepare a report to Congress on how retailers and law enforcement agencies can best combat organized retail theft. This legislation is supported by the National Retail Federation, the Retail Industry Leaders Association, the Coalition Against Organized Retail Crime, the Food Marketing Institute, the National Association of Chain Drug Stores, eBay, and the Entertainment Merchants Association.

Again, I wish to thank my colleagues Chairman CONYERS, Ranking Member SMITH and Chairman SCOTT for their dedication to this issue and for working with me to draft this bipartisan legislation. I urge my colleagues to support the bill.

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

Mr. SCOTT of Virginia. Mr. Speaker, I would urge my colleagues to support H.R. 5932, and I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Virginia (Mr. SCOTT) that the House suspend the rules and pass the bill, H.R. 5932, as amended.

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

A motion to reconsider was laid on the table.

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 (S. 3304) to increase the access of persons with disabilities to modern communications, and for other purposes.

The Clerk read the title of the bill.

The text of the bill is as follows:

S. 3304

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. 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 who 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) with respect to video programming, online content, applications, services, advanced communications services, or equipment used to provide or access advanced communications services.

SEC. 3. PROPRIETARY TECHNOLOGY.

No action taken by the Federal Communications Commission to implement this Act or any amendment 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) interoperable video conferencing service.

''(54) CONSUMER GENERATED MEDIA.—The term 'consumer generated media' means content created and made available by consumers to online websites and services on the Internet, including video, audio, and multimedia content.

''(55) 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).

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

''(57) 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.

''(58) 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.

''(59) INTEROPERABLE VIDEO CONFERENCING SERVICE.—The term 'interoperable 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 communication 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.''.

SEC. 104. ACCESS TO ADVANCED COMMUNICATIONS 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 ADVANCED COMMUNICATIONS SERVICES AND EQUIPMENT.

''(a) MANUFACTURING.—

''(1) IN GENERAL.—With respect to equipment manufactured after the effective date of the regulations established pursuant to subsection (e), and subject to those regulations, a manufacturer of equipment used for advanced communications services, including end user equipment, network equipment, and software, shall ensure that the equipment and software that such manufacturer offers for sale or otherwise distributes in interstate commerce shall be accessible to and usable by individuals with disabilities, unless the requirements of this subsection are 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) SERVICE PROVIDERS.—

''(1) IN GENERAL.—With respect to services provided after the effective date of the regulations established pursuant to subsection (e), and subject to those regulations, a provider of advanced communications services shall ensure that such services offered by such provider in or affecting interstate commerce are accessible to and usable by individuals with disabilities, unless the requirements of this subsection are 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 subsections (a) or (b) are not achievable, a manufacturer or provider shall ensure that its equipment or service is compatible with existing 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 do not impede accessibility or usability.

''(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;

''(C) determine the obligations under this section of manufacturers, service providers, and providers of applications or services accessed over service provider networks; and

''(D) not mandate technical standards, except that the Commission may adopt technical standards as a safe harbor for such compliance if necessary to facilities the manufacturers' and service providers' compliance with sections (a) through (c).

''(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 technical and economic impact on the operation 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 type of operations of the manufacturer or provider.

''(4) 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 of advanced communications services or any interested party, 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, for any provider of advanced communications services, or for any class of such services, 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) If the Commission determines that a violation has occurred, the Commission may, in the order issued under this subparagraph or in a subsequent order, direct the manufacturer or service provider to bring the service, or in the case of a manufacturer, the next generation of the equipment or device, into compliance with requirements of those sections within a reasonable time established by the Commission in its order.

''(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. Before issuing a final order under paragraph (3)(B)(i), the Commission shall provide such party a reasonable opportunity to comment on any proposed remedial action.

''(5) RECORDKEEPING.—(A) Beginning one year after the effective date of regulations promulgated pursuant to section 716(e), each manufacturer and provider subject to sections 255, 716, and 718 shall maintain, in the ordinary course of business and for a reasonable period, records of the efforts taken by such manufacturer or provider to implement sections 255, 716, and 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) 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) 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) Whether, and to what extent (if any), the requirements of this section have an effect 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. RELAY SERVICES FOR DEAF-BLIND INDIVIDUALS.

Title VII of the Communications Act of 1934, as amended by section 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 Equal Access to 21st Century Communications Act, 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 individuals who are deaf-blind.

''(b) INDIVIDUALS WHO ARE DEAF-BLIND DEFINED.—For purposes of this subsection, the term 'individuals who are deaf-blind' has the same meaning given such term in the Helen Keller National Center Act, as amended by the Rehabilitation Act Amendments of 1992 (29 U.S.C. 1905(2)).

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

SEC. 106. 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 1 year after the completion of the member appointment process by the Chairman of the Commission pursuant to subsection (b), the Advisory Committee shall conduct a national survey of individuals with disabilities, seeking input from the groups described in subsection (b)(2), to determine the most effective and efficient technologies and methods by which to enable access to emergency services by individuals with disabilities and 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 the 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), where achievable, 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;

(7) for the establishment of rules to update the Commission's rules with respect to 9–1–1 services and E–911 services (as defined in section 158(e)(4) of the National Telecommunications and Information Administration Organization Act (47 U.S.C. 942(e)(4))), for users of telecommunications relay services as new technologies and methods for providing such relay services are adopted by providers of such relay services; and

(8) that take into account what is technically and economically feasible.

(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) 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 RULES.—The Advisory Committee may adopt other 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, technical standards, protocols, and procedures as are necessary to achieve reliable, interoperable communication that ensures access by individuals with disabilities to an Internet protocol-enabled emergency network, where achievable and technically feasible.

(h) 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).

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 a national organization representing such distributors.

(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 video programming producers or a national organization representing such producers.

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

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

(7) 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) A recommended schedule of deadlines for the provision of closed captioning service.

(B) An identification of the performance requirement 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, except for consumer generated media, delivered using Internet protocol.

(C) An identification of additional protocols, technical capabilities, and technical procedures beyond those available as of the date of enactment of the Twenty-First Century Communications and Video Accessibility Act of 2010 for the delivery of closed captions of video programming, except for consumer generated media, delivered using Internet protocol that are necessary to meet the performance objectives identified under subparagraph (B).

(D) A recommendation for technical standards to address the performance objectives identified in subparagraph (B).

(E) A recommendation for any regulations that may be necessary to ensure compatibility between video programming, except for consumer generated media, 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) A recommended schedule of deadlines for the provision of video description and emergency information.

(B) An identification of the performance requirement 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, except for consumer generated media, and emergency information delivered using Internet protocol or digital broadcast television.

(C) An identification of additional protocols, technical capabilities, and technical procedures beyond those available as of the date of enactment of the Twenty-First Century Communications and Video Accessibility Act of 2010 for the delivery of video descriptions of video programming, except for consumer generated media, and emergency information delivered using Internet protocol that are necessary to meet the performance objectives identified under subparagraph (B).

(D) A recommendation for technical standards to address the performance objectives identified in subparagraph (B).

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

(F) 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.

(G) 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 (F) to be accompanied by audio output so that such menus or indicators are accessible to and usable by individuals with disabilities.

(H) With respect to video programming guides and menus, a recommendation for the standards, protocols, and procedures used to enable video programming information and selection provided by means of a navigation device, guide, or menu to be accessible in real-time by individuals who are blind or visually impaired.

(3) CONSIDERATION OF WORK BY STANDARD-SETTING ORGANIZATIONS.—The recommendations of the advisory committee shall, insofar as possible, incorporate the standards, protocols, and procedures that have been adopted by recognized industry standard-setting organizations for each of the purposes 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)), recon. granted in part and denied in part, (16 F.C.C.R. 1251 (2001)), 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 (h), insofar as and 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 at least 50 hours per quarter of prime time programming that is not exempt under this paragraph, and 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 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.

''(G) The Commission shall consider extending the exemptions and limitations in the reinstated regulations for technical capability reasons to all providers and owners of video programming.

''(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 not issue additional regulations unless the Commission determines, at least 2 years after completing the reports required in paragraph (3), that the need for and benefits of providing video description 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.

''(B) LIMITATION.—If the Commission makes the determination under subparagraph (A) and issues additional regulations, the Commission may not increase, in total, the hour requirement for additional described programming by more than 75 percent of the requirement in the regulations reinstated under paragraph (1).

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

''(i) IN GENERAL.—After the Commission completes the reports on video description required in paragraph (3), the Commission shall phase in the video description regulations for the top 60 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 in 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.

''(iii) 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 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 potential costs to program owners, providers, and distributors in designated market areas outside of the top 60 of creating such programming;

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

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

''(VII) the need for additional described programming in designated market areas outside the top 60.

''(iv) ADDITIONAL MARKET AREAS.—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 (iii), to phase in the video description regulations for up to an additional 10 designated market areas each year—

''(I) if the costs of implementing the video description regulations to program owners, providers, and distributors in those additional markets are reasonable, as determined by the Commission; and

''(II) except that the Commission may grant waivers to entities in specific designated market areas where it deems appropriate.

''(g) EMERGENCY INFORMATION.—Not later than 1 year after the Advisory Committee report under subsection (e)(2) 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 visually impaired; and

''(2) promulgate regulations that require 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 visually impaired.

''(h) 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' means programming by, or generally considered comparable to programming provided by a television broadcast station, but not including consumer-generated media (as defined in section 3).

(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 once 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 subsection (e)(1) of the Twenty-First Century Communications and Video Accessibility Act of 2010, the Commission shall revise its regulations to require the provision of closed captioning on video programming delivered using Internet protocol that was published or exhibited on television with captions after the effective date of such regulations.

''(B) SCHEDULE.—The regulations prescribed under this paragraph shall include an appropriate schedule of deadlines 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 with captions after the effective date of such regulations would be economically burdensome to providers of video programming or program owners.

''(D) REQUIREMENTS FOR REGULATIONS.—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 for the provider of such service, program, or equipment;

''(iii) shall clarify that, for the purposes of implementation, of this subsection, the terms 'video programming distribution' and 'video programming providers' include an entity that makes available directly to the end user video programming through a distribution method that uses Internet protocol;

''(iv) and describe the responsibilities of video programming providers or distributors and video programming owners;

''(v) shall establish a mechanism to make available to video progamming providers and distributors information on video programming subject to the Act on an ongoing basis;

''(vi) shall consider that the video programming provider or distributor shall be deemed in compliance if such entity enables the rendering or pass through of closed captions and video description signals and make a good faith effort to identify video programming subject to the Act using the mechanism created in (v); and

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

''(3) ALTERNATE MEANS OF COMPLIANCE.—An entity may meet the requirements of this section through alternate means than those prescribed by regulations pursuant to subsection (b), as revised pursuant to paragraph (2)(A) of this subsection, 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 provider of video programming or program owner may petition the Commission for an exemption from the requirements of this section, and the Commission may grant such petition upon a showing that the requirements contained in this section would be economically burdensome. During the pendency of such a petition, such provider or owner shall be exempt from the requirements of this section. 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.''.

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, if technically feasible—

''(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 the Commission's regulations (47 CFR 79.2)) in a manner that is accessible to individuals who are blind or visually impaired; 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 subparagraph (A), (B), or (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, on its own motion or in response to a petition by a manufacturer, to waive the requirements of this subsection for any apparatus or class of apparatus—

''(i) primarily designed for activities other than receiving or playing back video programming transmitted simultaneously with sound; or

''(ii) for equipment designed for multiple purposes, capable of receiving or playing video programming transmitted simultaneously with sound but whose essential utility is derived from other purposes.''.

(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) such 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 or render 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 ''303(u)'' in the first sentence and inserting ''303(u) and (z)'';

(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.—The Federal Communications Commission shall 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, including any technical standards, protocols, and procedures needed for the transmission of—

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

(2) video description and emergency information within 18 months after the submission to the Commission of the Advisory Committee report required by section 201(e)(2).

(e) ALTERNATE MEANS OF COMPLIANCE.—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 subsection (d) if the requirements of those 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 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 appropriate built-in apparatus functions are accessible to and usable by individuals who are blind or visually impaired, except that the Commission may not specify the technical standards, protocols, procedures, and other technical requirements for meeting this requirement;

''(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 visually impaired in real-time;

''(3) that for such apparatus equipped with the functions described in paragraphs (1) and (2) built in access to those closed captioning and video description features through a mechanism that is reasonably comparable to a button, key, or icon designated by activating the closed captioning or accessibility features; 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 the Commission's rules (47 CFR 76.1200).''.

(b) IMPLEMENTING REGULATIONS.—Within 18 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).

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

(d) 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 visually impaired, 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, that access to that capability through a mechanism is reasonably comparable to a button, key, or icon designated for activating the closed captioning, or accessibility features.

With respect to apparatus features and functions delivered in software, the requirements set forth in this subsection shall apply to the manufacturer of such software. With respect to apparatus features and functions delivered in hardware, the requirements set forth in this subsection shall apply to the manufacturer of such hardware.''.

(b) IMPLEMENTING REGULATIONS.—

(1) IN GENERAL.—Within 18 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 20,000 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 it provides to a requesting blind or visually impaired individual.

(4) SEPARATE EQUIPMENT OR SOFTWARE.—

(A) IN GENERAL.—Such regulations shall permit but not require the entity providing the navigation device to the requesting blind or visually impaired individual to comply with section 303(bb)(1) of the Communications Act of 1934 through that entity's use of software, a peripheral device, specialized consumer premises equipment, a network-based service or other solution, and shall provide the maximum flexibility to select the manner of compliance.

(B) REQUIREMENTS.—If an entity complies with section 303(bb)(1) of the Communications Act of 1934 under subparagraph (A), the entity providing the navigation device to the requesting blind or visually impaired individual shall provide any such software, peripheral device, equipment, service, or solution at no additional charge and within a reasonable time to such individual and shall ensure that such software, device, equipment, service, or solution provides the access required by such regulations.

(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).

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

The Chair recognizes the gentleman from Massachusetts.

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

Mr. Speaker, I would like to begin by commending subcommittee Chairman BOUCHER for his incredible work on this issue. I also commend Chairman WAXMAN, who dedicated a lot of time to making sure that this piece of legislation would come to fruition here this evening. I would also like to thank Chairman STEARNS—Ranking Member STEARNS on the minority side—along with Mr. BARTON, who is the ranking member of the full committee, Mr. BURGESS, and all of the minority members.

If you were to look up in the dictionary the words ''bipartisan effort,'' this bill's number would be next to that effort.

□ 2110

On July 26, the 20th anniversary of the Americans with Disabilities Act, the House passed, by an overwhelming bipartisan margin of 348–23, the 21st Century Communications and Video Accessibility Act that I'd introduced last year to update the ADA for the digital era.

On August 5 the Senate passed the companion bill by unanimous consent, and then on September 22 the Senate unanimously passed the bill to make technical corrections to its companion bill. We are now taking up both of these bills, and we'll send them, after passage, to the President to be signed into law.

If you're an individual who's blind, deaf, or both, navigating an intersection can be a challenge, but navigating the Internet can sometimes be even more difficult; and that's because laws to ensure equal treatment for Americans with disabilities have focused primarily on things like wheelchair access rather than Web access. That is about to change.

At this historic moment, I'd like to think that Helen Keller and Annie Sullivan are looking down on us here tonight and smiling. This picture was taken in 1888 in Brewster, Massachusetts, on Cape Cod. Whether it is a braille reader or a broadband connection, access to technology is not a political issue—it's a participation issue. Each of us should be able to participate in the world to the fullest extent possible, and the latest communications and video devices and services can enrich and ennoble how Americans experience and enjoy their lives.

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 access for Americans who are disabled to technologies that can help them do things that most of us take for granted.

In 1990, we made sure that Americans who are deaf could make telephone calls.

Around the same time, 1990, we mandated that television shows be closed captioned for the deaf so that they can enjoy the same entertainment and other programming as many 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.

And in 1996, in the Telecommunications Act, we inserted language which required accessibility of all telephone equipment, including telephones, telephone calls, call waiting, speed dialing, caller ID, and related services.

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 Helen Keller and Annie Sullivan through the Americans with Disabilities Act to closed captioning for television programming and ability of the deaf to make telephone calls, and now to the 21st Century Communications and Video Accessibility Act on the floor tonight, we've made important progress. We've moved from braille to broadcast, from broadband to the BlackBerry.

Annie Sullivan used special language she spelled in Helen Keller's palm. In

the 21st century, we've moved from tracing letters of the alphabet on a palm to navigating a Palm Pilot, and we must ensure that all of these devices are accessible to the deaf and the blind in our society. That's what this legislation does here this evening.

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. Helen Keller did learn to speak—and Helen Keller is still speaking to us tonight—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 being made accessible to each American.

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

I thank my colleagues for their support for this landmark legislation.

I reserve the balance of my time.

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

This bill will help Americans with hearing or vision disabilities, or those who have both, allow them access to 21st century technology and prohibit the Federal Communications Commission from mandating proprietary technologies, relying instead on advisory committees and industry-developed technical standards.

The members of the House Energy and Commerce Committee, on a bipartisan basis, supported this legislation when it moved through the committee and the House in July. I want to commend my colleagues on the other side of the aisle for working with the minority and with all of the stakeholders to get a consensus. Because of that work, the bill originally passed this House by a vote of 348–23.

We are now considering the Senate version in an effort to move the bill quickly to the President. Unfortunately, the version from the other body originally included a number of significant technical errors. To fix those errors, the other body passed S. 3828 to make corrections to their work.

As corrected, S. 3304, like the House bill, includes language explicitly stating that the new provisions of the law shall not be construed to require every feature and function, of every device or service, to be accessible for every disability. Furthermore, the law will create goals rather than impose technology mandates, which will allow innovation in this area to flourish. In that same spirit, it allows manufacturers and providers to rely on third-party solutions in order to achieve accessibility for people with disabilities.

However, all businesses and their products are not created equal. This bill recognizes that some small businesses and fledgling entrepreneurs may not be able to bear the financial burden of these new requirements, so there is the possibility of exemptions for small businesses. The legislation also contemplates waivers for some multifunction devices that are not primarily designed for advanced communications, as well as authorizes the Federal Communications Commission to grant waivers to address concerns of the electronics community about very small devices.

I, again, want to thank the majority for working together on this bill. I wish the rest of the legislation that has been considered in this Congress could have been dealt with in such a collaborative process.

With that, Mr. Speaker, I ask my colleagues to support the bill.

I reserve the balance of my time.

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 material on S. 3304.

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

There was no objection.

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

This bill has been several years in the making. It's going to have a transformative effect on the lives of the deaf and the blind in our country, and ultimately in the world, because the technologies we develop here will help all of the deaf and blind be able to use information in this wireless world that all information is now migrating to.

□ 2120

I want to thank Roger Sherman, Tim Powderly, Sarah Fisher, Amy Levine on the Democratic side. Neil Fried and Will Carty on the Republican side for their great work. To Colin Crowell on my staff for many years, who helped to conceptualize what it is that we are doing today. And especially to Mark Bayer on my staff, who has worked tirelessly over the last year and a half to bring this bill to fruition. Looking down I think and smiling right now on this legislation are Karen Peltz Strauss, Rosaline Crawford, Jenifer Simpson, Eric Bridges, Mark Richert, Larry Goldberg, Steve Rothstein from the Perkins School, and Mike Festa at the Carroll Center. Incredible advocates, and the conscience of this issue, why we're here. I thank all who worked on this legislation.

I urge an ''aye'' vote.

I yield back the balance of my time.

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

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Massachusetts (Mr. MARKEY) that the House suspend the rules and pass the bill, S. 3304.

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

A motion to reconsider was laid on the table.

MAKING TECHNICAL CORRECTIONS IN THE 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 (S. 3828) to make technical corrections in the Twenty-First Century Communications and Video Accessibility Act of 2010 and the amendments made by that Act.

The Clerk read the title of the bill.

The text of the bill is as follows:

S. 3828

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

SECTION 1. AMENDMENT OF TWENTY-FIRST CENTURY COMMUNICATIONS AND VIDEO ACCESSIBILITY ACT OF 2010.

The Twenty-First Century Communications and Video Accessibility Act of 2010 is amended—

(1) by striking the item relating to section 105 in the table of contents in section 1(b) and inserting the following:

''Sec. 105. Relay services for deaf-blind individuals.'';

(2) by striking ''requirement'' in section 201(e)(1)(B) and inserting ''objectives'';

(3) by striking ''requirement'' in section 201(e)(2)(B) and inserting ''objectives'';

(4) by inserting ''or digital broadcast television'' after ''protocol'' in section 201(e)(2)(C); and

(5) by inserting ''or digital broadcast television'' after ''protocol'' in section 201(e)(2)(E).

SEC. 2. AMENDMENT OF COMMUNICATIONS ACT OF 1934.

The Communications Act of 1934 (47 U.S.C. 151 et seq.), as amended by the Twenty-First Century Communications and Video Accessibility Act of 2010, is amended—

(1) by striking ''do not'' in section 716(d);

(2) by striking ''facilities'' in section 716(e)(1)(D and inserting ''facilitate'';

(3) by striking ''provider in the manner prescribed in paragraph (3),'' in section 717(a)(5)(C) and inserting ''provider,'';

(4) by striking ''Equal Access to 21st Century Communications Act'' in section 719(a)

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

(5) by inserting ''low-income'' after ''accessible by'' in section 719(a);

(6) by striking ''and'' in section 713(f)(2)(A) and inserting ''such'';

(7) by inserting ''have'' after ''that'' the first place it appears in section 713(f)(2)(B);

(8) by inserting ''and Commerce'' after ''Energy'' in section 713(f)(4)(C)(iii);

(9) by striking ''programming distribution''' in section 713(c)(2)(D)(iii) and inserting ''programming distributors''';

(10) by striking ''progamming'' in section 713(c)(2)(D)(v) and inserting ''programming'';

(11) by striking ''and video description signals and make'' in section 713(c)(2)(D)(vi) and inserting ''and makes'';

(12) by striking ''by'' in section 303(aa)(3) and inserting ''for'';

(13) by striking ''and'' after the semicolon in section 303(bb)(1);

(14) by striking ''features.'' in section 303(bb)(2) and inserting ''features; and''; and

(15) by striking the matter following subdivision (2) of section 303(bb) and inserting the following:

''(3) that, with respect to navigation device features and functions—

''(A) delivered in software, the requirements set forth in this subsection shall apply to the manufacturer of such software; and

''(B) delivered in hardware, the requirements set forth in this subsection shall apply to the manufacturer of such hardware.''.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Massachusetts (Mr. MARKEY) and the gentleman from Texas (Mr. BURGESS) 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. I rise in support of this legislation to make corrections to the bill that the House just passed. The corrections are technical in nature, and once this bill passes, the House will send to the President landmark legislation to update our country's accessibility laws for the Internet age.

Again, I thank the minority for their cooperation on this historic legislation. It does show what good can be done when this institution works as it should. I thank my colleagues for their support.

I reserve the balance of my time.

Mr. BURGESS. Mr. Speaker, I also urge our colleagues to support the technical corrections which are necessary for the previously passed bill. I yield back the balance of my time.

Mr. MARKEY of Massachusetts. Mr. Speaker, I have no further requests for time, so with the request that this body in unison vote ''aye'' on this historic legislation, I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Massachusetts (Mr. MARKEY) that the House suspend the rules and pass the bill, S. 3828.

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

A motion to reconsider was laid on the table.

PEDIATRIC RESEARCH CONSORTIA ESTABLISHMENT ACT

Mr. PALLONE. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 758) to amend title IV of the Public Health Service Act to provide for the establishment of pediatric research consortia, as amended.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 758

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 ''Pediatric Research Consortia Establishment Act''.

SEC. 2. NATIONAL PEDIATRIC RESEARCH CONSORTIA.

Subpart 7 of part C of title IV of the Public Health Service Act (42 U.S.C. 285g et seq.) is amended by adding at the end the following:

''SEC. 452H. NATIONAL PEDIATRIC RESEARCH CONSORTIA.

''(a) IN GENERAL.—The Director of NIH, acting through the Director of the Eunice Kennedy Shriver National Institute of Child Health and Human Development and in collaboration with all other Institutes of the National Institutes of Health that support pediatric research, may, subject to the availability of funds, award grants, contracts, or cooperative agreements to public or nonprofit private entities to pay all or part of the cost of planning, establishing, and providing basic operating support for up to 20 national pediatric research consortia. The Director of NIH shall take unmet research needs into account when making awards under this section.

''(b) RESEARCH.—Research conducted under this section shall supplement, but not replace, research that is otherwise conducted or supported as part of the comprehensive pediatric research portfolio of entities receiving awards under subsection (a). Consortia established under subsection (a) shall, in the aggregate, conduct basic, clinical, behavioral, social, or translational research to meet unmet research needs, as well as training in and demonstration of advanced diagnostic and treatment methods relating to pediatrics, as appropriate.

''(c) COORDINATION OF CONSORTIA REPORTS.—The Director of NIH shall—

''(1) as appropriate, provide for the coordination of information among consortia established under subsection (a) and ensure regular communication between such consortia; and

''(2) require the periodic preparation of reports on the activities of the consortia and the submission of the reports to the Director.

''(d) ORGANIZATION OF CONSORTIUM.—Each consortium established under subsection (a) shall be formed from a collaboration of cooperating institutions with a lead institution, meeting such requirements as may be prescribed by the Director of NIH, including participation in a network of such consortia.

''(e) LIMITATION.—Payments under subsection (a) shall not exceed $2,500,000 per year for each consortium in the first 5-year cycle.

''(f) DURATION OF PAYMENTS.—Payments under subsection (a) for a consortium may be provided under this section for a period of 5 years and may be extended for additional periods of 5 years each, with enhanced funding opportunities based on a review of the operations by an appropriate scientific review.''.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from New Jersey (Mr. PALLONE) and the gentleman from Texas (Mr. BURGESS) each will control 20 minutes.

The Chair recognizes the gentleman from New Jersey.

GENERAL LEAVE

Mr. PALLONE. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks and include extraneous material in the RECORD.

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

There was no objection.

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

I rise today in strong support of H. Res. 758, the Pediatric Research Consortia Establishment Act. The goal of H.R. 758 is to enhance the Nation's research program into pediatric conditions by creating a strong research infrastructure. I urge my colleagues to support this bill.

I reserve the balance of my time.

Mr. BURGESS. Mr. Speaker, H.R. 758, the Pediatric Research Consortia Establishment Act, would allow the National Institutes of Health to support up to 20 national pediatric research consortia that would conduct vital pediatric research. Specifically, the Pediatric Research Consortia Establishment Act would allow but not require the National Institutes of Health award grants to public or nonprofit private entities to pay for the cost of planning, establishing, and providing a basic operating support for up to 20 national pediatric research consortia. These consortia would conduct basic clinical, behavioral, social, and translational research. They could also provide training on advanced diagnostic and treatment methods relating to pediatrics. The consortia will foster efficiency and collaboration at all levels of pediatric research, and they will provide patients with greater access to vital research.

I urge my colleagues to support the bill.

I yield back the balance of my time.

Mr. PALLONE. Mr. Speaker, I urge support for the bill and yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from New Jersey (Mr. PALLONE) that the House suspend the rules and pass the bill, H.R. 758, 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. BURGESS. Mr. Speaker, I object to the vote on the ground that a quorum is not present and make the point of order that a quorum is not present.

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

The point of no quorum is considered withdrawn.

VETERINARY PUBLIC HEALTH AMENDMENTS ACT OF 2010

Mr. PALLONE. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 2999) to amend the Public Health Service Act to enhance and increase the number of veterinarians trained in veterinary public health, as amended.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 2999

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 ''Veterinary Public Health Amendments Act of 2010''.

SEC. 2. INCLUSION OF VETERINARY PUBLIC HEALTH IN CERTAIN PUBLIC HEALTH WORKFORCE PROVISIONS.

(a) PUBLIC HEALTH WORKFORCE GRANTS.—Subsections (b)(1)(A) and (d)(6) of section 765 of the Public Health Service Act (42 U.S.C. 295) are amended by inserting ''veterinary public health,'' after ''preventive medicine,'' each place it appears.

(b) PUBLIC HEALTH WORKFORCE LOAN REPAYMENT PROGRAM.—

(1) IN GENERAL.—Subparagraphs (A) and (B) of section 776(b)(1) of the Public Health Service Act (42 U.S.C. 295f-1(b)(1)) are amended by striking ''public health or health professions degree or certificate'' each place it appears and inserting ''public health (including veterinary public health) or health professions degree or certificate''.

(2) TECHNICAL CORRECTION.—Subparagraph (A) of section 776(b)(1) of the Public Health Service Act (42 U.S.C. 295f-1(b)(1)) is amended by adding ''or'' at the end.

(c) DEFINITION.—Section 799B of the Public Health Service Act (42 U.S.C. 295p) is amended by adding at the end the following:

''(27) VETERINARY PUBLIC HEALTH.—The term 'veterinary public health' includes veterinarians engaged in one or more of the following areas to the extent such areas have an impact on human health: biodefense and emergency preparedness, emerging and reemerging infectious diseases, environmental health, ecosystem health, pre- and post-harvest food protection, regulatory medicine, diagnostic laboratory medicine, veterinary pathology, biomedical research, the practice of food animal medicine in rural areas, and government practice.''.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from New Jersey (Mr. PALLONE) and the gentleman from Texas (Mr. BURGESS) each will control 20 minutes.

The Chair recognizes the gentleman from New Jersey.

GENERAL LEAVE

Mr. PALLONE. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks and include extraneous material in the RECORD.

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

There was no objection.

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

I rise today, Mr. Speaker, in strong support of H.R. 2999, the Veterinary Public Health Amendments of 2010. Veterinary medicine is an important component of our human public health system. From H1N1 to SARS to food safety, public health veterinarians are critical to our protection of human health.

This bill would ensure that veterinary public health professionals are eligible for two important public health workforce programs, but only to the extent that the work of these veterinarians has an impact on human health. I commend Representative BALDWIN for her leadership on this legislation. I urge my colleagues to support the bill.

I reserve the balance of my time.

□ 2130

Mr. BURGESS. Mr. Speaker, H.R. 2999, the Veterinary Public Health Workforce and Education Act, would take important steps to increase the number of public health veterinarians.

Food animal veterinarians play a vital role in public health, and experts have said that there is a major shortage. This shortage will have a negative impact on our public health, including the safety of our Nation's food supply. This legislation will help us solve that problem.

H.R. 2999 would allow those seeking veterinary public health degrees to be eligible for public health workforce loan repayment programs. It would also permit the Secretary of Health and Human Services to award training grants to increase the veterinary public health workforce.

On committee we worked in a bipartisan basis to ensure that it is crystal clear that our Nation's food animal veterinarians will be eligible for programs under this bill. We need more food animal veterinarians, and this will help us get there. I urge my colleagues to support this bill.

I yield back the balance of my time.

Mr. PALLONE. Mr. Speaker, I also yield back the balance of my time and urge passage of the bill.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from New Jersey (Mr. PALLONE) that the House suspend the rules and pass the bill, H.R. 2999, 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. BURGESS. Mr. Speaker, I object to the vote on the ground that a quorum is not present and make the point of order that a quorum is not present.

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

The point of no quorum is considered withdrawn.

GESTATIONAL DIABETES ACT OF 2010

Mr. PALLONE. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 5354) to establish an Advisory Committee on Gestational Diabetes, to provide grants to better understand and reduce gestational diabetes, and for other purposes, as amended.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 5354

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 ''Gestational Diabetes Act of 2010'' or the ''GEDI Act''.

SEC. 2. GESTATIONAL DIABETES.

Part B of title III of the Public Health Service Act (42 U.S.C. 243 et seq.) is amended by adding after section 317H the following:

''SEC. 317H–1. GESTATIONAL DIABETES.

''(a) UNDERSTANDING AND MONITORING GESTATIONAL DIABETES.—

''(1) IN GENERAL.—The Secretary, acting through the Director of the Centers for Disease Control and Prevention, in consultation with the Diabetes Mellitus Interagency Coordinating Committee established under section 429 and representatives of appropriate national health organizations, shall develop a multisite gestational diabetes research project within the diabetes program of the Centers for Disease Control and Prevention to expand and enhance surveillance data and public health research on gestational diabetes.

''(2) AREAS TO BE ADDRESSED.—The research project developed under paragraph (1) shall address—

''(A) procedures to establish accurate and efficient systems for the collection of gestational diabetes data within each State and commonwealth, territory, or possession of the United States;

''(B) the progress of collaborative activities with the National Vital Statistics System, the National Center for Health Statistics, and State health departments with respect to the standard birth certificate, in order to improve surveillance of gestational diabetes;

''(C) postpartum methods of tracking women with gestational diabetes after delivery as well as targeted interventions proven to lower the incidence of type 2 diabetes in that population;

''(D) variations in the distribution of diagnosed and undiagnosed gestational diabetes, and of impaired fasting glucose tolerance and impaired fasting glucose, within and among groups of women; and

''(E) factors and culturally sensitive interventions that influence risks and reduce the incidence of gestational diabetes and related complications during childbirth, including cultural, behavioral, racial, ethnic, geographic, demographic, socioeconomic, and genetic factors.

''(3) REPORT.—Not later than 2 years after the date of the enactment of this section, and annually thereafter, the Secretary shall generate a report on the findings and recommendations of the research project including prevalence of gestational diabetes in the multisite area and disseminate the report to the appropriate Federal and non-Federal agencies.

''(b) EXPANSION OF GESTATIONAL DIABETES RESEARCH.—

''(1) IN GENERAL.—The Secretary shall expand and intensify public health research regarding gestational diabetes. Such research may include—

''(A) developing and testing novel approaches for improving postpartum diabetes testing or screening and for preventing type 2 diabetes in women with a history of gestational diabetes; and

''(B) conducting public health research to further understanding of the epidemiologic, socioenvironmental, behavioral, translation, and biomedical factors and health systems that influence the risk of gestational diabetes and the development of type 2 diabetes in women with a history of gestational diabetes.

''(2) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to carry out this subsection $5,000,000 for each fiscal year 2012 through 2016.

''(c) DEMONSTRATION GRANTS TO LOWER THE RATE OF GESTATIONAL DIABETES.—

''(1) IN GENERAL.—The Secretary, acting through the Director of the Centers for Disease Control and Prevention, shall award grants, on a competitive basis, to eligible entities for demonstration projects that implement evidence-based interventions to reduce the incidence of gestational diabetes, the recurrence of gestational diabetes in subsequent pregnancies, and the development of type 2 diabetes in women with a history of gestational diabetes.

''(2) PRIORITY.—In making grants under this subsection, the Secretary shall give priority to projects focusing on—

''(A) helping women who have 1 or more risk factors for developing gestational diabetes;

''(B) working with women with a history of gestational diabetes during a previous pregnancy;

''(C) providing postpartum care for women with gestational diabetes;

''(D) tracking cases where women with a history of gestational diabetes developed type 2 diabetes;

''(E) educating mothers with a history of gestational diabetes about the increased risk of their child developing diabetes;

''(F) working to prevent gestational diabetes and prevent or delay the development of type 2 diabetes in women with a history of gestational diabetes; and

''(G) achieving outcomes designed to assess the efficacy and cost-effectiveness of interventions that can inform decisions on long-term sustainability, including third-party reimbursement.

''(3) APPLICATION.—An eligible entity desiring to receive a grant under this subsection shall submit to the Secretary—

''(A) an application at such time, in such manner, and containing such information as the Secretary may require; and

''(B) a plan to—

''(i) lower the rate of gestational diabetes during pregnancy; or

''(ii) develop methods of tracking women with a history of gestational diabetes and develop effective interventions to lower the incidence of the recurrence of gestational diabetes in subsequent pregnancies and the development of type 2 diabetes.

''(4) USES OF FUNDS.—An eligible entity receiving a grant under this subsection shall use the grant funds to carry out demonstration projects described in paragraph (1), including—

''(A) expanding community-based health promotion education, activities, and incentives focused on the prevention of gestational diabetes and development of type 2 diabetes in women with a history of gestational diabetes;

''(B) aiding State- and tribal-based diabetes prevention and control programs to collect, analyze, disseminate, and report surveillance data on women with, and at risk for, gestational diabetes, the recurrence of gestational diabetes in subsequent pregnancies, and, for women with a history of gestational diabetes, the development of type 2 diabetes; and

''(C) training and encouraging health care providers—

''(i) to promote risk assessment, high-quality care, and self-management for gestational diabetes and the recurrence of gestational diabetes in subsequent pregnancies; and

''(ii) to prevent the development of type 2 diabetes in women with a history of gestational diabetes, and its complications in the practice settings of the health care providers.

''(5) REPORT.—Not later than 4 years after the date of the enactment of this section, the Secretary shall prepare and submit to the Congress a report concerning the results of the demonstration projects conducted through the grants awarded under this subsection.

''(6) DEFINITION OF ELIGIBLE ENTITY.—In this subsection, the term 'eligible entity' means a nonprofit organization (such as a nonprofit academic center or community health center) or a State, tribal, or local health agency.

''(7) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to carry out this subsection $5,000,000 for each fiscal year 2012 through 2016.

''(d) POSTPARTUM FOLLOW-UP REGARDING GESTATIONAL DIABETES.—The Secretary, acting through the Director of the Centers for Disease Control and Prevention, shall work with the State- and tribal-based diabetes prevention and control programs assisted by the Centers to encourage postpartum follow-up after gestational diabetes, as medically appropriate, for the purpose of reducing the incidence of gestational diabetes, the recurrence of gestational diabetes in subsequent pregnancies, the development of type 2 diabetes in women with a history of gestational diabetes, and related complications.''.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from New Jersey (Mr. PALLONE) and the gentleman from Texas (Mr. BURGESS) each will control 20 minutes.

The Chair recognizes the gentleman from New Jersey.

GENERAL LEAVE

Mr. PALLONE. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks and include extraneous material in the RECORD.

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

There was no objection.

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

Mr. Speaker, as many as 135,000 women in the United States each year develop gestational diabetes, and this number is steadily growing. Many women who have had gestational diabetes later developed type 2 diabetes. Babies born to women with gestational diabetes are also at risk for high birth weight.

The Gestational Diabetes Act, sponsored by Representatives ENGEL and BURGESS, will expand research and grant resources available through the Department of Health and Human Services to fight this dangerous disease. It is an important piece of legislation. I urge my colleagues to support the bill.

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

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

I rise today in strong support of H.R. 5354. I worked on this bill with Mr. ENGEL. This bill has gone through regular order and passed the Energy and Commerce Committee unanimously, and I thank all of the staff involved, from the personal staff levels of Mr. ENGEL's office and mine, and the committee staff for their hard work on the bill before us today.

As an obstetrician, I have witnessed the effect of gestational diabetes on both mother and child. Gestational diabetes is a growing problem, and we really don't know why. Unlike type 2 diabetes, gestational diabetes has a very different issue, requiring a unique approach.

Gestational diabetes affects between 2 and 5 percent of pregnant women, about 135,000 cases in the United States each year, and usually occurs late in pregnancy. If left untreated, gestational diabetes can have a significant impact on both mother and child. Women and children affected by gestational diabetes are at higher risk of developing type 2 diabetes, and it is associated with additional health problems for both mother and child during both pregnancy and childbirth.

In addition, once a mother contracts gestational diabetes, her chances are 2 in 3 that it may return in future pregnancies. That is why this act, the Gestational Diabetes Act of 2009, is a vital investment in our future. This bill will allow for the collection of data and the study of risk factors, as well as continued postpartum evaluations, with the goal of developing proven intervention strategies that will lower the rates of gestational diabetes.

For example, maternal obesity is an independent and more important risk factor for large infants and women with gestational diabetes than it is with simple glucose intolerance.

This legislation has the support of many groups, including the American Diabetes Association, the American Association of Diabetes Educators, the American College of Obstetricians and Gynecologists.

There is currently an insufficient system for monitoring cases of gestational diabetes to uncover trends and target at-risk populations.

This legislation will go beyond what we do know and promote public health research to understand the epidemiological, socioenvironmental, behavioral, translation, and biomedical factors that influence the risk of gestational diabetes and type 2 diabetes. Current treatments are primarily focused on diet and exercise, but there is general disagreement about the degree to which each should be recommended and the overall effectiveness of this approach. There needs to be greater understanding by both providers and patients on how to prevent and treat this condition. New therapies and interventions to detect, treat and slow the incidence of gestational diabetes need to be identified. Through targeted research we will be able to identify triggers that result in gestational diabetes in women with no previous risk factors. Given the tremendous impact for this disease, I urge support of the legislation.

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

Mr. PALLONE. Mr. Speaker, I yield back the balance of my time and urge passage of the bill.

Mr. BURGESS. Mr. Speaker, seeing no further speakers on my time, I will just say the increased incidence in the United States has raised the prevalence, but the risk of gestational diabetes can also be due to genetics, ethnicity, and maternal age. The rates of gestational diabetes are higher among women of African American, Hispanic, Asian and Native American descent. In addition, there is currently an insufficient system for monitoring cases of gestational diabetes, which this legislation will begin to correct.

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 New Jersey (Mr. PALLONE) that the House suspend the rules and pass the bill, H.R. 5354, 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. BURGESS. Mr. Speaker, I object to the vote on the ground that a quorum is not present and make the point of order that a quorum is not present.

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

The point of no quorum is considered withdrawn.

METHAMPHETAMINE EDUCATION, TREATMENT, AND HOPE ACT OF 2010

Mr. PALLONE. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 2818) to amend the Public Health Service Act to provide for the establishment of a drug-free workplace information clearinghouse, to support residential methamphetamine treatment programs for pregnant and parenting women, to improve the prevention and treatment of methamphetamine addiction, and for other purposes, as amended.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 2818

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 ''Methamphetamine Education, Treatment, and Hope Act of 2010''.

SEC. 2. ENHANCING HEALTH CARE PROVIDER AWARENESS OF METHAMPHETAMINE ADDICTION.

Section 507(b) of the Public Health Service Act (42 U.S.C. 290bb(b)) is amended—

(1) by redesignating paragraphs (13) and (14) as paragraphs (14) and (15), respectively; and

(2) by inserting after paragraph (12) the following:

''(13) collaborate with professionals in the addiction field and primary health care providers to raise awareness about how to—

''(A) recognize the signs of a substance abuse disorder; and

''(B) apply evidence-based practices for screening and treating individuals with or at-risk for developing an addiction, including addiction to methamphetamine or other drugs;''.

SEC. 3. RESIDENTIAL TREATMENT PROGRAMS FOR PREGNANT AND PARENTING WOMEN.

Section 508 of the Public Health Service Act (42 U.S.C. 290bb–1) is amended—

(1) in subsection (a)—

(A) in the matter preceding paragraph (1), by striking ''postpartum women treatment for substance abuse'' and inserting ''parenting women treatment for substance abuse (including treatment for addiction to methamphetamine)'';

(B) in paragraph (1), by striking ''reside in'' and inserting ''reside in or receive outpatient treatment services from''; and

(C) in paragraph (2), by striking ''the minor children of the women reside with the women in such facilities'' and inserting ''the minor children of the women who reside in such facilities reside with such women'';

(2) in subsection (d), by amending paragraph (2) to read as follows:

''(2) Referrals for necessary hospital and dental services.'';

(3) by amending subsection (m) to read as follows:

''(m) ALLOCATION OF AWARDS.—In making awards under subsection (a), the Director shall give priority to any entity that agrees to use the award for a program serving an area that—

''(1) is a rural area, an area designated under section 332 by the Administrator of the Health Resources and Services Administration as a health professional shortage area with a shortage of mental health professionals, or an area determined by the Director to have a shortage of family-based substance abuse treatment options; and

''(2) is determined by the Director to have high rates of addiction to methamphetamine or other drugs.'';

(4) in subsection (p)—

(A) by striking ''October 1, 1994'' and inserting ''one year after the date of the enactment of the Methamphetamine Education, Treatment, and Hope Act of 2010'' ;

(B) by inserting ''In submitting reports under this subsection, the Director may use data collected under this section or other provisions of law, insofar as such data is used in a manner consistent with all Federal privacy laws applicable to the use of data collected under this section or other provision, respectively.'' after ''biennial report under section 501(k).''; and

(C) by striking ''Each report under this subsection shall include'' and all that follows and inserting ''Each report under this subsection shall, with respect to the period for which the report is prepared, include the following:

''(1) A summary of any evaluations conducted under subsection (o).

''(2) Data on the number of pregnant and parenting women in need of, but not receiving, treatment for substance abuse. Such data shall include, but not be limited to, the number of pregnant and parenting women in need of, but not receiving, treatment for methamphetamine abuse, disaggregated by State and tribe.

''(3) Data on recovery and relapse rates of women receiving treatment for substance abuse under programs carried out pursuant to this section, including data disaggregated with respect to treatment for methamphetamine abuse.'';

(5) by redesignating subsections (q) and (r) as subsections (r) and (s), respectively;

(6) by inserting after subsection (p) the following:

''(q) METHAMPHETAMINE ADDICTION.—In carrying out this section, the Director shall expand, intensify, and coordinate efforts to provide pregnant and parenting women treatment for addiction to methamphetamine or other drugs.''; and

(7) in subsection (s) (as so redesignated), by striking ''such sums as may be necessary to fiscal years 2001 through 2003'' and inserting ''$16,000,000 for fiscal year 2012, $16,500,000 for fiscal year 2013, $17,000,000 for fiscal year 2014, $17,500,000 for fiscal year 2015, and $18,000,000 for fiscal year 2016''.

SEC. 4. WORKPLACE INFORMATION CLEARINGHOUSE.

Section 515(b) of the Public Health Service Act (42 U.S.C. 290bb–21(b)) is amended—

(1) in paragraph (10), by striking ''and'' at the end;

(2) by redesignating paragraph (11) as paragraph (13); and

(3) by inserting after paragraph (10) the following new paragraph:

''(11) maintain a clearinghouse that provides information and educational materials to employers and employees about comprehensive drug-free workplace programs and substance abuse prevention and treatment resources;''.

SEC. 5. YOUTH INVOLVEMENT IN PREVENTION STRATEGIES.

Section 515(b) of the Public Health Service Act (42 U.S.C. 290bb–21(b)), as amended by section 4, is further amended by inserting after paragraph (11) the following new paragraph:

''(12) support the involvement of youth in the development and implementation of prevention strategies focused on youth, with regard to methamphetamine and other drugs; and''.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from New Jersey (Mr. PALLONE) and the gentleman from Texas (Mr. BURGESS) each will control 20 minutes.

The Chair recognizes the gentleman from New Jersey.

GENERAL LEAVE

Mr. PALLONE. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks and include extraneous material in the RECORD.

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

There was no objection.

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

I rise today in strong support of H.R. 2818, the Methamphetamine Education, Treatment and Hope Act, or METH Act, introduced by Representative MCNERNEY. This bill reauthorizes and updates HHS programs for family-based substance abuse treatment, workplace education, and youth.

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

Mr. BURGESS. Mr. Speaker, H.R. 2818, the Methamphetamine Education, Treatment and Hope Act, would reauthorize the residential treatment program for pregnant and low-income women. Currently, the program is only available for those receiving inpatient drug addiction treatment. This legislation would expand the scope to women who are receiving outpatient treatment.

According to the Substance Abuse and Mental Health Services Administration, methamphetamine is a stimulant that is highly addictive. The drug can have a severe impact on an individual's physical and mental well-being.

Under the legislation, priority for the grants would be given to programs in

rural areas and mental health professional shortage areas that have high rates of addiction to methamphetamine or other drugs.

I urge my colleagues to support this legislation.

I yield back the balance of my time.

□ 2140

Mr. PALLONE. Mr. Speaker, I yield such time as he may consume to the gentleman from California (Mr. MCNERNEY), who is the bill's sponsor, and I do want to thank him for all this work on what is really an important issue. The meth crisis is really severe in this country, and this bill seeks to address that in a significant way.

Mr. MCNERNEY. Mr. Speaker, I rise today in support of H.R. 2818, the Methamphetamine Education, Treatment, and Hope Act, a bill I was proud to introduce.

Unfortunately, methamphetamine use is a serious problem throughout the country, including California and my district. For instance, one recent survey indicates that meth use by children 12 years and older increased by 60 percent between 2008 and 2009. That is 154,000 new users of methamphetamine in 2009, compared to only 95,000 new users in 2008.

Children don't start using meth or other drugs without learning it from someone else, and, sadly, they are often introduced to it by adult family members.

By improving Federal treatment programs so they serve all parenting women, H.R. 2818 enables mothers to receive the help they need. This bill will benefit mothers and children alike. Addressing addictions will also help reduce drug-related crimes and benefit children and families.

H.R. 2818 also includes provisions that will ensure that the rural areas with a shortage of mental health professionals or family-based substance abuse treatment centers are provided the resources they need. By focusing grants in areas with higher concentrations of drug use, we can effectively utilize appropriated funds.

I have worked with Members on both sides of the aisle to introduce this bill and update the current law. Congresswoman BONO MACK joined me as an original cosponsor, and this bill traveled through the legislative process. Constructive suggestions by the minority members of the Committee on Energy and Commerce were incorporated to improve the legislation.

Improving meth treatment programs will help reduce crime and benefit children, and I urge my colleagues to support this bipartisan effort.

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

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from New Jersey (Mr. PALLONE) that the House suspend the rules and pass the bill, H.R. 2818, 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. BURGESS. Mr. Speaker, I object to the vote on the ground that a quorum is not present and make the point of order that a quorum is not present.

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

The point of no quorum is considered withdrawn.

FURTHER MESSAGE FROM THE SENATE

A further message from the Senate by Ms. Curtis, one of its clerks, announced that the Senate has passed without amendment bills of the House of the following titles:

H.R. 1177. An act to require the Secretary of the Treasury to mint coins in recognition of five United States Army 5-Star Generals, George Marshall, Douglas MacArthur, Dwight Eisenhower, Henry ''Hap'' Arnold, and Omar Bradley, alumni of the United States Army Command and General Staff College, Fort Leavenworth, Kansas, to coincide with the celebration of the 132nd Anniversary of the founding of the United States Army Command and General Staff College.

H.R. 3689. An act to provide for an extension of the legislative authority of the Vietnam Veterans Memorial Fund, Inc. to establish a Vietnam Veterans Memorial visitor center, and for other purposes.

The message also announced that the Senate has passed with amendments in which the concurrence of the House is requested, bills of the House of the following titles:

H.R. 3219. An act to amend title 38, United States Code, to make certain improvements in the laws administered by the Secretary of Veterans Affairs relating to insurance and health care, and for other purposes.

H.R. 3940. An act to amend Public Law 96–597 to clarify the authority of the Secretary of the Interior to extend grants and other assistance to facilitate political status public education programs for the peoples of the non-self-governing territories of the United States.

H.R. 5566. An act to amend title 18, United States Code, to prohibit interstate commerce in animal crush videos, and for other purposes.

The message also announced that the Senate has passed bills of the following titles in which the concurrence of the House is requested:

S. 3243. An act 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 initiate all periodic background reinvestigations of certain law enforcement personnel, and for other purposes.

S. 3789. An act to limit access to Social Security account numbers.

SUPPORTING NATIONAL PROSTATE CANCER AWARENESS MONTH

Mr. PALLONE. Mr. Speaker, I move to suspend the rules and agree to the resolution (H. Res. 1485) expressing support for designation of September 2010 as ''National Prostate Cancer Awareness Month''.

The Clerk read the title of the resolution.

The text of the resolution is as follows:

H. RES. 1485

Whereas countless families in the United States live with prostate cancer;

Whereas 1 in 6 men in the United States will be diagnosed with prostate cancer in his lifetime;

Whereas prostate cancer is the most commonly diagnosed non-skin cancer and the second most common cause of cancer-related deaths among men in the United States;

Whereas in 2010, 217,730 men in the United States will be diagnosed with prostate cancer and 32,050 men in the United States will die of prostate cancer;

Whereas 30 percent of new diagnoses of prostate cancer occur in men under the age of 65;

Whereas a man in the United States turns 50 years old approximately every 14 seconds, increasing his odds of developing cancer, including prostate cancer;

Whereas African-American males suffer a prostate cancer incidence rate up to 65 percent higher than White males and double the prostate cancer mortality rates of White males;

Whereas obesity is a significant predictor of the severity of prostate cancer and the probability that the disease will lead to death, and high cholesterol levels are strongly associated with advanced prostate cancer;

Whereas if a man in the United States has 1 family member diagnosed with prostate cancer, he has a 1 in 3 chance of being diagnosed with prostate cancer, if he has 2 family members with such diagnoses, he has an 83 percent risk, and if he has 3 family members with such diagnoses, he then has a 97 percent risk of prostate cancer;

Whereas screening by both a digital rectal examination and a prostate-specific antigen blood test can detect the disease in its early stages, increasing the chances of surviving more than 5 years to nearly 100 percent, while only 33 percent of men survive more than 5 years if diagnosed during the late stages of the disease;

Whereas there are no noticeable symptoms of prostate cancer while it is still in the early stages, making screening critical;

Whereas ongoing research promises further improvements in prostate cancer prevention, early detection, and treatments;

Whereas educating people in the United States, including health care providers, about prostate cancer and early detection strategies is crucial to saving the lives of men and preserving and protecting families; and

Whereas September 2010 would be an appropriate month to designate as ''National Prostate Cancer Awareness Month'': Now, therefore, be it

Resolved, That the House of Representatives—

(1) supports the designation of ''National Prostate Cancer Awareness Month'';

(2) declares that steps should be taken—

(A) to raise awareness about the importance of screening methods for, and treatment of, prostate cancer;

(B) to support research so that the screening and treatment of prostate cancer may be improved, and so that the causes of, and a cure for, prostate cancer may be discovered; and

(C) to continue to consider ways for improving access to, and the quality of, health

care services for detecting and treating prostate cancer; and

(3) calls on the people of the United States, interested groups, and affected persons—

(A) to promote awareness of prostate cancer;

(B) to take an active role in the fight to end the devastating effects of prostate cancer on individuals, their families, and the economy; and

(C) to observe National Prostate Cancer Awareness Month with appropriate ceremonies and activities.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from New Jersey (Mr. PALLONE) and the gentleman from Texas (Mr. BURGESS) each will control 20 minutes.

The Chair recognizes the gentleman from New Jersey.

GENERAL LEAVE

Mr. PALLONE. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks and include extraneous material in the RECORD.

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

There was no objection.

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

Mr. Speaker, H. Res. 1485 expresses support for the designation of September 2010 as National Prostate Cancer Awareness Month.

I would like to thank Representative NEUGEBAUER for his leadership on this issue, and I urge my colleagues to support this resolution.

I reserve the balance of my time.

Mr. BURGESS. Mr. Speaker, I yield such time as he may consume to the gentleman from Texas (Mr. NEUGEBAUER).

Mr. NEUGEBAUER. Mr. Speaker, I rise today as the author of H. Res. 1485, to express support for the designation of September as Prostate Cancer Awareness Month by the House of Representatives.

I didn't know much about prostate cancer, other than occasionally one of my friends would turn up with that diagnosis; and about every year when I went to my health care provider, I went through the normal process of having a digital exam and also taking my PSA, and was pretty religious about doing that, always with the good news of a negative result.

Well, that all changed in August of last year when I went for my test and it was decided that additional testing needed to be done. So tests were done, and it was determined that I did in fact have prostate cancer. Once you get cancer, then you get a lot more interested in that subject, and I wanted to share with the folks this evening a little bit about this prostate cancer.

Just in 2010 alone, 217,730 men will be diagnosed with prostate cancer, and 32,000 men in the United States will die from prostate cancer. Thirty percent of the new diagnoses of prostate cancer will occur in men under the age of 65. Prostate cancer takes one life every 18 minutes. In the next 24 hours, prostate cancer will claim the lives of 83 American men.

If a close relative has prostate cancer, a man's risk of the disease more than doubles. With two relatives, his risk increases five times. With three close relatives, the risk is about 97 percent.

African American males suffer prostate cancer at a rate of 65 percent higher than white males and double the prostate cancer mortality rates of their white counterparts.

Obesity is a significant predictor of the severity of prostate cancer and the probability that the disease will lead to death. In fact, high cholesterol levels are strongly associated with advanced prostate cancer.

If a man in the United States has one family member diagnosed with prostate cancer, he has a 1 in 3 chance of being diagnosed with prostate cancer.

What we have learned is that this is a deadly disease, and it affects men. The good news is that once I learned some of those facts, obviously that got my attention. But the good news is that almost 100 percent of the men diagnosed with prostate cancer will stay alive for at least 5 years; about 90 percent of the prostate cancer cases are found while the cancer is still either local or regional, and nearly 100 percent of these men will be alive 5 years after being diagnosed.

So what is the importance of National Prostate Cancer Awareness Month? Well, it is important to recognize that this is a real hazard for men. But, most importantly, and the good news is, if caught early and treated early, the survival chances are extremely good.

So that is the reason that I decided to bring this resolution before this House and to help bring awareness to the American people, and particularly men, is that it is important to make sure you get screened and to make that a part of your annual physical. And, if you are unfortunate enough to be diagnosed with prostate cancer, that the earlier you detect it, the better your chances of survival and eventual cure are.

So I am about to celebrate the day after tomorrow, on September 30, of being 1 year cancer free. The reason I am able to do that and the reason I am able to stand before this body tonight is because we have got important research going on on how to treat this cancer. There is important research going on on hopefully some day being able to prevent prostate cancer. But until then, it is important that men get screened and get their tests done so that they too can stand and say, You know what? I survived prostate cancer.

Mr. Speaker, I urge the passage of this bill and urge all men get tested.

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

Mr. BURGESS. Mr. Speaker, I also want to thank our colleague from Texas for sharing his story with us.

Just to reiterate. Physical exams and blood tests are a primary means of diagnosing the disease, and all men should discuss this matter with their physicians to determine the best course for them, particularly men who are most at risk.

Again, I want to thank Representative NEUGEBAUER from Texas for his work on the resolution, which calls for an increase in awareness of the screening methods and treatments of prostate cancer and continued research into the causes and potential cures.

Mr. Speaker, as a cosponsor of this resolution, I urge Members to support H. Res. 1485.

Mr. BURTON of Indiana. Mr. Speaker, I rise in strong support of H. Res. 1485, a resolution expressing the support of the House of Representatives for the designation of September 2010, as "National Prostate Cancer Awareness Month." I would like to thank the Chairman and Ranking Member of the Energy and Commerce Committee for bringing this important resolution to the Floor. I would also like to thank Representative RANDY NEUGEBAUER for his tireless efforts to raise awareness of this terrible disease.

The prostate is a topic that makes all men uncomfortable, present company included. And because of this fact, the disease has become a silent epidemic. According to the latest statistics, 1 in 6 men will be diagnosed with prostate cancer in their lifetime (218,000 men will be diagnosed with prostate cancer this year alone); this rivals the rate of breast cancer in women which is approximately 1 in 8.

That is why we must promote and support Prostate Cancer Awareness Month, to bring this issue into the light, and get men to begin having conversations about their prostate health. It is important for men to take advantage of prostate cancer screening exams in order to detect the disease at the earliest opportunity, when it is still curable.

However, getting more men to pay attention to this issue is only half the battle because a recent study funded by the National Cancer Institute demonstrated that the most common available methods of detecting prostate cancer, the PSA blood test and Digital Rectal Exam, DRE, the only preinvasive indicators available for the detection of prostate cancer, are not particularly adept at detecting prostate cancer. The study showed that many PSA blood tests that screen for prostate cancer result in false-negative reassurances and numerous false-positive alarms (15 percent of men with normal PSA levels still have prostate cancer). Even when PSA levels are abnormal, 88 percent of men end up not having prostate cancer that would require surgery but undergo unnecessary biopsies. As a result more than 1,000,000 U.S. men have prostate biopsies annually—costing our health care system approximately $1.44 billion—many of which could be eliminated if we had advanced diagnostic imaging tools.

When one look at the battle against breast cancer, a disease that again affects about 1 in 8 women, we see that it was a combination of increased awareness along with the development of more sophisticated diagnostic and imaging tools that help improve early detection and survival rates. The same strategy can work for prostate cancer.

For example, preliminary data from a European study demonstrated that when prostate

cancer biopsies were guided by high-precision, experimental MRI, they accurately detected 59% of clinically significant prostate cancer missed by at least two consecutive blind biopsies. Unfortunately, today, neither the U.S. Department of Health and Human Services nor the Department of Defense devotes substantial resources to prostate cancer imaging research. I have been told that the National Institutes of Health spent only $10 million on prostate cancer detection research last year out of a total prostate cancer research budget of $350 million. In short, there is no concerted Federal effort to bring the equivalent of mammography to prostate cancer detection. Representative CUMMINGS and I have introduced legislation, the PRIME Act (H.R. 1485) to correct this problem. The PRIME Act would, among other things, require the National Institutes of Health (NIH), to: (1) carry out a program to expand and intensify research to develop advanced imaging technologies for prostate cancer detection, diagnosis, and treatment comparable to mammogram technology. I encourage my colleagues to co-sponsor this critically importance legislation.

There is still much work to be done if we want to gain the upper hand against a disease that has negatively impacted so many men and their families. Prostate Cancer Awareness Month is a time for us to discuss and confront this epidemic, regardless of how uncomfortable it makes us feel. Despite the fact that men don't like to address these sorts of issues openly, we must acknowledge that the numbers speak for themselves. 32,000 men will die in 2010, 1.5 million men will have invasive and inaccurate biopsies performed, and 70,000 men will have treatment failures while trying to seek help for their condition. These statistics stand as stark reminders of the importance of this month and the dialogue that it will hopefully encourage.

It is my hope that through increased awareness and discussion about prostate cancer, we can begin to chip away at this silent killer. We owe it to ourselves, our fathers, grandfathers, brothers, sons, husbands, and friends to make this effort. I urge my colleagues to support H. Res. 1458.

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

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from New Jersey (Mr. PALLONE) that the House suspend the rules and agree to the resolution, H. Res. 1485.

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.

□ 2150

CONCUSSION TREATMENT AND CARE TOOLS ACT OF 2010

Mr. PALLONE. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 1347) to amend title III of the Public Health Service Act to provide for the establishment and implementation of concussion management guidelines with respect to school-aged children, and for other purposes, as amended.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 1347

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 ''Concussion Treatment and Care Tools Act of 2010'' or the ''ConTACT Act of 2010''.

SEC. 2. CONCUSSION MANAGEMENT GUIDELINES WITH RESPECT TO SCHOOL-AGED CHILDREN.

Part B of title III of the Public Health Service Act (42 U.S.C. 243 et seq.) is amended by inserting after section 317T the following:

''SEC. 317U. CONCUSSION MANAGEMENT GUIDELINES WITH RESPECT TO SCHOOL-AGED CHILDREN.

''(a) CONCUSSION MANAGEMENT GUIDELINES.—

''(1) ESTABLISHMENT.—Not later than 2 years after the date of the enactment of this section, the Secretary shall establish concussion management guidelines that address the prevention, identification, treatment, and management of concussions (as defined by the Secretary) in school-aged children, including standards for such children to return to play after experiencing such a concussion, and shall make available such guidelines and standards to the general public, including health professionals.

''(2) CONFERENCE.—The Secretary shall convene a conference of medical, athletic, and educational stakeholders for purposes of assisting in the establishment of the guidelines.

''(b) GRANTS TO STATES.—

''(1) IN GENERAL.—After establishing the guidelines under subsection (a), the Secretary may make grants to States for purposes of—

''(A) providing for the collection by target entities of information on the incidence and prevalence of concussions among school-aged children attending or participating in such entities;

''(B) adopting, disseminating, and ensuring the implementation by target entities of the guidelines;

''(C) funding implementation by target entities of pre-season baseline and post-injury testing, including computerized testing, for school-aged children; and

''(D) any other activity or purpose specified by the Secretary.

''(2) GRANT APPLICATIONS.—

''(A) IN GENERAL.—To be eligible to receive a grant under this subsection, the Secretary shall require a State to submit an application to the Secretary at such time, in such manner, and containing such information as the Secretary shall require.

''(B) MINIMUM CONTENTS.—The Secretary shall require that an application of a State under subparagraph (A) contain at a minimum—

''(i) a description of the strategies the State will use to disseminate, and ensure the implementation by target entities of, the guidelines, including coordination with ongoing State-based efforts to implement State laws governing youth concussion management; and

''(ii) an agreement by the State to periodically provide data to the Secretary with respect to the incidence of concussions and second impact syndrome among school-aged children in the State.

''(3) UTILIZATION OF HIGH SCHOOL SPORTS ASSOCIATIONS, YOUTH SPORTS ASSOCIATIONS, ATHLETIC TRAINER ASSOCIATIONS, AND LOCAL CHAPTERS OF NATIONAL BRAIN INJURY ORGANIZATIONS.—In disseminating and ensuring the implementation by target entities of the guidelines pursuant to a grant under this subsection, the Secretary shall require States receiving grants under this subsection to utilize, to the extent practicable, applicable expertise and services offered by high school sports associations, youth sports associations, athletic trainer associations, and local chapters of national brain injury organizations in such States.

''(c) COORDINATION OF ACTIVITIES.—In carrying out activities under this section, the Secretary shall coordinate in an appropriate manner with the heads of other Federal departments and agencies that carry out activities related to concussions and other traumatic brain injuries.

''(d) REPORTS.—

''(1) ESTABLISHMENT OF THE GUIDELINES.—Not later than 2 years after the date of the enactment of this section, the Secretary shall submit to the Congress a report on the implementation of subsection (a).

''(2) GRANT PROGRAM AND DATA COLLECTION.—Not later than 4 years after the date of the enactment of this section, the Secretary shall submit to the Congress a report on the implementation of subsection (b), including—

''(A) the number of States that have adopted the guidelines;

''(B) the number of target entities that have implemented pre-season baseline and post-injury testing, including computerized testing, for school-aged children; and

''(C) the data collected with respect to the incidence of concussions and second impact syndrome among school-aged children.

''(e) DEFINITIONS.—In this section:

''(1) The term 'guidelines' means the concussion management guidelines established under subsection (a).

''(2) The term 'return to play' means, with respect to a school-aged child experiencing a concussion, the return of such child to participating in the sport or other activity related to such concussion.

''(3) The term 'school-aged children' means individuals who are at least 5 years of age and not more than 18 years of age.

''(4) The term 'second impact syndrome' means catastrophic or fatal events that occur when an individual suffers a concussion while symptomatic and healing from a previous concussion.

''(5) The term 'Secretary' means the Secretary of Health and Human Services, acting through the Director of the Centers for Disease Control and Prevention.

''(6) The term 'State' means each of the 50 States and the District of Columbia.

''(7) The term 'target entity' means an elementary school, a secondary school, or a youth sports association.''.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from New Jersey (Mr. PALLONE) and the gentleman from Texas (Mr. BURGESS) will each control 20 minutes.

The Chair recognizes the gentleman from New Jersey.

GENERAL LEAVE

Mr. PALLONE. Mr. Speaker, I ask unanimous consent that all Members have 5 legislative days within which to revise and extend their remarks and include extraneous material in the RECORD.

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

There was no objection.

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

Mr. Speaker, H.R. 1347, or the ConTACT Act, will help to reduce the number of concussion-related injuries nationally by improving a school's ability to guide return-to-play decisions and by raising awareness for parents, students, health professionals, and others of the consequences of multiple concussions.

I want to thank Mr. SHIMKUS and Mr. BARTON for their willingness to work on this bill with me and, of course, thank the sponsor of the bill, my colleague from New Jersey (Mr. PASCRELL) who has worked so hard on this legislation.

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

Mr. BURGESS. Mr. Speaker, H.R. 1347, the Concussion Treatment and Care Tools Act seeks to reduce the number of concussions sustained by our young people.

According to the Centers for Disease Control and Prevention, a concussion is a type of traumatic brain injury. The Centers for Disease Control estimates that 1.7 million people sustain a traumatic brain injury each year. Some of these are sustained by children while they are playing sports. This bill will help reduce that number.

The bill would require the Centers for Disease Control to develop model guidelines that address the prevention, identification, treatment, and management of concussions in school-age children, including standards for student athletes to return to play after a concussion.

The bill also would direct the secretary to convene a conference of experts to develop the model guidelines. The secretary would be allowed, but not required, to award grants to States to help implement these guidelines. I must also note that the bill would ensure that the Centers for Disease Control uses its existing budget to award these grants if they deem them necessary. It does not create a separate funding source for these grants.

I urge my colleagues to support the bill.

I yield back the balance of my time.

Mr. PALLONE. Mr. Speaker, I yield such time as he may consume to the sponsor of the bill, my colleague from New Jersey (Mr. PASCRELL). I just want to say he has worked tirelessly as an advocate for this bill, doing investigations and having a hearing that we held in the State of New Jersey. As you know, he was very aggressive in a very positive way to make sure this bill came to the floor.

Mr. PASCRELL. Mr. Speaker, as you know, Speaker PELOSI gaveled in the 110th Congress on behalf of America's children. Today I am proud to say the House will consider this bipartisan bill to protect our children in youth sports.

As cochair of the Congressional Brain Injury Task Force with Congressman PLATTS from Pennsylvania, I have worked for the last 9 years on the issue of brain injury for our troops, as well as those who are playing sports, all sports, men and women.

Back then, we had no idea how prevalent brain jury would become for our youth. A study published this month in Pediatrics found that between 1997 and 2007, the number of children seeking emergency medical care for concussions doubled.

To address this growing problem for schools, Congressman TODD PLATTS and I introduced the ConTACT Act, H.R. 1347, to create Federal guidelines on concussion management and a grant program for States to implement these policies.

This bill is dedicated to kids like Ryne Dougherty, a constituent of mine who died after returning to a football game without recovering from a previous concussion, and Niki Popyer, who suffered over 11 concussions from basketball. While we did not have the proper guidelines in place to protect them on the field of play, this bill would create Federal guidelines, not by the Congress but by professionals, to protect other student athletes so they can excel not only in sports but in school.

I want to thank Speaker PELOSI, and I want to thank Majority Leader HOYER for recognizing the importance of bringing this bill to the floor, and Chairman WAXMAN and Chairman PALLONE for helping this particular bill through the committee process.

I want to thank the organizations that supported the bill, that recognized its value for our citizens: The Brain Injury Association, Easter Seals, the NFL, the NFL Players Association, the Parkinson's Action Network, the National Athletic Trainers Association, the National Association of Head Injury Administrators, the New Jersey Council of General Hospitals, and the American College of Rehabilitation Medicine.

This is a big deal for the kids that are our children, our grandchildren, throughout the United States. Thank you, Mr. Speaker, thank you, Mr. Chairman, and thank you, Mr. Minority Leader.

Mr. CONYERS. Mr. Speaker, I rise in support of H.R. 1347, the ''Concussion Treatment and Care Tools Act of 2009'' or the ''ConTACT Act of 2009.'' This legislation directs the Department of Health and Human Services, acting through the Centers for Disease Control and Prevention, to establish concussion management guidelines for preventing, identifying, treating, and managing concussions in children between the ages of 5 and 18.

As Chairman of the Judiciary Committee, I convened four hearings and forums beginning on October 28, 2009 to examine and highlight the growing evidence linking concussions sustained while playing football to long-term brain damage.

Brain injuries are the leading cause of death and disability for children in our Nation. According to research by The New York Times, at least 50 high school or younger football players in more than 20 States since 1997 have been killed or have sustained serious concussions on the football field.

With 1.2 million high school athletes and approximately 3 million American youngsters between the ages of 6 and 14 playing tackle football, many kids continue to be at risk.

The Centers for Disease Control and Prevention found that more than 300,000 athletes lose consciousness from concussions every year in the United States, and that the total number of concussions could be as high as 3.8 million.

Since most brains aren't fully developed until age 25, a concussion is even more dangerous for a youth than for an adult.

Furthermore, a repeat concussion—one that occurs before the brain recovers from a previous concussion—can be even more devastating.

Research indicates that younger, less-developed brains are at even greater risk of second-impact syndrome. This syndrome may include brain swelling, permanent brain damage, and death.

Given that young athletes are more susceptible to second-impact syndrome, it is troubling that there is a shortage of trainers available to attend to young players on the football field.

According to the National Athletic Trainers' Association, 58 percent of high schools nationwide do not have a certified athletic trainer available for players.

And as former National Football League player Merril Hoge testified at our first hearing on football head injuries last year, trainers are virtually non-existent at the youth level, where he coaches his children.

Even if high school or youth teams do have a sideline trainer available, these individuals often have little experience in the subtleties of concussion management.

This fact may explain the alarming results of a recent study by the Center for Injury Research and Policy at Nationwide Children's Hospital in Columbus, Ohio. The study found that as many as 41 percent of high school athletes who suffer concussions on the field may be returning to play too soon.

In part because of the Judiciary Committee's scrutiny, the National Football League has made significant changes with respect to concussion prevention, identification, treatment, and education. However, it is not clear whether these changes are filtering down to younger levels of football or to other contact sports.

That is why I applaud Representative BILL PASCRELL's effort to bring some nationwide uniformity for the management of concussions in school-aged children. I urge my colleagues to support H.R. 1347.

Mr. PALLONE. Mr. Speaker, I have no additional speakers. I would yield back the balance of my time and urge passage of this important legislation.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from New Jersey (Mr. PALLONE) that the House suspend the rules and pass the bill, H.R. 1347, 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. BURGESS. Mr. Speaker, I object to the vote on the ground that a quorum is not present and make the point of order that a quorum is not present.

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX and the

Chair's prior announcement, further proceedings on this motion will be postponed.

The point of no quorum is considered withdrawn.

DIABETES SCREENING ACT

Mr. PALLONE. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 6012) to direct the Secretary of Health and Human Services to review uptake and utilization of diabetes screening benefits and establish an outreach program with respect to such benefits, and for other purposes, as amended.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 6012

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

SECTION 1. DIABETES SCREENING EVALUATION AND OUTREACH PROGRAM RECOMMENDATIONS.

Part P of title III of the Public Health Service Act (42 U.S.C. 280g et seq.) is amended by inserting after section 399V–3 the following new section:

''SEC. 399V–3A. DIABETES SCREENING EVALUATION AND OUTREACH PROGRAM RECOMMENDATIONS.

''(a) ESTABLISHMENT.—With respect to diabetes screening tests and for the purposes of reducing the number of undiagnosed seniors with diabetes or prediabetes, the Secretary shall—

''(1) review utilization of diabetes screening benefits under programs of the Department of Health and Human Services to identify and address any existing problems with regard to such utilization and related data collection mechanisms; and

''(2) make recommendations (informed by the review under paragraph (1)) on outreach activities being carried out by the Secretary as of the date of the enactment of this section to ensure awareness among seniors and health care providers of—

''(A) such diabetes screening benefits; and

''(B) the advantages of knowing one's diabetic or prediabetic status for the purpose of diabetes self management.

''(b) CONSULTATION.—The Secretary shall carry out this section in consultation with—

''(1) the heads of appropriate health agencies and offices in the Department of Health and Human Services; and

''(2) entities with an interest in diabetes, including industry, voluntary health organizations (such as diabetes advocacy groups and other related stakeholders), trade associations, and professional societies.

''(c) REPORT.—For each of the fiscal years 2011, 2012, and 2013, the Secretary shall submit to Congress an annual report on the activities carried out under this section during such respective year.

''(d) DEFINITION.—For purposes of this section, the term 'senior' means an individual who is at least 65 years of age.''.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from New Jersey (Mr. PALLONE) and the gentleman from Texas (Mr. BURGESS) each will control 20 minutes.

The Chair recognizes the gentleman from New Jersey.

GENERAL LEAVE

Mr. PALLONE. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks and include extraneous material in the RECORD.

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

There was no objection.

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

Mr. Speaker, H.R. 6012, sponsored by Representative Zack Space of Ohio, is designed to reduce the number of undiagnosed seniors with diabetes by evaluating more seniors sooner through the HHS diabetes screening benefit. I urge my colleagues to support this commonsense legislation.

I reserve the balance of my time.

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

H.R. 6012, the diabetes screening bill, would require Health and Human Services to review the utilization of diabetes screening tests available to seniors under Medicare and make recommendations to increase utilization.

We obviously don't know the cause of diabetes, but both genetics and environmental factors such as obesity and lack of activity appear to play roles. Diabetes affects an estimated 24 million Americans.

Approximately 57 million Americans have a pre-diabetic condition. Identifying those with diabetes early can reduce the likelihood of people developing costly and debilitating conditions associated with the disease. We do need to know if people are using this provided service, and if not why not, and examine how do we ensure to connect people with the service.

I urge my colleagues to support this resolution.

I yield back the balance of my time.

Mr. PALLONE. Mr. Speaker, I also yield back the balance of my time and urge passage of the bill.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from New Jersey (Mr. PALLONE) that the House suspend the rules and pass the bill, H.R. 6012, as amended.

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

The title was amended so as to read: ''A bill to direct the Secretary of Health and Human Services to review utilization of diabetes screening benefits and make recommendations on outreach programs with respect to such benefits, and for other purposes.''.

A motion to reconsider was laid on the table.

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NATIONAL NEUROLOGICAL DISEASES SURVEILLANCE SYSTEM ACT OF 2010

Mr. PALLONE. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 1362) to amend the Public Health Service Act to provide for the establishment of permanent national surveillance systems for multiple sclerosis, Parkinson's disease, and other neurological diseases and disorders, as amended.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 1362

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

SECTION 1. SHORT TITLE.

This Act may be cited as the ''National Neurological Diseases Surveillance System Act of 2010''.

SEC. 2. NATIONAL NEUROLOGICAL DISEASES SURVEILLANCE SYSTEM.

Part P of title III of the Public Health Service Act (42 U.S.C. 280g et seq.) is amended by adding at the end the following:

''SEC. 399V–5 SURVEILLANCE OF NEUROLOGICAL DISEASES.

''(a) IN GENERAL.—The Secretary, acting through the Director of the Centers for Disease Control and Prevention, shall—

''(1) enhance and expand infrastructure and activities to track the epidemiology of neurological diseases, including multiple sclerosis and Parkinson's disease; and

''(2) incorporate information obtained through such activities into a statistically-sound, scientifically-credible, integrated surveillance system, to be known as the National Neurological Diseases Surveillance System.

''(b) RESEARCH.—The Secretary shall ensure that the National Neurological Diseases Surveillance System is designed in a manner that facilitates further research on neurological diseases.

''(c) CONTENT.—In carrying out subsection (a), the Secretary—

''(1) shall provide for the collection and storage of information on the incidence and prevalence of neurological diseases in the United States;

''(2) to the extent practicable, shall provide for the collection and storage of other available information on neurological diseases, such as information concerning—

''(A) demographics and other information associated or possibly associated with neurological diseases, such as age, race, ethnicity, sex, geographic location, and family history;

''(B) risk factors associated or possibly associated with neurological diseases, including genetic and environmental risk factors; and

''(C) diagnosis and progression markers;

''(3) may provide for the collection and storage of information relevant to analysis on neurological diseases, such as information concerning—

''(A) the epidemiology of the diseases;

''(B) the natural history of the diseases;

''(C) the prevention of the diseases;

''(D) the detection, management, and treatment approaches for the diseases; and

''(E) the development of outcomes measures; and

''(4) may address issues identified during the consultation process under subsection (d).

''(d) CONSULTATION.—In carrying out this section, the Secretary shall consult with individuals with appropriate expertise, including—

''(1) epidemiologists with experience in disease surveillance or registries;

''(2) representatives of national voluntary health associations that—

''(A) focus on neurological diseases, including multiple sclerosis and Parkinson's disease; and

''(B) have demonstrated experience in research, care, or patient services;

''(3) health information technology experts or other information management specialists;

''(4) clinicians with expertise in neurological diseases; and

''(5) research scientists with experience conducting translational research or utilizing surveillance systems for scientific research purposes.

''(e) GRANTS.—The Secretary may award grants to, or enter into contracts or cooperative agreements with, public or private nonprofit entities to carry out activities under this section.

''(f) COORDINATION WITH OTHER FEDERAL AGENCIES.—Subject to subsection (h), the Secretary shall make information and analysis in the National Neurological Diseases Surveillance System available, as appropriate, to Federal departments and agencies, such as the National Institutes of Health, the Food and Drug Administration, the Centers for Medicare & Medicaid Services, the Agency for Healthcare Research and Quality, the Department of Veterans Affairs, and the Department of Defense.

''(g) PUBLIC ACCESS.—Subject to subsection (h), the Secretary shall make information and analysis in the National Neurological Diseases Surveillance System available, as appropriate, to the public, including researchers.

''(h) PRIVACY.—The Secretary shall ensure that privacy and security protections applicable to the National Neurological Diseases Surveillance System are at least as stringent as the privacy and security protections under HIPAA privacy and security law (as defined in section 3009(a)(2)).

''(i) REPORT.—Not later than 4 years after the date of the enactment of this section, the Secretary shall submit a report to the Congress concerning the implementation of this section. Such report shall include information on—

''(1) the development and maintenance of the National Neurological Diseases Surveillance System;

''(2) the type of information collected and stored in the System;

''(3) the use and availability of such information, including guidelines for such use; and

''(4) the use and coordination of databases that collect or maintain information on neurological diseases.

''(j) DEFINITION.—In this section, the term 'national voluntary health association' means a national nonprofit organization with chapters, other affiliated organizations, or networks in States throughout the United States.

''(k) AUTHORIZATION OF APPROPRIATIONS.—To carry out this section, there is authorized to be appropriated $5,000,000 for each of fiscal years 2012 through 2016.''.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from New Jersey (Mr. PALLONE) and the gentleman from Texas (Mr. BURGESS) each will control 20 minutes.

The Chair recognizes the gentleman from New Jersey.

GENERAL LEAVE

Mr. PALLONE. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks and to include extraneous material into the RECORD.

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

There was no objection.

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

Mr. Speaker, I rise today in strong support of H.R. 1362, the National Neurological Diseases Surveillance System Act of 2010.

H.R. 1362 seeks to improve our understanding of multiple sclerosis, Parkinson's disease and other neurological diseases by directing the Centers for Disease Control and Prevention to carry out systematic data collection analysis and interpretation.

I ask my colleagues to support H.R. 1362, and I reserve the balance of my time.

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

Mr. Speaker, I rise tonight in strong support of H.R. 1362, which I authored with Mr. VAN HOLLEN.

There are over 400,000 Americans living with MS and millions of more Americans who live with some form of neurological disorder.

As co-chairman of the Congressional MS Caucus, I have been working to further research into the development of MS and other neurological disorders to help the population of Americans living with MS. I firmly believe that a national surveillance system will be a critical first step toward allowing our researchers access to information that could be the key to finding cures.

The other night, I was told that we are running for second base in our efforts to cure neurological diseases and that we have never tagged first. This bill, H.R. 1362, the National Neurological Diseases Surveillance System Act of 2010, is our first base.

Currently, there is no formal coordinated system to track and collect data on these diseases, and the lack of comprehensive data collection impedes progression to finding a cure. In fact, the last national study of the prevalence of MS was conducted 34 years ago. This integrated research will help drive innovation and will provide a solid understanding of how factors such as gender and age influence disease prevalence.

As diagnoses are made, we will have the ability to create progression markers, allowing for the compilation of the data and the construction of treatments for future patients with similar backgrounds. Through these efforts, we will be able to disseminate information and to encourage high-risk populations to connect to the available resources.

This legislation will emphasize the study of the epidemiology of neurological diseases. It is vital that we examine previous trends of the disease as they relate to geography, environmental factors, and heredity in order to forecast future trends. In order to advance, we must create a foundation of research for the millions of Americans suffering from MS, Parkinson's, Alzheimer's, and other conditions.

The National Neurological Diseases Surveillance System Act of 2010 has wide support, including by the National MS Society and the Parkinson's Action Network, among many others.

The bill before us reflects countless hours of negotiation. I want to thank Anne Morris and Ryan Long, who are with the committee, as well as Ray Thorn, who is with Mr. VAN HOLLEN's office, for their work. This bill went through regular order. It passed the Energy and Commerce Committee unanimously, and it has come to the floor a better product because of the bipartisan work.

I have spoken to medical students several times recently, and I have told them that the tools and technologies they will have at their disposal will revolutionize the practice of medicine. This bill is part of that future.

A surveillance system will aid doctors on the ground right now who are struggling with ensuring a proper diagnosis. For example, with an MS examination, it generally reveals evidence of neurologic dysfunction, often asymptomatic in other locations. It is not science fiction to think that, in the future, a scientist noticing a genetic or blood marker in certain patients will be able to use surveillance systems like the ones created under this bill to link genetic factors with occupations, environmental and other demographic information.

As diagnoses are made, we will have the ability to create progression markers, which will help researchers compile the data and construct treatments for future patients with similar backgrounds. That is how we will get the vaccines, the treatments, and the cures for the next generation.

Future physicians will be able to tailor treatment to patients based on previous results and will be able to disseminate the information and encourage high-risk populations to connect to available resources, but we need to put in place the first building blocks. The epidemiologic evidence supports the role of environmental exposure to conditions like multiple sclerosis. MS also correlates with high socioeconomic status, which might reflect improved sanitation and delayed initial exposure to infectious agents, but we will not be able to be sure until we can monitor on a statistically significant basis.

Again, I want to reiterate my strong support for the bill, and I urge my colleagues to support it.

I yield back the balance of my time.

Mr. PALLONE. 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 New Jersey (Mr. PALLONE) that the House suspend the rules and pass the bill, H.R. 1362, as amended.

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

A motion to reconsider was laid on the table.

STEM CELL THERAPEUTIC AND RESEARCH REAUTHORIZATION ACT OF 2010

Mr. PALLONE. Mr. Speaker, I move to suspend the rules and pass the bill (S. 3751) to amend the Stem Cell Therapeutic and Research Act of 2005.

The Clerk read the title of the bill.

The text of the bill is as follows:

S. 3751

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 ''Stem Cell Therapeutic and Research Reauthorization Act of 2010''.

SEC. 2. AMENDMENTS TO THE STEM CELL THERAPEUTIC AND RESEARCH ACT OF 2005.

(a) CORD BLOOD INVENTORY.—Section 2 of the Stem Cell Therapeutic and Research Act of 2005 (42 U.S.C. 274k note) is amended—

(1) in subsection (a), by inserting ''the inventory goal of at least'' before ''150,000'';

(2) in subsection (c)—

(A) in paragraph (2), by striking ''or is transferred'' and all that follows through the period and inserting ''for a first-degree relative.''; and

(B) in paragraph (3), by striking ''150,000'';

(3) in subsection (d)—

(A) in paragraph (1), by inserting ''beginning on the last date on which the recipient of a contract under this section receives Federal funds under this section'' after ''10 years'';

(B) in paragraph (2), by striking ''; and'' and inserting '';'';

(C) by redesignating paragraph (3) as paragraph (5); and

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

''(3) will provide a plan to increase cord blood unit collections at collection sites that exist at the time of application, assist with the establishment of new collection sites, or contract with new collection sites;

''(4) will annually provide to the Secretary a plan for, and demonstrate, ongoing measurable progress toward achieving self-sufficiency of cord blood unit collection and banking operations; and'';

(4) in subsection (e)—

(A) in paragraph (1)—

(i) by striking ''10 years'' and inserting ''a period of at least 10 years beginning on the last date on which the recipient of a contract under this section receives Federal funds under this section''; and

(ii) by striking the second sentence and inserting ''The Secretary shall ensure that no Federal funds shall be obligated under any such contract after the date that is 5 years after the date on which the contract is entered into, except as provided in paragraphs (2) and (3).'';

(B) in paragraph (2)—

(i) in the matter preceding subparagraph (A)—

(I) by striking ''Subject to paragraph (1)(B), the'' and inserting ''The''; and

(II) by striking ''3'' and inserting ''5'';

(ii) in subparagraph (A) by striking ''150,000'' and all that follows through ''and'' at the end and inserting ''the inventory goal described in subsection (a) has not yet been met;'';

(iii) in subparagraph (B)—

(I) by inserting ''meeting the requirements under subsection (d)'' after ''receive an application for a contract under this section''; and

(II) by striking ''or the Secretary'' and all that follows through the period at the end and inserting ''; or''; and

(iv) by adding at the end the following:

''(C) the Secretary determines that the outstanding inventory need cannot be met by the qualified cord blood banks under contract under this section.''; and

(C) by striking paragraph (3) and inserting the following:

''(3) EXTENSION ELIGIBILITY.—A qualified cord blood bank shall be eligible for a 5-year extension of a contract awarded under this section, as described in paragraph (2), provided that the qualified cord blood bank—

''(A) demonstrates a superior ability to satisfy the requirements described in subsection (b) and achieves the overall goals for which the contract was awarded;

''(B) provides a plan for how the qualified cord blood bank will increase cord blood unit collections at collection sites that exist at the time of consideration for such extension of a contract, assist with the establishment of new collection sites, or contract with new collection sites; and

''(C) annually provides to the Secretary a plan for, and demonstrates, ongoing measurable progress toward achieving self-sufficiency of cord blood unit collection and banking operations.'';

(5) in subsection (g)(4), by striking ''or parent''; and

(6) in subsection (h)—

(A) by striking paragraphs (1) and (2) and inserting the following:

''(1) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated to the Secretary to carry out the program under this section $23,000,000 for each of fiscal years 2011 through 2014 and $20,000,000 for fiscal year 2015.'';

(B) by redesignating paragraph (3) as paragraph (2); and

(C) in paragraph (2), as so redesignated, by striking ''in each of fiscal years 2007 through 2009'' and inserting ''for each of fiscal years 2011 through 2015''.

(b) NATIONAL PROGRAM.—Section 379 of the Public Health Service Act (42 U.S.C. 274k) is amended—

(1) by striking subsection (a)(6) and inserting the following:

''(6) The Secretary, acting through the Administrator of the Health Resources and Services Administration, shall submit to Congress an annual report on the activities carried out under this section.'';

(2) in subsection (d)—

(A) in paragraph (2)—

(i) in the matter preceding subparagraph (A), by striking ''With respect to cord blood, the Program shall—'' and inserting the following:

''(A) IN GENERAL.—With respect to cord blood, the Program shall—'';

(ii) by redesignating subparagraphs (A) through (H) as clauses (i) through (viii) respectively;

(iii) by striking clause (iv), as so redesignated, and inserting the following:

''(iv) support and expand new and existing studies and demonstration and outreach projects for the purpose of increasing cord blood unit donation and collection from a genetically diverse population and expanding the number of cord blood unit collection sites partnering with cord blood banks receiving a contract under the National Cord Blood Inventory program under section 2 of the Stem Cell Therapeutic and Research Act of 2005, including such studies and projects that focus on—

''(I) remote collection of cord blood units, consistent with the requirements under the Program and the National Cord Blood Inventory program goal described in section 2(a) of the Stem Cell Therapeutic and Research Act of 2005; and

''(II) exploring novel approaches or incentives to encourage innovative technological advances that could be used to collect cord blood units, consistent with the requirements under the Program and such National Cord Blood Inventory program goal;''; and

(iv) by adding at the end the following:

''(B) EFFORTS TO INCREASE COLLECTION OF HIGH QUALITY CORD BLOOD UNITS.—In carrying out subparagraph (A)(iv), not later than 1 year after the date of enactment of the Stem Cell Therapeutic and Research Reauthorization Act of 2010 and annually thereafter, the Secretary shall set an annual goal of increasing collections of high quality cord blood units, consistent with the inventory goal described in section 2(a) of the Stem Cell Therapeutic and Research Act of 2005 (referred to in this subparagraph as the 'inventory goal'), and shall identify at least one project under subparagraph (A)(iv) to replicate and expand nationwide, as appropriate. If the Secretary cannot identify a project as described in the preceding sentence, the Secretary shall submit a plan, not later than 180 days after the date on which the Secretary was required to identify such a project, to the Committee on Health, Education, Labor, and Pensions of the Senate and the Committee on Energy and Commerce of the House of Representatives for expanding remote collection of high quality cord blood units, consistent with the requirements under the National Cord Blood Inventory program under section 2 of the Stem Cell Therapeutic and Research Act of 2005 and the inventory goal. Each such plan shall be made available to the public.

''(C) DEFINITION.—In this paragraph, the term 'remote collection' means the collection of cord blood units at locations that do not have written contracts with cord blood banks for collection support.''; and

(B) in paragraph (3)(A), by striking ''(2)(A)'' and inserting ''(2)(A)(i)''; and

(3) by striking subsection (f)(5)(A) and inserting the following:

''(A) require the establishment of a system of strict confidentiality to protect the identity and privacy of patients and donors in accordance with Federal and State law; and''.

(c) ADDITIONAL REPORTS.—

(1) INTERIM REPORT.—In addition to the annual report required under section 379(a)(6) of the Public Health Service Act (42 U.S.C. 274k(a)(6)), the Secretary of Health and Human Services (referred to in this subsection as the ''Secretary''), in consultation with the Advisory Council established under such section 379, shall submit to Congress an interim report not later than 180 days after the date of enactment of this Act describing—

(A) the methods to distribute Federal funds to cord blood banks used at the time of submission of the report;

(B) how cord blood banks contract with collection sites for the collection of cord blood units; and

(C) recommendations for improving the methods to distribute Federal funds described in subparagraph (A) in order to encourage the efficient collection of high-quality and diverse cord blood units.

(2) RECOMMENDATIONS.—Not later than 1 year after the date of enactment of this Act, the Advisory Council shall submit recommendations to the Secretary with respect to—

(A) whether models for remote collection of cord blood units should be allowed only with limited, scientifically-justified safety protections; and

(B) whether the Secretary should allow for cord blood unit collection from routine deliveries without temperature or humidity monitoring of delivery rooms in hospitals approved by the Joint Commission.

(d) AUTHORIZATION OF APPROPRIATIONS.—Section 379B of the Public Health Service Act (42 U.S.C. 274m) is amended by striking ''$34,000,000'' and all that follows through the period at the end, and inserting ''$30,000,000 for each of fiscal years 2011 through 2014 and $33,000,000 for fiscal year 2015.''.

(e) REPORT ON CORD BLOOD UNIT DONATION AND COLLECTION.—

(1) IN GENERAL.—Not later than 1 year after the date of enactment of this Act, the Comptroller General of the United States shall submit to the Committee on Health, Education, Labor, and Pensions and the Committee on Appropriations of the Senate, the Committee on Energy and Commerce and the Committee on Appropriations of the House of Representatives, and the Secretary of Health and Human Services a report reviewing studies, demonstration programs, and outreach efforts for the purpose of increasing

cord blood unit donation and collection for the National Cord Blood Inventory to ensure a high-quality and genetically diverse inventory of cord blood units.

(2) CONTENTS.—The report described in paragraph (1) shall include a review of such studies, demonstration programs, and outreach efforts under section 2 of the Stem Cell Therapeutic and Research Act of 2005 (42 U.S.C. 274k note) (as amended by this Act) and section 379 of the Public Health Service Act (42 U.S.C. 274k) (as amended by this Act), including—

(A) a description of the challenges and barriers to expanding the number of cord blood unit collection sites, including cost, the cash flow requirements and operations of awarding contracts, the methods by which funds are distributed through contracts, the impact of regulatory and administrative requirements, and the capacity of cord blood banks to maintain high-quality units;

(B) remote collection or other innovative technological advances that could be used to collect cord blood units;

(C) appropriate methods for improving provider education about collecting cord blood units for the national inventory and participation in such collection activities;

(D) estimates of the number of cord blood unit collection sites necessary to meet the outstanding national inventory need and the characteristics of such collection sites that would help increase the genetic diversity and enhance the quality of cord blood units collected;

(E) best practices for establishing and sustaining partnerships for cord blood unit collection at medical facilities with a high number of minority births;

(F) potential and proven incentives to encourage hospitals to become cord blood unit collection sites and partner with cord blood banks participating in the National Cord Blood Inventory under section 2 of the Stem Cell Therapeutic and Research Act of 2005 and to assist cord blood banks in expanding the number of cord blood unit collection sites with which such cord blood banks partner;

(G) recommendations about methods cord blood banks and collection sites could use to lower costs and improve efficiency of cord blood unit collection without decreasing the quality of the cord blood units collected; and

(H) a description of the methods used prior to the date of enactment of this Act to distribute funds to cord blood banks and recommendations for how to improve such methods to encourage the efficient collection of high-quality and diverse cord blood units, consistent with the requirements of the C.W. Bill Young Cell Transplantation Program and the National Cord Blood Inventory program under section 2 of the Stem Cell Therapeutic and Research Act of 2005.

(f) DEFINITION.—In this Act, the term ''remote collection'' has the meaning given such term in section 379(d)(2)(C) of the Public Health Service Act.

The SPEAKER pro tempore (Mr. KRATOVIL). Pursuant to the rule, the gentleman from New Jersey (Mr. PALLONE) and the gentleman from Texas (Mr. BURGESS) each will control 20 minutes.

The Chair recognizes the gentleman from New Jersey.

GENERAL LEAVE

Mr. PALLONE. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks and to include extraneous material in the RECORD.

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

There was no objection.

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

Mr. Speaker, S. 3751, the Stem Cell Therapeutic and Research Reauthorization Act of 2010, is identical to legislation sponsored by Representatives YOUNG and MATSUI, H.R. 6081, and passed by voice vote by the Energy and Commerce Committee.

S. 3751 would reauthorize the C.W. Bill Young Cell Transplantation Program, which includes the national registry for adult donors of bone marrow, peripheral blood adult stem cells and umbilical cord blood units, the Office of Patient Advocacy, and the Stem Cell Therapeutic Outcomes Database. It would also reauthorize the National Cord Blood Inventory, which is a program that provides grants to public cord blood banks to assist them in collecting donated cord blood units that are then listed on the national registry.

This is good legislation. It has strong bipartisan support, and I urge my colleagues to support the bill.

I reserve the balance of my time.

Mr. BURGESS. I yield such time as he may consume to the gentleman from New Jersey (Mr. SMITH).

Mr. SMITH of New Jersey. I thank my good friend for yielding.

To Chairman PALLONE, thank you.

Mr. Speaker, today the House will vote to reauthorize the Stem Cell Therapeutic and Research Act, which is the law that I, along with ARTUR DAVIS, sponsored back in 2005.

That law created a new nationwide umbilical cord blood stem cell program, designed to collect, derive, type, and freeze cord blood units for transplantation into patients to mitigate and to even cure serious disease. Pursuant to the law, it also provided stem cells for research. The new cord blood program was combined in our 2005 law with an expanded bone marrow initiative, which was crafted over several years by our distinguished colleague BILL YOUNG.

Since the program was enacted in 2005, 12 cord blood banks have received contracts with the Health Resources and Services Administration. Earlier this year, HRSA reported that there were some 27,493 cord blood units collected and that another 13,000-plus units will be collected with the funds that have already been awarded.

The reauthorization before us authorizes $23 million to be appropriated for fiscal year 2011 through fiscal year 2014 and $20 million for fiscal year 2015 for the national cord blood inventory, and it also authorizes $30 million to be appropriated for fiscal years 2011 through 2014 and $33 million for fiscal year 2015 for the bone marrow transplant program.

□ 2210

It also enhances the studies, demonstration programs and outreach projects related to cord blood donation and collection to include exploring innovative technologies, novel approaches, and expanding the number of collection sites.

It also extends the term of initial and contract extensions from 3 to 5 years, making it easier for banks to engage in long-term relationship building with birthing hospitals.

It will also require the cord blood banks to establish a plan for increasing cord blood unit collections and/or to expand the number of collection sites with which they work and provide a plan for becoming self-sufficient

Mr. Speaker, each year over 4 million babies are born in America. In the past, virtually every placenta and umbilical cord was tossed as medical waste. Today, doctors have turned this medical waste into medical miracles.

Not only has God in His wisdom and goodness created a placenta and umbilical cord to nurture and protect the precious life of an unborn child, but now we know that another gift awaits us immediately after birth. Something very special is left behind—cord blood that is teeming with lifesaving stem cells. Indeed, it remains one of the best kept secrets in America that umbilical cord blood stem cells and adult stem cells in general are curing people of a myriad of terrible conditions and diseases—over 70 diseases in adults as well as in children.

Cord blood transplants are on the cutting edge of science for the treatment of leukemia. In June, researcher Dr. Mary Eapen of the Medical College of Wisconsin said that, in treating leukemia in adult patients, cord blood is so flexible that it even worked when it's not an exact match. ''What we found is when you look at the outcome of leukemia-free survival, which is the likelihood of a patient being alive without disease, it's the same whether you are transplanting using an adult graft which is from an adult donor or a cord blood unit.'' Very promising results are also being found in children with leukemia who undergo cord blood transplants, with 60 percent of patients alive and leukemia-free at 60 months.

In addition to treating blood cancers, clinical trials are underway for the treatment of many other cancers, such as breast and kidney cancer and treating solid tumors. Human clinical trials show promise in treating type 1 diabetes, cerebral palsy, metabolic storage diseases, brain injury and encephalopathy, respiratory distress in newborns, spinal cord injury, and cartilage injuries.

Cord blood stem cells transplants can cure sickle cell anemia, one of the most horrific diseases suffered by and affecting one out of every 500 African Americans in America.

The legislation that is before us, thankfully, has already cleared the Senate and will soon be down to the President's desk for signature. The legislation before us lays out many important goals and benchmarks so that

more patients will be able to receive the treatments that they so desperately need.

Dr. Joanne Kurtzberg with Duke University Medical Center recently stated in a review of the successes of cord blood transplantations: ''Cord blood transplantation is now an established field with enormous potential. In the future, it may emerge as a source of cells for cellular therapies focused on tissue repair and regeneration.''

This is a great bill. It is bipartisan and deserves the support of the entire body.

Mr. BURGESS. Mr. Speaker, I yield myself 1 minute.

I urge passage of S. 3751 to reauthorize the Stem Cell Therapeutic and Research Authorization Act that was enacted in 2005 and is now being implemented.

The C.W. Bill Young Cell Transplantation Program provides support to patients with leukemia, lymphoma, and sickle cell who need a potentially lifesaving bone marrow or cord blood transplant. One of the goals of the program is to increase the amount of marrow donors and cord blood units.

This program has been a success, and the reauthorization will allow us to continue the good work that was started in 2005.

Again, I urge my colleagues to support the bill.

I yield back the balance of my time.

Mr. PALLONE. Mr. Speaker, I urge passage of the bill, and I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from New Jersey (Mr. PALLONE) that the House suspend the rules and pass the bill, S. 3751.

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

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

The point of no quorum is considered withdrawn.

COMMENDING EYECARE AMERICA

Mr. PALLONE. Mr. Speaker, I move to suspend the rules and agree to the resolution (H. Res. 1226) commending EyeCare America for its work over the last 25 years, as amended.

The Clerk read the title of the resolution.

The text of the resolution is as follows:

H. RES. 1226

Whereas American public opinion polls have identified fear of loss of vision as second only to fear of cancer;

Whereas in those public opinion polls Americans have said that loss of vision would have significant impact on their lives;

Whereas the National Eye Institute estimates that more than 42 million Americans have common vision problems, such as myopia (nearsightedness) and hyperopia (farsightedness);

Whereas approximately 35 million Americans experience an age-related eye disease, such as age-related macular degeneration (the leading cause of vision loss in older Americans), glaucoma, diabetic retinopathy, or cataracts;

Whereas the number of Americans to experience an age-related eye disease is expected to increase to 50 million by 2020;

Whereas vision impairment and eye disease is a major public health issue;

Whereas 2010 begins the decade in which the 78 million baby boomers will begin to turn 65 and be at greater risk for certain forms of eye disease;

Whereas much can be done to preserve sight with early detection and treatment;

Whereas EyeCare America, the public service program of the Foundation of the American Academy of Ophthalmology, works to ensure that eye health is not neglected, by matching eligible patients with one of more than 7,000 volunteer ophthalmologists across the county committed to preventing unnecessary blindness in their communities;

Whereas these volunteer ophthalmologists provide seniors with eye examinations and care for up to one year at no out-of-pocket cost to the patient;

Whereas individuals throughout the United States may contact EyeCare America to see if they are eligible to be referred to a volunteer ophthalmologist; and

Whereas EyeCare America has helped over 1 million people since its inception in 1985 and is one of the largest public service programs of its kind in American medicine today: Now, therefore, be it

Resolved, That the House of Representatives commends EyeCare America for its work over the last 25 years.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from New Jersey (Mr. PALLONE) and the gentleman from Texas (Mr. BURGESS) each will control 20 minutes.

The Chair recognizes the gentleman from New Jersey.

GENERAL LEAVE

Mr. PALLONE. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks and include extraneous material in the RECORD.

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

There was no objection.

Mr. PALLONE. Mr. Speaker, I rise today in support of House Resolution 1226. This resolution recognizes EyeCare America, a public service program with the Foundation of the American Academy of Ophthalmology, for 25 years of service. I urge my colleagues to support House Resolution 1226.

I reserve the balance of my time.

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

I rise in support of H. Res. 1226, commending EyeCare America for its work over the past 25 years.

The American Academy of Ophthalmology founded EyeCare America in 1985. Its vision is to lower the incidence of severe visual impairments, including blindness, through education and by facilitating access to medical eye care.

Since its founding, EyeCare America has helped over 1 million people, which makes it one of the largest public service programs of its kind. In fulfilling its mission, EyeCare America has also had over 7,000 volunteers. This highlights what many of us have known for a long time—Americans care for one another and they are willing to donate their time and energy to help others.

And this work has been important. Already, over 40 million Americans are nearsighted or farsighted. And as the over 65 population grows, more Americans are being diagnosed with age-related eye diseases such as macular degeneration, glaucoma, diabetic retinopathy, and cataracts. By educating Americans on the importance of early detection and treatments, and by helping refer qualifying patients to volunteer ophthalmologists, EyeCare America is doing its part to help prevent avoidable eye diseases.

I would like to thank my fellow Texan, Representative GENE GREEN, for his work on this resolution. I congratulate EyeCare America and its 7,000 volunteers for their efforts over the last 25 years. As a fellow physician and cosponsor of this legislation, let me just say, Keep up the good work.

Mr. Speaker, I urge Members to support H. Res. 1226.

I yield back the balance of my time.

Mr. PALLONE. Mr. Speaker, I ask for passage of the legislation, and I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from New Jersey (Mr. PALLONE) that the House suspend the rules and agree to the resolution, H. Res. 1226, 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.

HEART DISEASE EDUCATION, ANALYSIS RESEARCH, AND TREATMENT FOR WOMEN ACT

Mr. PALLONE. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 1032) to amend the Federal Food, Drug, and Cosmetic Act and the Public Health Service Act to improve the prevention, diagnosis, and treatment of heart disease, stroke, and other cardiovascular diseases in women, as amended.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 1032

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 ''Heart Disease Education, Analysis Research, and Treatment for Women Act'' or the ''HEART for Women Act''.

SEC. 2. REPORT BY GOVERNMENT ACCOUNTABILITY OFFICE.

(a) IN GENERAL.—The Comptroller General of the United States shall conduct a study investigating the extent to which sponsors of clinical studies of investigational drugs, biologics, and devices and sponsors of applications for approval or licensure of new drugs, biologics, and devices comply with Food and Drug Administration requirements and follow guidance for presentation of clinical study safety and effectiveness data by sex, age, and racial subgroups.

(b) REPORT BY GAO.—

(1) SUBMISSION.—Not later than 12 months after the date of the enactment of this Act, the Comptroller General shall complete the study under subsection (a) and submit to the Committee on Energy and Commerce of the House of Representatives and the Committee on Health, Education, Labor, and Pensions of the Senate a report on the results of such study.

(2) CONTENTS.—The report required by paragraph (1) shall include each of the following:

(A) A description of the extent to which the Food and Drug Administration assists sponsors in complying with the requirements and following the guidance referred to in subsection (a).

(B) A description of the effectiveness of the Food and Drug Administration's enforcement of compliance with such requirements.

(C) An analysis of the extent to which females, racial and ethnic minorities, and adults of all ages are adequately represented in Food and Drug Administration-approved clinical studies (at all phases) so that product safety and effectiveness data can be evaluated by gender, age, and racial subgroup.

(D) An analysis of the extent to which a summary of product safety and effectiveness data disaggregated by sex, age, and racial subgroup is readily available to the public in a timely manner by means of the product label or the Food and Drug Administration's Website.

(E) Appropriate recommendations for—

(i) modifications to the requirements and guidance referred to in subsection (a); or

(ii) oversight by the Food and Drug Administration of such requirements.

(c) REPORT BY HHS.—Not later than 6 months after the submission by the Comptroller General of the report required under subsection (b), the Secretary of Health and Human Services shall submit to the Committee on Energy and Commerce of the House of Representatives and the Committee on Health, Education, Labor, and Pensions of the Senate a response to that report, including a corrective action plan as needed to respond to the recommendations in that report.

(d) DEFINITIONS.—In this section:

(1) The term ''biologic'' has the meaning given to the term ''biological product'' in section 351(i) of the Public Health Service Act (42 U.S.C. 262(i)).

(2) The term ''device'' has the meaning given to such term in section 201(h) of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 321(h)).

(3) The term ''drug'' has the meaning given to such term in section 201(g) of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 321(g)).

SEC. 3. REPORTING ON QUALITY OF AND ACCESS TO CARE FOR WOMEN WITH CARDIOVASCULAR DISEASES.

Part P of title III of the Public Health Service Act (42 U.S.C. 280g et seq.) is amended by adding at the end the following:

''SEC. 399V–5. REPORTING ON QUALITY OF AND ACCESS TO CARE FOR WOMEN WITH CARDIOVASCULAR DISEASES.

''Not later than September 30, 2013, and annually thereafter, the Secretary of Health and Human Services shall prepare and submit to the Congress a report on the quality of and access to care for women with heart disease, stroke, and other cardiovascular diseases. The report shall contain recommendations for eliminating disparities in, and improving the treatment of, heart disease, stroke, and other cardiovascular diseases in women.''.

SEC. 4. EXTENSION OF WISEWOMAN PROGRAM.

Section 1509 of the Public Health Service Act (42 U.S.C. 300n–4a) is amended—

(1) in subsection (a)—

(A) by striking the heading and inserting ''IN GENERAL.—''; and

(B) in the matter preceding paragraph (1), by striking ''may make grants'' and all that follows through ''purpose'' and inserting the following: ''may make grants to such States for the purpose''; and

(2) in subsection (d)(1), by striking ''there are authorized'' and all that follows through the period and inserting ''there are authorized to be appropriated $23,000,000 for fiscal year 2012, $25,300,000 for fiscal year 2013, $27,800,000 for fiscal year 2014, $30,800,000 for fiscal year 2015, and $34,000,000 for fiscal year 2016.''.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from New Jersey (Mr. PALLONE) and the gentleman from Texas (Mr. BURGESS) each will control 20 minutes.

The Chair recognizes the gentleman from New Jersey.

GENERAL LEAVE

Mr. PALLONE. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks and include extraneous material in the RECORD.

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

There was no objection.

□ 2220

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

I rise today in strong support of H.R. 1032, the HEART for Women Act. Heart disease is the number one killer of women, and stroke is the number three killer of women. H.R. 1032 expands the CDC's Wise Women Program, which serves low-income, uninsured, and underinsured women by providing cardiovascular disease screenings, referrals, outreach, and education about healthy behaviors.

I urge my colleagues to support this legislation.

I reserve the balance of my time.

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

H.R. 1032, the Heart Disease Education, Analysis, Research, and Treatment for Women Act, would take several important steps in the fight against heart disease, stroke, and other cardiovascular diseases.

First, the amended bill would require the Government Accountability Office to conduct a study on the extent to which sponsors of new drugs, biologics, and devices follow current guidelines with respect to providing clinical trial data by gender and ethnicity. It would also require the Secretary to submit a report to Congress by September 30, 2013, and annually thereafter on the quality and access to care for women with heart disease, stroke, and other cardiovascular disease. Finally, the bill would reauthorize the Wise Women Program for 5 years. The program provides preventative benefits to uninsured and underinsured women who are at high risk of heart disease.

I urge my colleagues to support the bill.

Mrs. CAPPS. Mr. Speaker, I rise in strong support of H.R. 1032, the HEART for Women Act. As you may know, heart disease is the number one killer of American women, claiming the lives of over 400,000 women annually.

The HEART for Women Act seeks to improve our capability to prevent, diagnose and treat heart disease in women in three ways.

First, it requires a GAO report to carefully look at the FDA's record of evaluating new drug and device applications in an effort to ensure we are taking into account how new drugs and devices affect women differently than men as well as people of different ethnicities or ages.

This could not be more timely following the recently released Institute of Medicine report ''Women's Health Research: Progress, Pitfalls, and Promise'' recommending that ''all medical product evaluations by the Food and Drug Administration present efficacy and safety data separately for men and women. . .''

Second, the bill requires the Secretary to report on the quality and access to care for women with heart disease, stroke and other cardiovascular disease.

And finally, it expands the CDC's successful WISEWOMAN program which provides critical cardiovascular screening, treatment, education and prevention services to low-income women.

I'd like to thank the broad coalition of supporters who have endorsed this legislation, especially American Heart Association, WomenHeart and the Society for Women's Health Research.

I urge my colleagues to vote in favor of this legislation and in favor of improving the health of women living with heart disease.

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

Mr. PALLONE. Mr. Speaker, I urge passage of the bill, and I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from New Jersey (Mr. PALLONE) that the House suspend the rules and pass the bill, H.R. 1032, 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. BURGESS. Mr. Speaker, I object to the vote on the ground that a quorum is not present and make the point of order that a quorum is not present.

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

The point of no quorum is considered withdrawn.

SCLERODERMA RESEARCH AND AWARENESS ACT OF 2010

Mr. PALLONE. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 2408) to expand the research and awareness activities of the National Institute of Arthritis and Musculoskeletal and Skin Diseases and the

Centers for Disease Control and Prevention with respect to scleroderma, and for other purposes, as amended.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 2408

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 ''Scleroderma Research and Awareness Act of 2010''.

SEC. 2. NATIONAL INSTITUTE OF ARTHRITIS AND MUSCULOSKELETAL AND SKIN DISEASES; SCLERODERMA RESEARCH EXPANSION.

Part B of title IV of the Public Health Service Act (42 U.S.C. 284 et seq.) is amended by adding at the end the following:

''SEC. 409K. SCLERODERMA RESEARCH.

''The Director of NIH may expand, intensify, and coordinate the activities of the National Institutes of Health with respect to scleroderma, with particular emphasis on the following:

''(1) Research focused on the etiology of scleroderma and the development of new treatment options.

''(2) Clinical research to evaluate new treatments options.

''(3) Basic research on the relationship between scleroderma and secondary conditions such as pulmonary hypertension, gastroparesis, Raynaud's phenomenon, Sjögren's Syndrome, and other diseases as determined by the Director.''.

SEC. 3. PROMOTING PUBLIC AWARENESS OF SCLERODERMA.

Part P of title III of the Public Health Service Act (42 U.S.C. 280g et seq.) is amended by adding at the end the following:

''SEC. 399V–5. PROMOTING PUBLIC AWARENESS OF SCLERODERMA.

''The Secretary may carry out an educational campaign to increase public awareness of scleroderma. Print, video, and Web-based materials distributed through this campaign may include—

''(1) basic information on scleroderma and its symptoms; and

''(2) information on—

''(A) the incidence and prevalence of scleroderma;

''(B) diseases and conditions affiliated with scleroderma; or

''(C) the importance of early diagnosis and treatment of scleroderma.''.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from New Jersey (Mr. PALLONE) and the gentleman from Texas (Mr. BURGESS) each will control 20 minutes.

The Chair recognizes the gentleman from New Jersey.

GENERAL LEAVE

Mr. PALLONE. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks and include extraneous material in the RECORD.

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

There was no objection.

Mr. PALLONE. Mr. Speaker, I rise today in strong support of H.R. 2408, the Scleroderma Research and Awareness Act. H.R. 2408 would encourage NIH to conduct more research into scleroderma and encourage HHS to conduct a public awareness campaign about scleroderma. I urge my colleagues to support this legislation.

I reserve the balance of my time.

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

H.R. 2408, the Scleroderma Research and Awareness Act, would expand research and education for scleroderma. There are an estimated 300,000 people in the United States who have this disease. The exact cause or causes of scleroderma are still unknown, but scientists and medical investigators in a wide variety of fields are working to make those determinations.

Scleroderma, or systemic sclerosis, is a chronic connective tissue disease generally classified as one of the autoimmune rheumatic diseases. This bill will provide the Department of Health and Human Services flexibility to help us in the fight against scleroderma in the following ways: First, the bill would allow but not require the director of the National Institute of Arthritis and Musculoskeletal and Skin Diseases of the National Institutes of Health to expand, intensify, and coordinate the activities of the institute with respect to scleroderma. Second, the amended bill would allow but not require the Health and Human Services Secretary, acting through the Centers for Disease Control, to carry out an educational campaign to increase public awareness of scleroderma.

This bill underwent some very important modifications at the committee level. I think it is a better bill for that bipartisan effort. I do urge my colleagues to support this legislation.

Mrs. CAPPS. Mr. Speaker, I rise in strong support of H.R. 2408, the Scleroderma Research and Awareness Act.

Scleroderma is a chronic connective tissue disease in which hardening of the skin is one of the most visible manifestations of the disease.

An estimated 300,000 people in the United States have scleroderma and female patients outnumber male patients an astonishing four to one.

The exact cause or causes of scleroderma are still unknown and there is no cure, which make greater research into this disease all the more necessary.

H.R. 2408 would encourage NIH to conduct more research into Scleroderma and encourage the Secretary of Health & Human Services to conduct a public awareness campaign about the disease.

Passage of this bill out of Committee and in the House of Representatives would not be possible without the grassroots advocacy of patients and families of patients with Scleroderma so I would like to thank them personally for helping us reach today.

Finally, I would like to thank the lead Republican co-sponsor of this legislation, VERN EHLERS of Michigan for his continued support of H.R. 2408.

I urge my colleagues to vote in favor of this bill.

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

Mr. PALLONE. Mr. Speaker, I urge passage of the bill, and I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from New Jersey (Mr. PALLONE) that the House suspend the rules and pass the bill, H.R. 2408, 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. BURGESS. Mr. Speaker, I object to the vote on the ground that a quorum is not present and make the point of order that a quorum is not present.

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

The point of no quorum is considered withdrawn.

NEGLECTED INFECTIONS OF IMPOVERISHED AMERICANS ACT OF 2010

Mr. PALLONE. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 5986) to require the submission of a report to the Congress on parasitic disease among poor Americans.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 5986

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 ''Neglected Infections of Impoverished Americans Act of 2010''.

SEC. 2. REPORT TO CONGRESS ON THE CURRENT STATE OF PARASITIC DISEASES THAT HAVE BEEN OVERLOOKED AMONG THE POOREST AMERICANS.

(a) IN GENERAL.—Not later than 12 months after the date of the enactment of this Act, the Secretary of Health and Human Services shall report to the Congress on the epidemiology of, impact of, and appropriate funding required to address neglected diseases of poverty, including neglected parasitic diseases such as—

(1) Chagas disease;
(2) cysticercosis;
(3) toxocariasis;
(4) toxoplasmosis;
(5) trichomoniasis;
(6) the soil-transmitted helminths; and
(7) other related diseases, as designated by the Secretary.

(b) REQUIRED INFORMATION.—The report under subsection (a) should provide the information necessary to guide future health policy to—

(1) accurately evaluate the current state of knowledge concerning diseases described in such subsection and define gaps in such knowledge; and
(2) address the threat of such diseases.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from New Jersey (Mr. PALLONE) and the gentleman from Texas (Mr. BURGESS) each will control 20 minutes.

The Chair recognizes the gentleman from New Jersey.

GENERAL LEAVE

Mr. PALLONE. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks and include extraneous material in the RECORD.

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

There was no objection.

Mr. PALLONE. Mr. Speaker, I rise today in strong support of H.R. 5986, the Neglected Infections of Impoverished Americans Act of 2010. This bill requires a report that will help CDC and Congress to determine the best and most effective next steps for addressing neglected infections of poverty in the United States.

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

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

H.R. 5986, the Neglected Infections of Impoverished Americans Act of 2010, would require the Secretary of Health and Human Services to issue a report on neglected diseases of poverty, including parasitic diseases. Researchers have suggested that poor citizens are affected by infections, including those caused by parasites. Under the bill, the Health and Human Services Department must conduct a study within 12 months on the epidemiology and impact of neglected parasitic infections associated with poverty. The report would provide the information to guide future health policy so we can accurately evaluate the current state of knowledge concerning such diseases and define gaps in the knowledge so that we can properly address the threat of such illnesses. It's a worthwhile endeavor. It's been significantly modified by the committee process, and I urge my colleagues to support it.

Mr. JOHNSON of Georgia. Mr. Speaker, I rise today in support of my bill H.R. 5986, the Neglected Infections of Impoverished Americans Act of 2010. This bill would require the Secretary of Health and Human Services to report to Congress on the epidemiology of, impact of, and appropriate funding required to address neglected diseases of poverty, including neglected parasitic diseases such as Chagas disease, cysticercosis, toxocariasis, toxoplasmosis, trichomoniasis, the soil-transmitted helminths, and other related diseases. The bill requires the report to provide the information necessary to guide future health policy to accurately evaluate the current state of knowledge concerning these diseases and define gaps in such knowledge and address the threat of these diseases.

Mr. Speaker, according to the Centers for Disease Control and Prevention (CDC), neglected infections of poverty are a group of parasitic, bacterial, and viral infections that disproportionately affect impoverished groups, cause illness in a significant number of people, and receive limited attention in tracking, prevention, and treatment. A CDC fact sheet on Neglected Infections of Poverty states that improved tracking and research would help combat these diseases.

Neglected infections of poverty are associated with communities with contaminated playgrounds or other public spaces and lack of access to the health care system. This bill will help public health officials understand where these illnesses are and how many Americans are infected so that we can begin to deal with the negative health outcomes associated with these infections.

I support our efforts to fight neglected infections abroad and it is time that we begin to fight these infections here at home.

This bill has bipartisan support because we can all agree that better information is necessary to understand the threat of these diseases and guide future health policy.

I urge my colleagues to support this bill.

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

Mr. PALLONE. Mr. Speaker, I urge passage of the bill, and I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from New Jersey (Mr. PALLONE) that the House suspend the rules and pass the bill, H.R. 5986.

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

A motion to reconsider was laid on the table.

DIABETES IN MINORITY POPULATIONS EVALUATION ACT OF 2010

Mr. PALLONE. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 1995) to amend the Public Health Service Act to prevent and treat diabetes, to promote and improve the care of individuals with diabetes, and to reduce health disparities, relating to diabetes, within racial and ethnic minority groups, including the African-American, Hispanic American, Asian American, Native Hawaiian and Other Pacific Islander, and American Indian and Alaskan Native communities, as amended.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 1995

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 ''Diabetes in Minority Populations Evaluation Act of 2010''.

SEC. 2. REPORT ON RESEARCH AND OTHER PUBLIC HEALTH ACTIVITIES OF HHS WITH RESPECT TO DIABETES AMONG MINORITY POPULATIONS.

(a) IN GENERAL.—Not later than 18 months after the date of enactment of this Act, the Secretary of Health and Human Services shall submit to the Congress a report on the research and other public health activities of the Department of Health and Human Services with respect to diabetes among minority populations.

(b) REQUIRED CONTENTS.—At a minimum, the report under subsection (a) shall include, with respect to research and activities described in subsection (a), the following:

(1) EVALUATION.—An evaluation of the following:

(A) Research on diabetes among minority populations, including with respect to—

(i) genetic, behavioral, and environmental factors that may contribute to disproportionate rates of diabetes among these populations; and

(ii) prevention of complications among individuals within these populations who have already developed diabetes.

(B) Surveillance and data collection on diabetes among minority populations, including with respect to—

(i) efforts to better determine the prevalence of diabetes among Asian Americans and Pacific Islanders subgroups; and

(ii) efforts to coordinate data collection on the American Indian population.

(C) Community-based interventions targeting minority populations, including with respect to—

(i) the evidence base for such interventions;

(ii) the cultural appropriateness of such interventions; and

(iii) efforts to educate the public on the causes and consequences of diabetes.

(D) Education and training of health professionals (including community health workers) on the prevention and management of diabetes and its related complications that is supported by the Health Resources and Services Administration, including through—

(i) the National Health Service Corps program; and

(ii) the community health center program.

(2) RECOMMENDATIONS.—Recommendations for improvement of the research and other public health activities of the Department of Health and Human Services with respect to diabetes among minority populations, including recommendations for coordination and comprehensive planning of such research and activities.

(c) DEFINITION.—In this Act, the term ''minority population'' means a racial and ethnic minority group, as defined in section 1707(g) of the Public Health Service Act (42 U.S.C. 300u–6(g)).

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from New Jersey (Mr. PALLONE) and the gentleman from Texas (Mr. BURGESS) each will control 20 minutes.

The Chair recognizes the gentleman from New Jersey.

GENERAL LEAVE

Mr. PALLONE. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks and include extraneous material in the RECORD.

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

There was no objection.

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

I rise today in strong support of H.R. 1995, the Diabetes in Minority Populations Evaluation Act of 2010. H.R. 1995 directs the Secretary of Health and Human Services to submit a report to Congress on the Department's research and other public health activities with respect to diabetes among minority populations.

□ 2230

I ask my colleagues to support H.R. 1995.

I reserve the balance of my time.

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

H.R. 1995, the Eliminating Disparities in Diabetes Prevention and Access and Care Act, would authorize a study on how diabetes affects those with health disparities.

Diabetes affects an estimated 24 million Americans. Approximately 57 million Americans have a pre-diabetic condition. Type 1 diabetes is a disease

which results from the body's failure to produce insulin. Type 2 diabetes, which is far more common, results from the body's inability to make enough insulin or properly use insulin, or the body is peripherally resistant to insulin.

According to the World Health Organization, an astonishing 6 percent of the world's population is affected with diabetes, causing six deaths every minute and 3.2 million deaths yearly.

In the United States we spend well over $200 billion a year on diabetes, yet the 2006 diabetes mortality rate for Texas was 27 deaths per 100,000 persons. For my Hispanic and African American constituents, the rate was 42 and 49 per 100,000; 1.7 million Texans over 18 years old have diabetes, and it is our State's sixth leading cause of death.

This bill would allow us to understand if minorities have a higher prevalence of type 2 diabetes, understand the reason for that higher rate, and begin to provide some relief for this condition.

I urge my colleagues to support this bill.

I yield back the balance of my time.

Mr. PALLONE. Mr. Speaker, I also yield back the balance of my time and urge passage of the bill.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from New Jersey (Mr. PALLONE) that the House suspend the rules and pass the bill, H.R. 1995, as amended.

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

The title was amended so as to read: ''A bill to direct the Secretary of Health and Human Services to prepare a report on the research and other public health activities of the Department of Health and Human Services with respect to diabetes among minority populations.''.

A motion to reconsider was laid on the table.

ACQUIRED BONE MARROW FAILURE DISEASE RESEARCH AND TREATMENT ACT OF 2010

Mr. PALLONE. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 1230) to amend the Public Health Service Act to provide for the establishment of a National Acquired Bone Marrow Failure Disease Registry, to authorize research on acquired bone marrow failure diseases, and for other purposes, as amended.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 1230

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 ''Acquired Bone Marrow Failure Disease Research and Treatment Act of 2010''.

SEC. 2. ACQUIRED BONE MARROW FAILURE DISEASE RESEARCH.

Part B of title III of the Public Health Service Act (42 U.S.C. 243 et seq.) is amended by inserting after section 317T the following:

''SEC. 317U. ACQUIRED BONE MARROW FAILURE DISEASE RESEARCH.

''(a) IN GENERAL.—The Secretary may conduct research on acquired bone marrow failure diseases. Such research may address factors including—

''(1) trends in the characteristics of individuals who are diagnosed with acquired bone marrow failure diseases, including age, race and ethnicity, general geographic location, sex, family history, and any other characteristics determined appropriate by the Secretary;

''(2) the genetic and environmental factors, including exposure to toxins, that may be associated with developing acquired bone marrow failure diseases;

''(3) approaches to treating acquired bone marrow failure diseases;

''(4) outcomes for individuals treated for acquired bone marrow failure diseases, including outcomes for recipients of stem cell therapeutic products; and

''(5) any other factors pertaining to acquired bone marrow failure diseases determined appropriate by the Secretary.

''(b) COLLABORATION WITH THE RADIATION INJURY TREATMENT NETWORK.—In carrying out subsection (a), the Secretary may collaborate with the Radiation Injury Treatment Network of the C.W. Bill Young Cell Transplantation Program established pursuant to section 379 to—

''(1) augment data for the studies under such subsection;

''(2) access technical assistance that may be provided by the Radiation Injury Treatment Network; or

''(3) perform joint research projects.

''(c) DEFINITION.—In this section, the term 'acquired bone marrow failure disease' means—

''(1) myelodysplastic syndromes (MDS);

''(2) aplastic anemia;

''(3) paroxysmal nocturnal hemoglobinuria (PNH);

''(4) pure red cell aplasia;

''(5) acute myeloid leukemia that has progressed from myelodysplastic syndromes;

''(6) large granular lymphocytic leukemia; or

''(7) any other bone marrow failure disease specified by the Secretary, to the extent such disease is acquired and not inherited, as determined by the Secretary.''.

SEC. 3. MINORITY-FOCUSED PROGRAMS ON ACQUIRED BONE MARROW FAILURE DISEASES.

Title XVII of the Public Health Service Act (42 U.S.C. 300u et seq.) is amended by inserting after section 1707A the following:

''SEC. 1707B. MINORITY-FOCUSED PROGRAMS ON ACQUIRED BONE MARROW FAILURE DISEASES.

''(a) INFORMATION AND REFERRAL SERVICES.—

''(1) IN GENERAL.—The Secretary may establish and coordinate outreach and informational programs targeted to minority populations, including Hispanic, Asian-American, Native Hawaiian, and Pacific Islander populations, that are affected by acquired bone marrow failure diseases.

''(2) PROGRAM ACTIVITIES.—Programs under subsection (a) may carry out activities that include—

''(A) making information about treatment options and clinical trials for acquired bone marrow failure diseases publicly available; and

''(B) providing referral services for treatment options and clinical trials.

''(b) DEFINITION.—In this section, the term 'acquired bone marrow failure disease' has the meaning given such term in section 317U(c).''.

SEC. 4. BEST PRACTICES FOR DIAGNOSIS OF AND CARE FOR INDIVIDUALS WITH ACQUIRED BONE MARROW FAILURE DISEASES.

Part B of title III of the Public Health Service Act (42 U.S.C. 243 et seq.), as amended by section 2, is further amended by inserting after section 317U the following:

''SEC. 317V. BEST PRACTICES FOR DIAGNOSIS OF AND CARE FOR INDIVIDUALS WITH ACQUIRED BONE MARROW FAILURE DISEASES.

''(a) GRANTS.—The Secretary, acting through the Director of the Agency for Healthcare Research and Quality, may award grants to researchers to study best practices with respect to diagnosing acquired bone marrow failure diseases and providing care to individuals with such diseases.

''(b) DEFINITION.—In this section, the term 'acquired bone marrow failure disease' has the meaning given such term in section 317U(c).''.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from New Jersey (Mr. PALLONE) and the gentleman from Texas (Mr. BURGESS) each will control 20 minutes.

The Chair recognizes the gentleman from New Jersey.

GENERAL LEAVE

Mr. PALLONE. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their marks and include extraneous material in the RECORD.

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

There was no objection.

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

H.R. 1230, sponsored by the gentlewoman from California, Representative MATSUI, promotes research by HHS on acquired bone marrow failure disease, including the study of trends and the characteristics of individuals who are diagnosed with the disease, including age, race and ethnicity, sex and family history.

Mr. Speaker, it is my understanding that our former colleague, Representative Bob Matsui, actually passed away from this, and that is why it is particularly important, not only to Congresswoman MATSUI, but to all of us.

So I urge my colleagues to support this legislation.

I reserve the balance of my time.

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

H.R. 1230, the Bone Marrow Failure Disease Research and Treatment Act, would allow the Secretary of Health and Human Services to conduct research and outreach on acquired bone marrow failure diseases.

This bill would allow the Secretary of Health and Human Services to conduct additional research on acquired bone marrow diseases to aid in figuring out the causes of the disease and study how to better diagnose and care for individuals suffering from bone marrow diseases. The bill would also allow the Secretary to establish outreach programs that would help minority populations, who appear to be disproportionately affected by such acquired bone marrow diseases, in finding clinical trials and other treatment options.

I am a cosponsor of the bill. I urge my colleagues to support it.

I yield back the balance of my time.

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

and urge that the House pass this legislation.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from New Jersey (Mr. PALLONE) that the House suspend the rules and pass the bill, H.R. 1230, 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. BURGESS. Mr. Speaker, I object to the vote on the ground that a quorum is not present and make the point of order that a quorum is not present.

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

The point of no quorum is considered withdrawn.

GYNECOLOGIC CANCER EDUCATION AND AWARENESS ACT

Mr. PALLONE. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 2941) to reauthorize and enhance Johanna's Law to increase public awareness and knowledge with respect to gynecologic cancers, as amended.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 2941

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

SECTION 1. REAUTHORIZATION AND ENHANCEMENT OF JOHANNA'S LAW.

(a) IN GENERAL.—Section 317P(d) of the Public Health Service Act (42 U.S.C. 247b–17(d)(4)) is amended—

(1) in paragraph (4), by inserting after ''2009'' the following: ''and $18,000,000 for the period of fiscal years 2012 through 2014''; and

(2) by redesignating paragraph (4) as paragraph (6).

(b) CONSULTATION WITH NONPROFIT GYNECOLOGIC CANCER ORGANIZATIONS.—Section 317P(d) of such Act (42 U.S.C. 247b–17(d)), as amended by subsection (a), is further amended by inserting after paragraph (3) the following:

''(4) CONSULTATION WITH NONPROFIT GYNECOLOGIC CANCER ORGANIZATIONS.—In carrying out the national campaign under this subsection, the Secretary shall consult with the leading nonprofit gynecologic cancer organizations, with a mission both to conquer ovarian or other gynecologic cancer nationwide and to provide outreach to State and local governments and communities, for the purpose of determining the best practices for providing gynecologic cancer information and outreach services to varied populations.''.

SEC. 2. DEMONSTRATION PROJECTS REGARDING OUTREACH AND EDUCATION STRATEGIES RELATING TO GYNECOLOGIC CANCER.

(a) IN GENERAL.—Section 317P(d) of the Public Health Service Act (42 U.S.C. 247b–17(d)), as amended by section 1, is further amended by inserting after paragraph (4) the following:

''(5) DEMONSTRATION PROJECTS REGARDING OUTREACH AND EDUCATION STRATEGIES.—

''(A) IN GENERAL.—The Secretary may carry out a program to award grants or contracts to public or nonprofit private entities for the purpose of carrying out demonstration projects to test and compare different evidence-based outreach and education strategies to increase the awareness and knowledge of women and health care providers with respect to gynecologic cancers, including early warning signs, risk factors, prevention, screening, and treatment options. Such strategies shall include efforts directed at women and their families, physicians, nurses, and key health professionals.

''(B) PREFERENCES IN AWARDING GRANTS OR CONTRACTS.—In making awards under subparagraph (A), the Secretary shall give preference to—

''(i) applicants with demonstrated expertise in gynecologic cancer education or treatment or in working with groups of women who are at increased risk of gynecologic cancers; and

''(ii) applicants that, in the demonstration project funded by the grant or contract, will establish linkages between physicians, nurses, and key health professionals, health profession students, hospitals, payers, and State health departments.

''(C) APPLICATION.—To seek a grant or contract under subparagraph (A), an entity shall submit an application to the Secretary in such form, in such manner, and containing such agreements, assurances, and information as the Secretary determines to be necessary to carry out this paragraph.

''(D) CERTAIN REQUIREMENTS.—In making awards under subparagraph (A), the Secretary shall—

''(i) make awards, as practicable, to not fewer than five applicants; and

''(ii) ensure that information provided through demonstration projects under this paragraph is consistent with the best available medical information.

''(E) REPORT TO CONGRESS.—Not later than 12 months after the date of the enactment of this paragraph, and annually thereafter, the Secretary shall submit to the Congress a report that—

''(i) summarizes the activities of demonstration projects under subparagraph (A);

''(ii) evaluates the extent to which the projects were effective in increasing early detection of gynecologic cancers and awareness and knowledge of risk factors and early warning signs in the populations to which the projects were directed; and

''(iii) identifies barriers to early detection and appropriate treatment of such cancers.''.

(b) CONFORMING AMENDMENT.—Section 317P(d)(3)(A) of the Public Health Service Act (42 U.S.C. 247b–17(d)(3)(A)) is amended by inserting ''(other than paragraph (5))'' after ''this section''.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from New Jersey (Mr. PALLONE) and the gentleman from Texas (Mr. BURGESS) each will control 20 minutes.

The Chair recognizes the gentleman from New Jersey.

GENERAL LEAVE

Mr. PALLONE. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks and include extraneous material in the RECORD.

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

There was no objection.

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

I rise this evening in strong support of H.R. 2941, a bill to reauthorize Johanna's law. The bill reauthorizes an existing CDC program to promote awareness and outreach of gynecological cancers among women and health care providers.

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

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

H.R. 2941, a law to reauthorize Johanna's Law, was actually signed into law at the end of the 109th Congress and directed Health and Human Services to carry out a national campaign to increase awareness of gynecological cancer.

Gynecological cancer of the female reproductive tract affected, in 2006, over 76,000 women, and 27,000 died from their disease. H.R. 2941 would authorize the Centers for Disease Control and Prevention to continue the nationwide campaign.

This bill also calls for the Secretary of Health and Human Services to award grants to nonprofit private entities to carry out demonstration projects. These projects would test outreach and education strategies to increase the awareness and knowledge of women and health care provided regarding gynecologic cancer.

I am a cosponsor of the legislation. I urge my colleagues to support it.

Mr. BURTON of Indiana. Mr. Speaker, I rise today in strong support of H.R. 2941, a bill to reauthorize and enhance Johanna's Law to increase public awareness and knowledge with respect to gynecologic cancers. I would like to thank the Chairman and Ranking Member of the Energy and Commerce Committee for bringing this vitally important bill to the Floor. I would also like to thank Representative ROSA DELAURO and Representative DARRELL ISSA who have been tireless champions of this bill. I am proud to have worked with them to enact the ''Gynecologic Cancer Education and Awareness Act''—also known as Johanna's Law—back in 2006; and I am proud to be a part of their efforts this year to reauthorize and enhance this program.

I first got involved in the fight against gynecologic cancer when Ms. Kolleen Stacey, a constituent of mine, who became a dear, dear friend, told me about her personal battle with ovarian cancer—the deadliest of the gynecological cancers. Kolleen told me about Johanna's Law, convinced me to become a co-sponsor; and she never stopped pushing me to get the bill signed into law; because she never wanted any other woman to go through what she was going through.

It took more than two years and a lot of hard work but in 2006, Johanna's Law became law and this country took a huge step forward towards fulfilling Kolleen's dream. On July 10, 2009, Kolleen tragically lost her fight with ovarian cancer. But I know that she is looking down on us today and smiling because her dream lives on in our actions today. God bless you Kolleen.

The American Cancer Society estimates that about 21,880 new cases of ovarian cancer will be diagnosed and 13,850 deaths are expected to be caused by ovarian cancer in the United States in 2010 alone. For the State of Indiana, The American Cancer Society estimates that in 2010, 450 women will be diagnosed with ovarian cancer and 300 women will die of ovarian cancer.

This is a tragedy. Research shows that many of those deaths could be prevented if

more women knew the risk factors and recognized the early symptoms of gynecologic cancers so that they could discuss them with their doctors. Ovarian cancer has a 93 percent five-year survival rate if detected in Stage One and only a 27 percent survival rate if detected in Stage Three or Four.

Yet, the majority of women and medical professionals are unaware of the symptoms of ovarian cancer. Women can go undiagnosed or misdiagnosed for years, like Kolleen Stacey. Just over five years ago on September 5, 2005, Kolleen testified before Congress about the need for legislation for added awareness and education on gynecological cancers. ''It took an entire year for me to be diagnosed correctly. By then the cancer was Stage IIIC, an advanced stage of ovarian cancer with only a 38 percent chance of complete cure. Had it been discovered in an early stage, I would have had a 90 percent chance of complete cure.''

That is why, in December 2006, Congress passed Johanna's Law, named for Johanna Silver Gordon, who lost her life to ovarian cancer despite being a health conscious woman who visited the gynecologist regularly. Like many women, Johanna had symptoms of ovarian cancer that were missed by both her and her healthcare provider.

Johanna's Law authorized the Centers for Disease Control to create a gynecologic cancer awareness campaign aimed at educating women and health care providers about the signs and symptoms of gynecologic cancers—bloating, pelvic or abdominal pain, difficulty eating or feeling full quickly, and urinary symptoms (urgency or frequency). The campaign, Inside Knowledge: Get the Facts About Gynecologic Cancer, seeks to raise awareness of the five main types of gynecologic cancer: ovarian, cervical, uterine, vaginal and vulvar. To date, the Inside Knowledge campaign has supported many activities, including the development of:

Cancer-specific fact sheets about gynecologic cancers in both English and Spanish,

A comprehensive gynecologic cancer brochure,

Formative research and concept testing using focus groups to better understand the target audience,

Materials for primary care and health care professionals, and

Print and broadcast Public Service Announcements (PSAs).

All materials created through Johanna's Law have been sent to television, radio and print outlets around the country. The CDC is tracking the airing of PSAs and audience impressions. The CDC is also reaching out to groups, encouraging the use of the materials.

We still have a long way to go but Johanna's law is making a difference. Doctors, nurses and cancer survivors agree—providing more information about gynecologic cancers saves women's lives.

H.R. 2941 reauthorizes and enhances this critically important awareness campaign. This legislation provides for the continuation of the education campaign started by the Centers for Disease Control and Prevention to increase the awareness and knowledge of health care providers and women with respect to gynecological cancers. It also enhances cooperation with non-governmental organizations carrying out complementary education and awareness campaigns.

H.R. 2941 is a good bill, it is good public policy. I urge my colleagues to support this bill, and I urge our colleagues in the Senate to act quickly and move this critically needed legislation to the President's desk for his signature. This is literally a matter of life and death.

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

Mr. PALLONE. I yield back the balance of my time and urge passage of the bill.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from New Jersey (Mr. PALLONE) that the House suspend the rules and pass the bill, H.R. 2941, 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. BURGESS. Mr. Speaker, I object to the vote on the ground that a quorum is not present and make the point of order that a quorum is not present.

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

The point of no quorum is considered withdrawn.

BIRTH DEFECTS PREVENTION, RISK REDUCTION, AND AWARENESS ACT OF 2010

Mr. PALLONE. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 5462) to authorize the Secretary of Health and Human Services, acting through the Director of the Centers for Disease Control and Prevention, to establish and implement a birth defects prevention, risk reduction, and public awareness program, as amended.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 5462

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 ''Birth Defects Prevention, Risk Reduction, and Awareness Act of 2010''.

SEC. 2. BIRTH DEFECTS PREVENTION, RISK REDUCTION, AND AWARENESS.

(a) PROGRAM.—The Public Health Service Act (42 U.S.C. 201 et seq.) is amended by inserting after section 317T (42 U.S.C. 247b–22) the following new section:

''SEC. 317U. BIRTH DEFECTS PREVENTION, RISK REDUCTION, AND AWARENESS.

''(a) GRANT PROGRAM.—The Secretary shall establish and implement a birth defects prevention and public awareness program to award grants to States or organizations for the provision of pregnancy and breastfeeding information services.

''(b) PREFERENCE.—In the case of States or organizations that are otherwise equally qualified, the Secretary, in awarding a grant under this section, shall give preference to—

''(1) States that made pregnancy and breastfeeding information services available on January 1, 2006; and

''(2) organizations that will provide pregnancy and breastfeeding information services in such States.

''(c) MATCHING FUNDS.—The Secretary may only award a grant under this section to a State or organization that agrees, with respect to the costs to be incurred in carrying out the grant activities, to make available (directly or through donations from public or private entities) non-Federal funds toward such costs in an amount equal to not less than 25 percent of the amount of the grant.

''(d) COORDINATION.—The Secretary shall ensure that activities carried out using a grant under this section are coordinated, to the maximum extent practicable, with other birth defects prevention and environmental health activities of the Federal Government, including activities carried out by the Health Resources and Services Administration and the Centers for Disease Control and Prevention with respect to pediatric environmental health specialty units and children's environmental health centers.

''(e) EVALUATION.—In furtherance of the program established under subsection (a), the Secretary shall provide for an evaluation of pregnancy and breastfeeding information services to identify efficient and effective models of—

''(1) providing information;

''(2) raising awareness and increasing knowledge about birth defects prevention measures;

''(3) modifying risk behaviors; or

''(4) other outcome measures as determined appropriate by the Secretary.

''(f) PREGNANCY AND BREASTFEEDING INFORMATION SERVICES DEFINED.—For purposes of this section, the term 'pregnancy and breastfeeding information services' includes only—

''(1) information services to provide accurate, evidence-based, clinical information regarding maternal exposures during pregnancy or breastfeeding that may be associated with birth defects or other health risks to an infant that is breastfed, such as exposures to medications, chemicals, infections, foodborne pathogens, illnesses, nutrition, or lifestyle factors;

''(2) the provision of accurate, evidence-based information weighing risks of exposures during breastfeeding against the benefits of breastfeeding; and

''(3) the provision of information described in paragraph (1) or (2) through counselors, Web sites, fact sheets, telephonic or electronic communication, community outreach efforts, or other appropriate means.

''(g) AUTHORIZATION OF APPROPRIATIONS.—To carry out this section, there are authorized to be appropriated $4,500,000 for fiscal year 2012, $5,500,000 for fiscal year 2013, $6,500,000 for fiscal year 2014, $7,500,000 for fiscal year 2015, and $8,500,000 for fiscal year 2016.''.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from New Jersey (Mr. PALLONE) and the gentleman from Texas (Mr. BURGESS) each will control 20 minutes.

The Chair recognizes the gentleman from New Jersey.

GENERAL LEAVE

Mr. PALLONE. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks and include extraneous material in the RECORD.

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

There was no objection.

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

Mr. Speaker, H.R. 5462, the Birth Defects Prevention, Risk Reduction and Awareness Act, would establish a program to award grants for evidence-based clinical information to mothers and their health care professionals about exposures during pregnancy and breast feeding. I would like to thank my colleague from Connecticut (Ms. DELAURO) for her leadership on this issue and so many issues that affect mothers and children.

I reserve the balance of my time.

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

Mr. Speaker, I rise in support of H.R. 5462, the Birth Defects Prevention, Risk Reduction and Awareness Act of 2010, legislation that I authored with the gentlewoman from Connecticut (Ms. DELAURO).

This bill was developed over a period of several months with the guidance of the Centers for Disease Control. It does speak volumes that a bill can come this far in such a short period of time when we are willing to do our due diligence prior to introduction.

I have dedicated my professional career to protecting mother and child, while providing them with the most accurate information possible and the health services that they need.

People like to think that doctors have all the answers. Doctors like to think the CDC can provide all the information, but that isn't always the way it works. I can't tell you the number of times that women came into the hospital, usually late at night, because she was concerned about the health of her baby. Maybe it was because of something she had done, maybe she just had concerns. But this type of unnecessary utilization can be reduced by education, particularly among populations that may not have had the same level of health literacy as to how this could have happened.

□ 2240

H.R. 5462 will provide mothers with up-to-date, evidence-based information through services designed to do targeted research. We have such a service in Texas. I used them when I was in practice. Ideally, they should be serving at least 4 percent of our pregnant population but are only able to serve up to 3,000 persons today. Those cases are important, but I know we can do better.

Many women with chronic diseases may discontinue or reduce medications when they become pregnant due to fears about the risk of birth defects. In fact, in many cases the medications cause a lower risk of birth defects than the failure to treat and appropriately manage the underlying disease during pregnancy.

Pregnancy risk information services provide information and expert consultation to pregnant women and their health care providers regarding exposures to medications, chemicals, illicit drugs, alcohol, infections, and illness that may pose a risk of birth defects. These services also provide information on exposures during breast-feeding. The information provided reduces unnecessary concern about perceived and nonexistent risk and ensures that women stay on the path to a healthy pregnancy.

Currently, Federal agencies are only able to provide awareness and information about pregnancy and breast-feeding issues. They do not provide pregnancy and breast-feeding exposure risk assessment, education, and counseling.

This legislation will establish a grant program to revitalize the Nation's network of pregnancy risk information services. This will help save health care costs by avoiding unnecessary doctor visits and reducing the cost of treating uncontrolled chronic illness when pregnant women discontinue their medications unnecessarily. I urge my colleagues to support this legislation.

I reserve the balance of my time.

Mr. PALLONE. Mr. Speaker, I urge passage of the bill.

I yield back the balance of my time.

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

I just wanted to point out that this legislation has the support of the American College of Obstetrics and Gynecology, the American Academy of Pediatrics, the March of Dimes Foundation, amongst many others. I join these organizations in urging my support for this legislation.

I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from New Jersey (Mr. PALLONE) that the House suspend the rules and pass the bill, H.R. 5462, 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. BURGESS. Mr. Speaker, I object to the vote on the ground that a quorum is not present and make the point of order that a quorum is not present.

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

The point of no quorum is considered withdrawn.

ARTHRITIS PREVENTION, CONTROL, AND CURE ACT OF 2010

Mr. PALLONE. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 1210) to amend the Public Health Service Act to provide for arthritis research and public health, and for other purposes, as amended.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 1210

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 ''Arthritis Prevention, Control, and Cure Act of 2010''.

SEC. 2. ENHANCING PUBLIC HEALTH ACTIVITIES RELATED TO ARTHRITIS THROUGH THE NATIONAL ARTHRITIS ACTION PLAN.

Part B of title III of the Public Health Service Act (42 U.S.C. 243 et seq.) is amended by inserting after section 314 the following:

''SEC. 315. NATIONAL ARTHRITIS ACTION PLAN.

''(a) ESTABLISHMENT OF PLAN.—The Secretary may develop and implement a National Arthritis Action Plan (in this section referred to as the 'Plan') consistent with this section.

''(b) CONTROL, PREVENTION, AND SURVEILLANCE.—

''(1) IN GENERAL.—Under the Plan, the Secretary may, directly or through competitive grants to eligible entities, conduct, support, and promote the coordination of research, investigations, demonstrations, training, and studies relating to the control, prevention, and surveillance of arthritis and other rheumatic diseases.

''(2) TRAINING AND TECHNICAL ASSISTANCE.—

''(A) PROVISION.—Upon the request of an applicant receiving a grant under paragraph (1), the Secretary may, subject to subparagraph (B), provide training, technical assistance, supplies, equipment, or services for the purpose of aiding the applicant in carrying out grant activities and, for such purpose, may detail to the applicant any officer or employee of the Department of Health and Human Services.

''(B) CORRESPONDING REDUCTION IN PAYMENTS.—With respect to a request described in subparagraph (A), the Secretary shall reduce the amount of payments under the grant under paragraph (1) to the applicant involved by an amount equal to the costs of detailing personnel (including pay, allowances, and travel expenses) and the fair market value of any supplies, equipment, or services provided by the Secretary.

''(3) ARTHRITIS PREVENTION RESEARCH AT THE CENTERS FOR DISEASE CONTROL AND PREVENTION.—The Secretary may provide additional grant support under this subsection to encourage the expansion of research related to the prevention and management of arthritis at the Centers for Disease Control and Prevention.

''(4) ELIGIBLE ENTITY.—For purposes of this subsection, the term 'eligible entity' means a public or private nonprofit entity that demonstrates to the satisfaction of the Secretary, in the application described in subsection (e), the ability of the entity to carry out the activities described in paragraph (1).

''(c) EDUCATION AND OUTREACH.—

''(1) IN GENERAL.—Under the Plan, the Secretary may coordinate and carry out national education and outreach activities, directly or through the provision of grants to eligible entities, to support, develop, and implement education initiatives and outreach strategies appropriate for arthritis and other rheumatic diseases.

''(2) INITIATIVES AND STRATEGIES.—Initiatives and strategies implemented under paragraph (1) may include public awareness campaigns, public service announcements, and community partnership workshops, as well as programs targeted to businesses and employers, managed care organizations, and health care providers.

''(3) PRIORITY.—In carrying out paragraph (1), the Secretary—

''(A) may emphasize prevention, early diagnosis, and appropriate management of arthritis, and opportunities for effective patient self-management; and

''(B) may give priority to reaching high-risk or underserved populations.

''(4) COLLABORATION.—In carrying out this subsection, the Secretary shall consult and collaborate with stakeholders from the public, private, and nonprofit sectors with expertise relating to arthritis control, prevention, and treatment.

''(5) ELIGIBLE ENTITY.—For purposes of this subsection, the term 'eligible entity' means a public or private nonprofit entity that demonstrates to the satisfaction of the Secretary, in

the application described in subsection (e), the ability of the entity to carry out the activities described in paragraph (1).

''(d) COMPREHENSIVE STATE GRANTS.—

''(1) IN GENERAL.—Under the Plan, the Secretary may award grants to eligible entities to provide support for comprehensive arthritis control and prevention programs and to enable such entities to provide public health surveillance, prevention, and control activities related to arthritis and other rheumatic diseases.

''(2) APPLICATION.—The Secretary may only award a grant under this subsection to an eligible entity that submits to the Secretary an application at such time, in such manner, and containing such agreements, assurances, and information as the Secretary may require, including a comprehensive arthritis control and prevention plan that—

''(A) is developed with the advice of stakeholders from the public, private, and nonprofit sectors that have expertise relating to arthritis control, prevention, and treatment that increase the quality of life and decrease the level of disability;

''(B) is intended to reduce the morbidity of arthritis, with priority on preventing and controlling arthritis in at-risk populations and reducing disparities in arthritis prevention, diagnosis, management, and quality of care in underserved populations;

''(C) describes the arthritis-related services and activities to be undertaken or supported by the entity; and

''(D) demonstrates the relationship the entity has with the community and local entities and how the entity plans to involve such community and local entities in carrying out the activities described in paragraph (1).

''(3) USE OF FUNDS.—An eligible entity may use amounts received under a grant awarded under this subsection to conduct, in a manner consistent with the comprehensive arthritis control and prevention plan submitted by the entity in the application under paragraph (2)—

''(A) public health surveillance and epidemiological activities relating to the prevalence of arthritis and assessment of disparities in arthritis prevention, diagnosis, management, and care;

''(B) public information and education programs; and

''(C) education, training, and clinical skills improvement activities for health professionals, including allied health personnel.

''(4) ELIGIBLE ENTITY.—For purposes of this subsection, the term 'eligible entity' means a State or an Indian tribe.

''(e) GENERAL APPLICATION.—The Secretary may only award a grant under subsection (b) or (c) to an entity that submits to the Secretary an application at such time, in such manner, and containing such agreements, assurances, and information as the Secretary may require, including a description of how funds received under a grant awarded under such subsection will supplement or fulfill unmet needs identified in a comprehensive arthritis control and prevention plan of the entity.

''(f) DEFINITIONS.—For purposes of this section:

''(1) INDIAN TRIBE.—The term 'Indian tribe' has the meaning given such term in section 4(e) of the Indian Self-Determination and Education Assistance Act.

''(2) STATE.—The term 'State' means any of the 50 States, the District of Columbia, the Commonwealth of Puerto Rico, the Virgin Islands, American Samoa, Guam, and the Northern Mariana Islands.

''(g) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated to carry out this section—

''(1) for fiscal year 2012, $14,600,000;

''(2) for fiscal year 2013, $16,000,000;

''(3) for fiscal year 2014, $17,700,000;

''(4) for fiscal year 2015, $19,400,000; and

''(5) for fiscal year 2016, $21,400,000.''.

SEC. 3. ACTIVITIES OF THE DEPARTMENT OF HEALTH AND HUMAN SERVICES WITH RESPECT TO JUVENILE ARTHRITIS AND RELATED CONDITIONS.

Part B of title IV of the Public Health Service Act (42 U.S.C. 284 et seq.) is amended by adding at the end the following:

''SEC. 409K. JUVENILE ARTHRITIS AND RELATED CONDITIONS.

''(a) IN GENERAL.—The Secretary, in coordination with the Director of NIH, may expand and intensify programs of the National Institutes of Health with respect to research and related activities designed to improve the outcomes and quality of life for children with arthritis and other rheumatic diseases.

''(b) COORDINATION.—The Director of NIH may coordinate the programs referred to in subsection (a) and consult with additional Federal officials, voluntary health associations, medical professional societies, and private entities, as appropriate.''.

SEC. 4. INVESTMENT IN TOMORROW'S PEDIATRIC RHEUMATOLOGISTS.

Subpart I of part C of title VII of the Public Health Service Act (42 U.S.C. 293k et seq.) is amended by adding at the end the following:

''SEC. 749A–1. PEDIATRIC RHEUMATOLOGISTS.

''In order to ensure an adequate future supply of pediatric rheumatologists, the Secretary, in consultation with the Administrator of the Health Resources and Services Administration, may award institutional training grants to institutions to support pediatric rheumatology training.''.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from New Jersey (Mr. PALLONE) and the gentleman from Texas (Mr. BURGESS) each will control 20 minutes.

The Chair recognizes the gentleman from New Jersey.

GENERAL LEAVE

Mr. PALLONE. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks and include extraneous material in the RECORD.

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

There was no objection.

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

I rise this evening in strong support of H.R. 1210, the Arthritis Prevention, Control, and Cure Act of 2010.

This bill provides for enhanced arthritis public health efforts at CDC, enhanced juvenile arthritis research activities at NIH, and new authorities at the Health Resources and Service Administration to support training for new pediatric rheumatologists. I urge my colleagues to support this bill.

I reserve the balance of my time.

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

H.R. 1210 would enhance our Nation's efforts to combat arthritis. I am a cosponsor of the legislation.

According to the Centers for Disease Control and Prevention, an estimated 46 million Americans have arthritis, though the number is expected to increase as the country's population ages. The Centers for Disease Control also estimates that almost 300,000 children have arthritis.

This bill will help in the fight against arthritis in the following ways:

First, the bill would authorize the Secretary of Health and Human Services to establish a national arthritis action plan.

Second, it would allow the Department of Health and Human Services to award grants for arthritis research, surveillance, and education.

Third, the bill would permit the National Institutes of Health to expand its research into children with rheumatic diseases.

Finally, the bill would allow Health and Human Services to award grants to increase the number of pediatric rheumatologists.

I have spoken with several rheumatologists who have discussed the importance of this legislation. Unfortunately, those in need of rheumatologists, especially pediatric rheumatologists, often have very few options. This bill is an important first step in addressing a critical workforce shortfall.

I am a cosponsor of the legislation, and I urge my colleagues to support the bill.

I yield back the balance of my time.

Mr. PALLONE. I urge passage of the bill, and I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from New Jersey (Mr. PALLONE) that the House suspend the rules and pass the bill, H.R. 1210, 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. BURGESS. Mr. Speaker, I object to the vote on the ground that a quorum is not present and make the point of order that a quorum is not present.

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

The point of no quorum is considered withdrawn.

DENTAL EMERGENCY RESPONDER ACT OF 2010

Mr. PALLONE. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 903) to amend the Public Health Service Act to enhance the roles of dentists and allied dental personnel in the Nation's disaster response framework, and for other purposes, as amended.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 903

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 ''Dental Emergency Responder Act of 2010''.

SEC. 2. DENTAL EMERGENCY RESPONDERS: PUBLIC HEALTH AND MEDICAL RESPONSE.

(a) NATIONAL HEALTH SECURITY STRATEGY.—Section 2802(b)(3) of the Public Health Service Act (42 U.S.C. 300hh–1(b)(3)) is amended—

(1) in the matter preceding subparagraph (A), by inserting ''and which may include dental health facilities'' after ''mental health facilities''; and

(2) in subparagraph (D), by inserting ''(which may include such dental health assets)'' after ''medical assets''.

(b) ALL-HAZARDS PUBLIC HEALTH AND MEDICAL RESPONSE CURRICULA AND TRAINING.—Section 319F(a)(5)(B) of the Public Health Service Act (42 U.S.C. 247d–6(a)(5)(B)) is amended by striking ''public health or medical'' and inserting ''public health, medical, or dental''.

SEC. 3. DENTAL EMERGENCY RESPONDERS: HOMELAND SECURITY.

(a) NATIONAL RESPONSE FRAMEWORK.—Paragraph (6) of section 2 of the Homeland Security Act of 2002 (6 U.S.C. 101) is amended by inserting ''and dental'' after ''emergency medical''.

(b) NATIONAL PREPAREDNESS SYSTEM.—Subparagraph (B) of section 653(b)(4) of the Post-Katrina Emergency Management Reform Act of 2006 (6 U.S.C. 753(b)(4)) is amended by striking ''public health and medical'' and inserting ''public health, medical, and dental''.

(c) CHIEF MEDICAL OFFICER.—Paragraph (5) of section 516(c) of the Homeland Security Act of 2002 (6 U.S.C. 321e(c)) is amended by striking ''medical community'' and inserting ''medical and dental communities''.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from New Jersey (Mr. PALLONE) and the gentleman from Texas (Mr. BURGESS) each will control 20 minutes.

The Chair recognizes the gentleman from New Jersey.

GENERAL LEAVE

Mr. PALLONE. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks and include extraneous material in the RECORD.

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

There was no objection.

Mr. PALLONE. Mr. Speaker, I would like to include in the RECORD an exchange of letters between Chairman WAXMAN and Chairman THOMPSON, who is chairman of the Homeland Security Committee, regarding this legislation.

HOUSE OF REPRESENTATIVES,
COMMITTEE ON HOMELAND SECURITY,
Washington, DC, September 24, 2010.

Hon. HENRY A. WAXMAN,
Chairman, Committee on Energy and Commerce, Rayburn Bldg., House of Representatives, Washington, DC.

DEAR CHAIRMAN WAXMAN: I write to you regarding H.R. 903, the ''Dental Emergency Responder Act of 2009.''

H.R. 903 contains provisions that fall within the jurisdiction of the Committee on Homeland Security. I recognize and appreciate your desire to bring this legislation before the House in an expeditious manner and, accordingly, I will not seek a sequential referral of the bill. However, agreeing to waive consideration of this bill should not be construed as the Committee on Homeland Security waiving, altering, or otherwise affecting its jurisdiction over subject matters contained in the bill which fall within its Rule X jurisdiction.

Further, I request your support for the appointment of Homeland Security conferees during any House-Senate conference convened on this or similar legislation. I also ask that a copy of this letter and your response be included in the legislative report on H.R. 903 and in the Congressional Record during floor consideration of this bill.

I look forward to working with you as we prepare to pass this important legislation.

Sincerely,

BENNIE G. THOMPSON,
Chairman.

HOUSE OF REPRESENTATIVES,
COMMITTEE ON ENERGY AND COMMERCE,
Washington, DC, September 24, 2010.

Hon. BENNIE THOMPSON,
Chairman, Committee on Homeland Security, Ford House Office Building, Washington, DC.

DEAR CHAIRMAN THOMPSON: Thank you for your letter regarding H.R. 903, the ''Dental Emergency Responder Act.'' The Committee on Energy and Commerce recognizes that the Committee on Homeland Security has a jurisdictional interest in H.R. 903, and I appreciate your effort to facilitate consideration of this bill.

I also concur with you that forgoing action on the bill does not in any way prejudice the Committee on Homeland Security with respect to its jurisdictional prerogatives on this bill or similar legislation in the future, and I would support your effort to seek appointment of an appropriate number of conferees to any House-Senate conference involving this legislation.

I will include our letters on H.R. 903 in the Committee report on H.R. 903 and in the Congressional Record during floor consideration of the bill. Again, I appreciate your cooperation regarding this legislation and I look forward to working with the Committee on Homeland Security as the bill moves through the legislative process.

Sincerely,

HENRY A. WAXMAN,
Chairman.

I yield myself such time as I may consume.

I rise this evening in strong support of H.R. 903, the Dental Emergency Responder Act of 2010. This bill amends the Public Health Service Act to include dentists in the national health security strategy, which is the strategy HHS develops to respond to a public health emergency. And I would particularly like to thank Representative STUPAK for all his work on this bill. I urge my colleagues to support this bill.

I reserve the balance of my time.

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

H.R. 903 would allow the Department of Health and Human Services to utilize dentists and dental facilities to respond to medical emergencies. The bill amends the Homeland Security Act of 2002 to include dental personnel within the definition of ''emergency response providers.'' Mr. Speaker, there has been uncertainty as to whether dental providers could be considered emergency response providers.

This bill also requires the Chief Medical Officer of the Department of Homeland Security to serve as the Department's primary point of contact for the dental community with respect to medical and public health matters related to natural disasters, acts of terrorism, and other manmade disasters.

Finally, the bill amends the Post-Katrina Emergency Management Reform Act of 2006 to allow, if necessary, operational plans developed by Federal agencies with responsibilities under the National Response Plan to address preparedness and deployment of dental resources.

This bill was drafted to ensure that Congress was not being prescriptive as to how the Department of Health and Human Services or the Department of Homeland Security should plan for medical emergencies. The bill provides these Departments increased flexibility to utilize additional professional expertise and capacity, if they feel it is appropriate. This is just common sense. The fact that today the Department of Homeland Security could not talk to a dental school where it is decided it would be an ideal place to stockpile materials like vaccines but could if it was a medical school is just absurd.

If these facilities can aid our national defense, or if dentists want to be included in our Nation's post-disaster response, the fact that the government felt constrained to include them is a gross oversight that this bill corrects. I urge my colleagues to support the bill.

I reserve the balance of my time.

Mr. PALLONE. Mr. Speaker, I would also like to include in the RECORD an exchange of letters between Chairman WAXMAN of my committee and Chairman OBERSTAR of the Transportation and Infrastructure Committee that pertains to this legislation.

HOUSE OF REPRESENTATIVES, COMMITTEE ON TRANSPORTATION AND INFRASTRUCTURE
Washington, DC, September 28, 2010.

Hon. HENRY A. WAXMAN,
Chairman, Committee on Energy and Commerce, U.S. House of Representatives, Washington, DC.

DEAR CHAIRMAN WAXMAN: I write to you regarding H.R. 903, the ''Dental Emergency Responder Act of 2009''.

H.R. 903 contains provisions that fall within the jurisdiction of the Committee on Transportation and Infrastructure. I recognize and appreciate your desire to bring this legislation before the House in an expeditious manner and, accordingly, I will not seek a sequential referral of the bill. However, I agree to waive consideration of this bill with the mutual understanding that my decision to forgo a sequential referral of the bill does not waive, reduce, or otherwise affect the jurisdiction of the Committee on Transportation and Infrastructure over H.R. 903.

Further, the Committee on Transportation and Infrastructure reserves the right to seek the appointment of conferees during any House-Senate conference convened on this legislation on provisions of the bill that are within the Committee's jurisdiction. I ask for your commitment to support any request by the Committee on Transportation and Infrastructure for the appointment of conferees on H.R. 903 or similar legislation.

Please place a copy of this letter and your response acknowledging the Committee on Transportation and Infrastructure's jurisdictional interest in the Congressional Record during consideration of the measure in the House.

I look forward to working with you as we prepare to pass this important legislation.

Sincerely,

JAMES L. OBERSTAR,
Chairman.

HOUSE OF REPRESENTATIVES,
COMMITTEE ON ENERGY AND COMMERCE,
Washington, DC, September 28, 2010.

Hon. JAMES L. OBERSTAR,
Chairman, Committee on Transportation and Infrastructure, Washington, DC.

DEAR CHAIRMAN OBERSTAR: Thank you for your letter regarding H.R. 903, the ''Dental Emergency Responder Act.'' The Committee on Energy and Commerce recognizes that the Committee on Transportation and Infrastructure has a jurisdictional interest in H.R. 903, and I appreciate your effort to facilitate consideration of this bill.

I also concur with you that forgoing action on the bill does not in any way prejudice the Committee on Transportation and Infrastructure with respect to its jurisdictional prerogatives on this bill or similar legislation in the future, and I would support your effort to seek appointment of an appropriate number of conferees to any House-Senate conference involving this legislation.

I will include our letters on H.R. 903 in the Congressional Record during floor consideration of the bill. Again, I appreciate your cooperation regarding this legislation and I look forward to working with the Committee on Transportation and Infrastructure as the bill moves through the legislative process.

Sincerely,

HENRY A. WAXMAN,
Chairman.

Mr. Speaker, I urge passage of the bill, and I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from New Jersey (Mr. PALLONE) that the House suspend the rules and pass the bill, H.R. 903, as amended.

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

A motion to reconsider was laid on the table.

□ 2250

SPECIAL ORDERS

The SPEAKER pro tempore. Under the Speaker's announced policy of January 6, 2009, and under a previous order of the House, the following Members will be recognized for 5 minutes each.

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Massachusetts (Mr. MCGOVERN) is recognized for 5 minutes.

(Mr. MCGOVERN 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 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.)

The SPEAKER pro tempore. Under a previous order of the House, the gentlewoman from California (Ms. WOOLSEY) is recognized for 5 minutes.

(Ms. WOOLSEY addressed the House. Her remarks will appear hereafter in the Extensions of Remarks.)

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from North Carolina (Mr. JONES) is recognized for 5 minutes.

(Mr. JONES 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 Oregon (Mr. DEFAZIO) is recognized for 5 minutes.

(Mr. DEFAZIO addressed the House. His remarks will appear hereafter in the Extensions of Remarks.)

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from 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 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 California (Mr. SHERMAN) is recognized for 5 minutes.

(Mr. SHERMAN addressed the House. His remarks will appear hereafter in the Extensions of Remarks.)

POSSIBLE LEGISLATION FOR CONSIDERATION DURING LAME DUCK SESSION OF CONGRESS

The SPEAKER pro tempore. Under the Speaker's announced policy of January 6, 2009, the gentleman from Texas (Mr. GOHMERT) is recognized for 60 minutes as the designee of the minority leader.

Mr. GOHMERT. Mr. Speaker, it is always an honor to be here. We have had quite a day of different suspension bills. It has been an interesting day all the way around. Also I was honored to have a visit from the new president of Baylor University, a man named President Ken Starr. I think he will do a great deal of good for Baylor University. In fact, I am wearing a green and gold tie in his honor and in honor of the school where I got my law degree.

A lot has been going on. We haven't had time to take up the issue of extending the current tax rates for another year so businesses could be sure about what is going to be happening, so they could go ahead and make plans, go ahead and make those additional hires, take those folks off the unemployment rolls because they would finally know what the future holds in the way of taxes. But that was not to be. No, instead we have taken up 85, reduced by one, 84 suspension bills, all done today in a bipartisan manner. And it does bring to the fore the question as to why couldn't we do the same thing in a bipartisan way to help the economy?

We are hearing over and over from business people, there is so much uncertainty. If we are really going to have this massive tax increase come January 1, we have got to hunker down and get ready. We may have to let some more people go so we can pay the additional tax burden that the Federal Government is going to lay on us.

They made clear if we are going to pass what the well-respected on both sides of the aisle former chairman of Energy and Commerce, Mr. DINGELL, called not just a tax, but a great big tax, the crap-and-trade bill, if that is still looming out there, then that is a potential albatross around the neck of employers. They need to move forward. But Mr. DINGELL is exactly right; it is a great big tax. It is still looming out there. It is still a threat to be taken up in a lame duck session.

In fact, the lame duck session, after the election in November, could be devastating to our economy, as if we haven't already done enough. We have got not only the crap-and-trade bill looming and being threatened as a potential lame duck session bill in which Members of Congress would be asked to vote who had already lost their jobs on election day, but we got other bills hanging out there that some have said they would like to see come up during a lame duck session.

One such bill is on the other side of the aisle affectionately known as ''card check,'' which is really intriguing. Card check is quite a misnomer, because it would provide for the elimination of secret ballots in union elections, in deciding whether a group were to go union or not.

I was intrigued. In the last Congress we were voting on card check, and the majority leader of the House of Representatives, the Honorable STENY HOYER, came down this aisle right over here. And I was standing over there, and I said, ''Leader?'' He turned around and said, ''Yes?''

I said, ''The rumor is you are going to vote against your party, and you are going to vote against card check.'' He said, ''Well, the odds of that happening are infinitesimal.'' He has a great sense of humor.

I pointed out, ''Well, it is just that everybody on the floor knows that if it were not for the secret ballot, John Murtha would have been elected majority leader.'' And he just laughs, ''Oh, you are so funny.'' He moved on.

But the truth is, the Speaker of the House, she said she wanted John Murtha to be the majority leader. And we have already seen that this Speaker of the House is amazing at the wielding of power. She has been far more effective at the wielding of power, both with carrots and sticks, to get things done than our Speaker was my first 2 years here, in 2005–2006. She knows how to wield power.

She said she wanted John Murtha to be majority leader, and yet STENY HOYER of Maryland won the election. Why? Because there was a secret ballot, and the will of the Democratic Party here in the House was that STENY HOYER be the majority leader. So because of the secret ballot, because there had been no card check bill that had been rammed through to change the rules in the House of Representatives, here in the House of Representatives there was still a secret ballot.

Now, when I was growing up in Mount Pleasant, Texas, I went through public schools, and I am pretty sure most of my teachers I had voted in the Democratic primary, voted for Democratic candidates. And I had some wonderful teachers. They inspired me. They instilled in me that the secret ballot is such a foundational block of any society that wants to have free elections that to withdraw that would bring the whole political building down, would subject you to a tyranny.

So it is absolutely staggering that people who would come in here and be protected with secret ballots in their own party elections would not grant that same right. Actually, they don't have the power to grant the rights; those are given by God. But they have the power to prevent people from enjoying the rights that were bestowed on us through our Constitution and with the grace of almighty God.

We are endowed by our Creator with certain inalienable rights. Apparently the President left out the Creator. It is understandable. When you rely heavily on teleprompters, as our President does, it is understandable that sometimes you just read past things, and certainly the person who fills in his teleprompter with the information would not have left that important part of the Declaration of Independence out.

□ 2300

We are endowed by our Creator, because if it were otherwise, if we were endowed by the government with inalienable rights, then the government could certainly take them away anytime they wished.

Yet, we go back to the founding of this country, to the time when those people gathered together and gave us the foundation of what we have grown from and grown into as this fantastic Republic, the greatest country in the history of the world. As Tony Blair recently said and as another member of Parliament said this week: this is an extraordinary country like no other in history, and we have so much to be proud of.

I know there are those who have only recently been proud of America, but when you study its accurate and true history so thoroughly, there is so much to be proud of, and the Founders could see that. They had the vision. Proverbs tells us: Where there is no vision, the people perish. Yet those Founders had vision for the future. They stood firmly on eternal truths.

One example is Peter Muhlenberg. Now, since the 1950s, Lyndon Johnson had gotten a tag into the Internal Revenue Code, which for the first time since our country's inception said, If you're a terrible institution as designated by the Internal Revenue Code, you cannot get involved in politics.

That was new and different because, for over 170 years, it was the churches that were behind the most important movements, one of which was the Declaration of Independence. Before that, you had the Virginian Commonwealth laws that were put together. You later had the Northeast Ordinances. There was so much that the churches pushed forward.

Peter Muhlenberg was a minister, a Christian minister, and he had already talked to Washington. Washington had made him a colonel, unbeknownst to Muhlenberg's congregation there in Pennsylvania. He was preaching that Sunday, in his black ministerial robe, and he was preaching from Ecclesiastes 3: ''There is a time to every purpose under Heaven.'' When he got down to verse 8, he recited the words in the last half of Ecclesiastes 3:8: ''There is a time for war and a time for peace.''

That is when Muhlenberg took off his black ministerial robe, as he is depicted doing in the statue here in the Capitol. Underneath, he had on a Revolutionary officer's uniform, including the saber. He had been carrying that saber around, wearing that and the uniform underneath his robe. Then he said, in essence: ''Ladies and gentlemen, now is the time for war,'' because they believed they were endowed by their Creator with certain inalienable rights, and those were things worth fighting for.

When you read those Founders' letters and their diaries and journals, when you read their speeches and their writings, you find out they knew they were on to something that would be something new, a new order of things, a new order of the ages. That's why the great seal has ''Novus Ordo Seclorum'' at the bottom, underneath the one side. In fact, it's on the back of everyone's dollar bills. This was a new order of the ages, a new order of things—not a new world order. This was a new order of the ages, a new order of things where people would get to govern themselves. For so long, this country has borne out the old adage that democracy ensures people are governed no better than they deserve.

That was one of the hardest things for me to come to grips with in the 1990s. As a Nation, like it or not, we had what we deserved as a Nation. In fact, in every election, from the beginning of this country, whether we have liked it or not, regardless of which party has been in power, we have gotten what we deserved.

I do not seek to ever use my position to force my religious beliefs on others; but when I was a judge, I was required to discern whether or not the people who claimed disqualifications had legitimate disqualifications from jury duty. I was struck over and over because I had Christians who would come up and say, I cannot sit on jury duty. I'm disqualified because I'm a Christian.

I would explain to them, I'm not seeking to change your religious beliefs, but I need to find out exactly whether or not you're disqualified for religious reasons or whether this is just a personal preference. So I would have to inquire, Does this mean you believe what is in the Old and New Testaments?

Well, Of course, I would be told.

Well, does that mean you believe it to be true when Jesus said, in Matthew, if you say ''rock eye'' to your brother, you'll answer to the courts?

Now, the verse was mainly about answering to the Father in Heaven for what's in your heart, but Jesus knew that, in an orderly society, there would have to be some form of government which would hold people accountable.

They would say, generally, Yes, I believe that.

You know, over in Romans 13, it makes it clear that, if you believe the Romans is supposed to be part of the New Testament and if you said you're a Christian, do you believe that Romans is and that Romans 13 is valid as part of your belief system?

They would normally say, Well, yes, of course.

Well, then, you have to believe that in Romans 13 God has basically ordained any government for good or bad and that in Romans 13:4 it points out: ''If you do evil, be afraid,'' because God does not give the sword to the government in vain.

The government is God's minister to avenge evil, to reward good deeds, and of course, in our Constitution, it is to provide for the common defense. But I would ask the people who would come forward as Christians if those were their beliefs, if they believed those things in Romans, so I could try to make the judgment as to whether or not they were disqualified as jurors.

The response was normally, Of course.

I was in a position to point out, Then if you understand our history, you believe, then you understand, as a called juror, you've been given the sword. If you believe Romans 13, then when you're called for jury duty, that sword has been placed in your hand, and you're expected to come forth and administer and to make sure that people who have not done evil don't get punished and to make sure that those who have done evil are to be afraid, because they will be punished as they, as the jurors called forward, are the government.

In fact, the Founders believed that the people would be the government and that every so often there would be a day in which the people, as the government, would come forward. They would say, We are going to hire new folks to carry out our will. We the people, as the government, will hire people

to do what we tell them for the next 1, 2, 4, 6 years. Over the years, we've been told even still that the most widespread religion in America which people in polling data indicate is Christianity.

□ 2310

If they believe the Founders and they truly believe the Old and New Testament, they have to understand they're the government. They have been given—in fact, we all as American citizens have been given—the source.

Now, all of those in this body are hired public servants. We get hired every other year. The government, we the people, the government have the right to fire us every other year. And as the government, if you truly believe the responsibility is to carry out your duties as the government in the most effective and efficient manner possible, well, that would require coming out on hiring and firing day to see that the best people got elected, because when people stay home, they get what they deserve on hiring day. When people come out and vote, they get what they deserve on hiring and firing day. And when people don't bother to educate themselves on who all has applied to be the public servant to get hired on hiring day, then they're not carrying out their duties as a proper government.

When people know that they would be a better candidate and be a better public servant, then it's their obligation under our founding documents, under the concepts on which this Nation was based, to step forward and run for office or to help others as they run for office, if they know they would be the best person to fill the job of public servant. But we have forgotten what role who plays. The people are the government. We're the public servants. And all too often that gets forgotten.

Of course, Peter Muhlenberg, Peter Muhlenberg's brother Frederick, there are stories that he was not very pleased that his brother Peter had recruited from his church, because he recruited from the church. He got people there in his congregation to join the Army with him and recruited from the town, and they all came to the Army together. And there were stories Frederick wasn't that pleased with what Peter did from the pulpit.

There were other stories that when Frederick's church was burned down, that he did likewise. He recruited. He joined the revolutionary forces and helped defeat the British, and, in fact, the Christian minister named Frederick Muhlenberg was the first Speaker of the House of Representatives.

We also know that behind the abolitionist movement was the churches. There were many right-thinking people, but the primary groups were the churches; because when they really studied New Testament principle, they worried and feared that how could God continue to bless America when we're putting our brothers and sisters in chains and bondage, and they fought it. And Abraham Lincoln, so troubled by that battle, and, in fact, after he was defeated for a second term in the House of Representatives in 1848, new person took office early 1849, stories were that he did not plan to ever run again.

But stories that John Quincy Adams had told and sermons basically that John Quincy Adams preached just down the hall on the evils of slavery and pleading with his colleagues to end the blight against America called slavery, those fell not on deaf ears but on a young freshman's ears, Abraham Lincoln, between the time he was sworn in in early 1847 to the time his successor was sworn in in early 1849.

1850 brought about the compromise of 1850. Other States were going to be coming in. They were going to be allowed to have slavery. This ate away at Lincoln because he knew, and those sermons John Quincy Adams preached on the floor of the House just ate away at him. We could not continue to go forward without stopping this terrible sin called slavery in America. He knew that was no way to treat brothers and sisters.

And eventually he got back into politics, ran again as we know. Of course, got defeated by Stephen Douglas for the Senate but later elected in 1860 to be President. There's some historians who say that when Lincoln's son died, he believed it was God blaming him; because he knew when he got elected President that was ordained by God so that he could bring an end to slavery, and he waited too long to do that. There's always different versions of different historians, but that is one version of history, that Lincoln blamed himself when his son died, that he should have immediately sought to end slavery. But as the States started seceding from the Union, he felt, Okay, I will hold the Union together, and then I will end slavery.

But he carried a heavy heart as President of the United States, as a Christian, and his second inaugural address that's inscribed on the north inside wall of the Lincoln Memorial is so profound, and it is an intellectual giant dealing with theology and this issue of how could a just God allow so much injustice and so much hate and war. And he goes through, deals with the issue, and ultimately says we have to proclaim God is righteous all together.

We have an extraordinary history. Who was it that inspired Dr. Martin Luther King, Junior, to push for civil rights for everyone? Some people think, well, all he did was make sure that African Americans were treated like others, like everybody else, that he fought for minorities. But the truth is his theology as a Christian minister was so deep, he understood that in bringing about a society where people were judged by the content of their character, rather than the color of their skin, that he was also freeing Anglos who were Christians, many for the first time, to treat people the way a Christian brother and sister is supposed to treat another Christian brother and sister.

But that was in the 1960s, and the change of the law in the 1950s for the first time in our history saying churches could not be involved in politics had a profound effect. And then in the early 1960s, 1963, we have the Supreme Court say, you know, we're not real sure. We don't think that you should be having prayers in public schools.

And yet, it was Ben Franklin that broke the logjam after 5 weeks in the Constitutional Convention of 1787 by being recognized. He was 80 at the time. He was 2 or 3 years away from meeting his Maker. He was suffering apparently from gout, had to have help getting in and out of Independence Hall for the Constitutional Convention, but he got recognized. And he pointed out they'd been meeting for nearly 5 weeks and had accomplished basically nothing.

How does it happen, sir, he said, that we have not once thought of applying to the Father of lights to illuminate our understanding? In the beginning contest with Great Britain, when we were sensible of danger, we had daily prayer in this room. Our prayers, sir, were heard and they were graciously answered.

Franklin went on, and then he came to the point, we're told, that a sparrow cannot fall to the ground without His notice. Is it possible an empire could rise without His aid?

□ 2320

We've been assured in the sacred writing that unless the Lord build the house, they labor in vain that build it. ''Firmly believe this,'' Franklin said. Then he said, ''I also firmly believe that without his concurring aid, we shall succeed in our political building no better than the builders of Babel.'' And he knew. This 80-year-old man in pain and suffering had a mind and wit as sharp as ever, though his body was deteriorating.

He ultimately moved that we would begin each day with prayer, led by a local minister. And from then until now, today when we start, we have a minister start with prayer. So it was staggering, in the 1960s, that the Supreme Court, as they continue to do, say, Yeah, we don't think prayer is appropriate. Well, thank goodness I had a great legal education at Baylor University, and we learned about the Constitution. We learned about the Constitution's history, and it doesn't take much digging to find exactly where it came from.

One of the things that the Founders pointed out was that ''we don't trust government.'' The people, as the government, in this new creation, this Republic, ''if we can keep it,'' as Franklin said, was going to rely on people being diligent and coming to the polls on election day, on hiring day, and making sure they hired good people to carry out the will of the government, the people. And over the years, we've lost that.

Of course they wanted, not just one legislative body, a huge House of Representatives, big for that time. And then also, that was not enough, not some just elite or social elite in another body like, a House of Lords. They wanted a group they would call the Senate, and they would have the power to nix anything that the guys in the House of Representatives did. That's what the Founders thought: We want to make it as hard as we possibly can to pass laws because when it's too easy, then you have tyranny. And that's what we've seen a great deal of lately.

We saw with the automobile bailout an auto task force. We had all these czars. We have an auto task force, unelected, unaccountable—certainly to Congress. They wouldn't tell us what went on. They wouldn't give anybody any information about the conversations that took place, who said what. And yet they come out with a bankruptcy plan that turned the bankruptcy laws upside down.

I mean, the law is supposed to mean something. There are businesses and individuals that have had to file bankruptcy, and they were forced to always play by the rules. And yet here were these automakers who got to just thumb their noses at the law. Why? Because the safeguards that were put in place by the Founders were just ignored. Well, there were checks and balances. You can't just have a czar or some task force that's unaccountable, just ignore laws and come forth with a bankruptcy plan that doesn't allow for any motions. It doesn't allow for any other alternative plans, does not allow the secured creditors to be treated as secured creditors but instead, flips them upside down so the secured creditors are treated as unsecured and the unsecured union is treated as secured.

Nobody could get away with turning the law upside down like that. We have too many other checks and balances, we thought. But not here in Washington now, we don't. And that's why this body and the Senate allowed a terribly illegal bankruptcy plan to go forward. It wasn't hard apparently to find a bankruptcy judge that would welcome the chance to avoid ever having to have months and months or years of hearings. He would just simply sign off on that because, as we know, bankruptcy judges are subject to reappointment on a regular basis. And we also know many bankruptcy judges want to be district judges and other things. So it apparently wasn't too hard to find a bankruptcy judge to sign that order, giving it color of law. This body should have struck it down. We had the power. We turned our heads. There was one hope left. That was the Supreme Court, another wonderful check and balance put in place by the Founders. Ruth Bader Ginsburg, to her credit, put a 24-hour hold on the deal that was born out of these private, secret meetings unaccountable, unelected people were having when they turned the law and the Constitution upside down.

There were takings of dealerships born out of these private, secret seedy discussions. They took property rights away from these people. Some of them still owe money at the bank today, yet their dealerships were taken away. Their security was taken away. The banks that had loaned money to buy dealerships were harmed when the dealer's dealership was taken away by this anarchy group.

But the Supreme Court let the 24 hours go, and an illegal, unconstitutional bankruptcy plan went through unimpeded. And lots of people suffered. I understand their claims, the claims being made currently, it sounds like, to me, legitimately by dealers who had a Federal taking without due process and without remuneration. It sounds like they're doing the right thing. And yet we've heard from people on the other side about how terrible the economy was that the Democrats inherited from President Bush.

When if you go back to January 3, 2007, that was the day that the Democratic majority took over the Senate and the Congress. We can just visit that day. January 3, 2007, the Dow Jones closed at 12,474.52. The GDP for the fourth quarter of 2006, we found out after election day, had grown 3 percent higher than in the third quarter. The unemployment rate was 4.5 percent. Bush's economic policies had led to 40 straight months of job creation, more jobs than were being lost. January 3, 2007, was also the day that BARNEY FRANK took over as chairman of the House Financial Services Committee and CHRIS DODD, as Senator, took over the Senate Banking Committee as chairman.

Over and over, the Bush administration had asked Congress to stop Fannie Mae and Freddie Mac, to rein it in, and to Republicans' dismay and dishonor, it was not done. It should have been. And certainly the Democratic friends across the aisle were objecting. The man who became chairman, BARNEY FRANK, was objecting. Of course we've seen the speech where he said, No, they were fine, in essence. They were fine. They were not fine. They were in big trouble, and nothing was done. It should have been.

If we look back, we will find that Fannie Mae and Freddie Mac, they weren't sitting dormantly on the side. Oh, no. They were actively involved in politics. And if you look at the period, as Open Secrets did, from 1989 to 2008 to find out who gained the most in political contributions during that period from Fannie Mae and Freddie Mac as they sought to try to entrench their futures, well the second-highest amount of contributions from Fannie Mae and Freddie Mac went to a Senator named Barack Obama.

□ 2330

Things changed, didn't they? And now we have the book come out from Mr. Woodward. Who is to know exactly what is absolute truth and what is affected by unartful memory?

As a judge, we would hear well-meaning witnesses all try to give their version of what they saw with their own eyes, and it was amazing. Eyewitnesses so often varied on details that occurred.

But Mr. Woodward has a book out. I was deeply saddened to see what he had said about President Obama's discussion with Secretary Gates, that he could either endorse the President's idea of 25 percent fewer new troops going to Afghanistan, 25 percent fewer than the military had asked for in McChrystal's report, or the President could go with what he described to Gates as a ''hope for the best'' plan of 10,000 trainers, under which Afghanistan would almost certainly be lost to the Taliban.

Woodward quotes President Obama as saying, Can you support this? And then he is quoted as saying, Because if the answer is no, I understand it, and I will be happy it just authorize another 10,000 troops and we can continue to go as we are and train the Afghan national force and just hope for the best.

Woodward's comment was ''hope for the best.'' The condescending words hung in the air. Well, there were accounts, reports that supposedly, possibly, that McChrystal had originally orally said, We probably need 80,000 troops in Afghanistan to have as much effect as the surge in Iraq had had and to get things under control.

I am not sure if those were true, but one account was that the President, or the White House, had asked, Let's cut that down from 80 to 40 because that's more reasonable, something more doable.

But nonetheless, the request was in writing for 40,000. And the report made very clear that time was of the essence. And if we delay doing this, the whole outcome of Afghanistan could hinge within the next 12 months. And it was shocking to wait for 90 days. Thirty days, nothing happened. The President said he had been busy, been running around congratulating people all over the country. Kind of like in here. We don't have time to help the economy by assuring people and businesses we will keep the same tax rate for at least the next year or so. Oh, no. We had to do 84 suspension bills on various things today. No time to help the economy, though, by assuring businesses and people their taxes will not have the biggest increase in American history, which looms as of January 1.

But anyway, 30,000 troops were authorized. And it's a shame if that ends up being true, that President Obama told Gates, either go along with the 30,000, 25 percent less than McChrystal said were absolutely essential to having a chance, the best chance to defeat the Taliban, and to win in Afghanistan.

But the trouble is, my friend, DANA ROHRABACHER, had let me know this past summer that there were some members of the northern alliance that we called upon, some call them warlords, tribal groups, who we had allied

ourselves with when we first went into Afghanistan. We let them do most of the fighting, and they were able to defeat the Taliban. We provided weaponry and consultants, trainers, and they were able to defeat the Taliban.

But then, as Afghanistan languished, the Taliban has made a resurgence. And there were stories that these people with the northern alliance, these leaders had heard that the United States was indirectly negotiating with Pakistan and with Karzai, as the leader of Afghanistan, and indirectly with the Taliban, basically, if you'll just let us out next summer and not make a fuss, you can have the country. You guys can work it out. That was what the northern alliance people were hearing.

And what I didn't know until we met with a number of those leaders, these are brave warriors. These are brave fighters. But they were concerned for themselves and more so for their families and for those who looked to them for leadership, because what I didn't know was that after they had defeated the Taliban to help us, we demanded that they disarm and basically said, you know, you can count on us. You know, the Taliban's been defeated. You can disarm now. That's the only way to peace. And don't worry, we are around to make sure that the Taliban won't be back. They won't be bothering you. You defeated them. We are here. We will see that nothing bad happens.

So they disarmed. And they said they really did. They trusted the United States, their ally.

And now, the Taliban making this resurgence, because McChrystal didn't get the soldiers he asked for, and although the President said that is the war, that's where Bush is messing up, he didn't make that the central war. This President has not done any better and, instead, has announced to our enemies, not in so many words, but it's something any enemy would get. When you say we're going to pull out next summer, it tells the enemy, if you can just hang on until next year, then you win.

And lest we forget, the Taliban was behind the training and the planning of 9/11 and the killing of 3,000 Americans. How quickly we have forgotten. Have you forgotten? Have we forgotten?

They killed 3,000 people, and now we are going to let them—we are going to walk away from Afghanistan and let them have a stronghold there. And the northern alliance knows what that means. It means that they and their families are dead. Our allies will be dead.

It isn't hard to figure out, if you're out there in the world, and United States representatives say, you can trust us, be our ally, you'd want to say, well, no, no thank you very much. I have seen what you have done to your allies. I have seen what your best friend, Israel, has had happen to them and the pressure you have put on them not to defend themselves, to give away part of their country; to keep giving away unilaterally, when there is nothing being brought to the bargaining table by the other side. Yeah, we have seen what you have done to your allies.

We saw how you voted to demand Israel show off their weaponry, just like Hezekiah did as king of Israel when he showed the weaponry to Babylonian leaders. And for that, Isaiah said, in essence, you fool. Because you have done this you will lose it all.

You don't show your enemies all of your defenses. You don't do that. And you don't make your friends do that either. You don't make your friends give away their ability to conventionally defend themselves like we have been putting pressure on Israel to do.

And now, with Afghanistan. I don't know what the answers are. But I would have hoped that from Vietnam we learned, not that we couldn't win, because we find out from the true history, Vietnam was winnable, but we didn't have the will. Washington could have decided to win the Vietnam war whenever it got ready, but, instead, we kept sending people over there piecemeal to die.

The message ought to be clear. If you are going to send American men and women into harm's way, you send with them everything they need to win, and you don't tie their hands behind them. You let them fight.

And the rules of engagement in Afghanistan are causing losses of life because we are so tying our own hands that it puts our people at risk.

□ 2340

Is there any wonder people are hesitant to be our allies? The Northern Alliance could tell them, watch out. I hope and pray that the Northern Alliance leaders were wrong, that our administration here is not indirectly sending messages to the Taliban: If you just hang in there, you guys can divide things up. Because it does mean our allies in Afghanistan will be dead.

It is rather hard to hear people in this administration say that the Republican Party has no leaders when they took one of my ideas. And I did tell them, I don't care who gets the credit. But that was back in January of 2009—actually, November of 2008, when I pushed forward the tax holiday idea. It is a great idea. People would leave the money in their own checks.

I emailed the idea to Newt Gingrich. He fired back: This is brilliant. I will push it.

I don't get a lot of emails saying something I proposed is brilliant. Art Laffer had said more recently that would have been the best thing to do, a tax holiday.

The trouble is the majority right now believes that the money being earned by people doesn't belong to them, it belongs to us, and we will decide what of this government's money they get to keep. That is not way it is supposed to work.

And we have been told we are supposed to be for something. We have got all kinds of fantastic plans, but the majority has a choke hold on CBO so that they will come forward; if the President needs a CBO score to be under $900 billion, they get it under there and then conveniently find out later on that they missed it by a quarter of a trillion dollars. If the administration needs a scoring to be done in the time that the rest of us are told by CBO they can't score something in that amount of time or with what little is given, if this administration or this majority wants it, they get it done. I don't see how that is bipartisan.

When you look at over 700 bills that they have scored and you find just barely over 100 Republican bills, including what Newt Gingrich had told me: You have got to get your health care bill scored. It could change the debate. It ought to have a good score. Well, CBO has shut out that possibility, as if they were the most partisan of all partisans, because they know by preventing alternative bills from getting scored, then they prevent a viable alternative from being debated here on the floor. Shame on CBO.

There have been some great ideas, and they are so basic. Do you want to get the economy going? Let people keep their own money. You wouldn't have needed an automobile bailout if you had let people keep their own money for 2 or 3 months.

People say: You guys on this side of the aisle are only out to help the rich. I am not. We are not. But what we want to do is focus tax relief only to the limited people who are paying the taxes, and we have the unmitigated gall to think that we should not engage in class warfare. That is divisive. Or maybe I should say divisive, derisive, dismissive. Tax relief should go to those who are paying taxes, pure and simple. And it is not a tax rebate if people didn't put any ''bait'' in in the first place.

Art Laffer also says, as an economist that helped Reagan get the cart out of the ditch for this country: Quit buying all this stuff. Start selling off things. Yet every month that goes by, this government buys more and more lands, which takes the land off of the tax rolls for the local government and the schools. We do so much damage taking away tax dollars from schools, and we take away areas where we have got natural resources that could be mined or produced.

I want alternative energy sources, and it would be easy. Instead of having the crap-and-trade bill that does so much more damage to the economy, heck, just start drilling what we have, making sure it is done safely. And that does not mean as it was being done when Deepwater Horizon blew up, where the part of MMS that was allowed to unionize was the offshore inspectors.

And when I asked the question, ''What kinds of checks and balances do you have to make sure those offshore inspectors who are unionized and had a

union contract to limit what they could be required to do, what kind of checks and balances do you have to make sure that they do the right thing?'' they said, ''Oh, the checks and balances? That is that we send them out in pairs so they are watching each other, and they will report each other if they don't do exactly what they are supposed to.''

Yet the last two people who were sent as offshore inspectors, unionized, to inspect the Deepwater Horizon were a father-and-son team. That is this administration and the union's idea of a good check and balance.

We have apparently hundreds of billions, and now it is estimated even over $1 trillion, of Americans' money in foreign banks that was earned overseas, and it has been left there, and this government will never have a chance to tax that at all. So here we are in economic crisis.

This was proposed in September of 2008 by some leading economists here: Instead of a TARP giveaway slush fund, don't get the government involved in the socialist action of buying into business, buying into Wall Street, engorging Goldman Sachs and AIG. Let them go through reorganization like everybody else does.

But what you could do is say, okay, for you American people, companies that have money in foreign banks that has never come into American banks, here is the deal. You come in and purchase things that will get the economy going.

And we could direct that. There will be no tax consequences, no penalties. So you, with private money, can get things going. And then, of course, once that money is here, it does get the economy going; and, once it is in this country, then it is taxable for the future. Or we could start selling off some of the land. You know, we have got to start thinking outside the box.

One of the great things that happened under Abraham Lincoln was the Morrill Act. The Morrill Act allowed universities to be started with land grants. We have people on welfare. And I know there are some that just don't want to work, but there are some that do. How about if, instead of the welfare, we give them an alternative: We will give you so many acres that can provide land where you can live off of it and make a living. And we will give you seed money to start, but you have to sign an agreement you will never accept welfare again. How about that? We have got plenty of land.

How about using the energy sources we have and taking 25 or even 50 percent of the royalty and designating that to go for research for alternative energy sources, so that it happens without the government taxing and destroying the American economy?

And, how about dropping the corporate tax down to 15 percent, 2 percentage points below China? I am told by CEOs that have moved manufacturing industries to China that if we lowered our corporate tax rate to 17, 15, 12 percent, they would be building new plants back in the United States. Those jobs would return. We need to do that.

□ 2350

We need to do that.

We need a zero baseline budget, no automatic increases. I have that bill. I filed it each of the three times that I have been here, each of the three terms.

I have got a U.N. voting accountability bill that simply says any nation, since they are sovereign they can do what they want to in the U.N., how they vote. They can applaud Ahmadinejad's crazy speeches, but for any country that votes against our position in the U.N. more than half the time, they get no financial assistance from the United States of any kind in the subsequent year. It is their choice. I said it before: you don't have to pay people to hate you. They will do it for free.

There are so many things we could do to get out of the economic malaise we are in. We need a balanced budget amendment. That would help.

I honestly believe we have got to pass a bill on Social Security that would shore it up. And, no, we didn't do it my first 2 years.

I proposed it to some of our leaders back then, our leading thinkers. They said it was a bad idea, but I still say it is a good idea, and that is for the first time since the inception of Social Security, you require Social Security tax money to go into the Social Security trust fund, real money in there to draw real interest. We could create instruments that would not create risk, that would allow us to draw interest without affecting the bond markets. There are so many things we can do.

We have been blessed so richly. I have said this before, but, Mr. Speaker, I want to conclude with it tonight, because people have been frustrated, I have been frustrated.

But the message is clear. John Adams wrote to Abigail after the signing of the Declaration of Independence. He was so excited, and he talked about the celebrations, and he finished his letter with this:

You will think me transported with enthusiasm, but I am not. I am well aware of the toil and blood and treasure it will cost us to maintain this Declaration and to support and defend these States. Yet through all the gloom I can see the rays of ravishing light and glory. I can see that the end is more than worth all the means, and that posterity will triumph in that day's transaction, even though we should rue it, which I trust in God we shall not.

With that, Mr. Speaker, I yield back.

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

Mr. MCGOVERN, for 5 minutes, today.

Ms. WOOLSEY, for 5 minutes, today.

Mr. DEFAZIO, for 5 minutes, today.

Ms. KAPTUR, for 5 minutes, today.

Mr. SHERMAN, for 5 minutes, today.

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

Mr. BURTON of Indiana, for 5 minutes, today, September 29 and 30.

Mr. FRANKS of Arizona, for 5 minutes, September 29.

Mr. FORBES, for 5 minutes, September 29.

Mr. BROUN of Georgia, for 5 minutes, September 29.

SENATE BILLS REFERRED

Bills of the Senate of the following titles were taken from the Speaker's table and, under the rule, referred as follows:

S. 1338. An act to require the accreditation of English language training programs, and for other purposes; to the Committee on the Judiciary.

S. 3243. An act 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 initiate all periodic background reinvestigations of certain law enforcement personnel, and for other purposes, to the Committee on Homeland Security.

S. 3802. An act to designate a mountain and icefield in the State of Alaska as the ''Mount Stevens'' and ''Ted Stevens Icefield'', respectively, to the Committee on Natural Resources.

S. 3839. An act 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.

ENROLLED BILLS SIGNED

Lorraine C. Miller, Clerk of the House, reported and found truly enrolled bills of the House of the following titles, which were thereupon signed by the Speaker:

H.R. 714. An act to authorize the Secretary of the Interior to lease certain lands in Virgin Islands National Park, and for other purposes.

H.R. 1517. An act 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.

H.R. 2923. An act to enhance the ability to combat methamphetamine.

H.R. 3553. An act to exclude from consideration as income under the Native American Housing Assistance and Self-Determination Act of 1996 amounts received by a family from the Department of Veterans Affairs for service-related disabilities of a member of the family.

H.R. 3808. An act to require any Federal or State court to recognize any notarization made by a notary public licensed by a State other than the State where the court is located when such notarization occurs in or affects interstate commerce.

H.R. 6190. An act to amend the Internal Revenue Code of 1986 to extend the funding and expenditure authority of the Airport and Airway Trust Fund, to amend title 49, United States Code, to extend the airport improvement program, and for other purposes.

SENATE ENROLLED BILLS SIGNED

The Speaker announced her signature to enrolled bills of the Senate of the following titles:

S. 846. An act to award a congressional gold medal to Dr. Muhammad Yunus, in recognition of his contributions to the fight against global poverty.

S. 1055. An act to grant the congressional gold medal, collectively, to the 100th Infantry Battalion and the 442nd Regimental Combat Team, United States Army, in recognition of their dedicated service during World War II.

S. 1674. An act to provide for an exclusion under the Supplemental Security Income program and the Medicaid program for compensation provided to individuals who participate in clinical trials for rare diseases or conditions.

S. 2868. An act to provide increased access to the Federal supply schedules of the General Services Administration to the American Red Cross, other qualified organizations, and State and local governments.

S. 3717. An act to amend the Securities Exchange Act of 1934, the Investment Company Act of 1940, and the Investment Advisers Act of 1940 to provide for certain disclosures under section 552 of title 5, United States Code, (commonly referred to as the Freedom of Information Act), and for other purposes.

S. 3814. An act to extend the National Flood Insurance Program until September 30, 2011.

BILLS PRESENTED TO THE PRESIDENT

Lorraine C. Miller, Clerk of the House reports that on September 23, 2010 she presented to the President of the United States, for his approval, the following bills.

H.R. 5682. to improve the operation of certain facilities and programs of the House of Representatives, and for other purposes.

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.

H.R. 4667. To increase, effective as of December 1, 2010, the rates of compensation for veterans with service-connected disabilities and the rates of dependency and indemnity compensation for the survivors of certain disable veterans, and for other purposes.

H.R. 1454. Multinational Species Conservation Funds Semipostal Stamp Act of 2010

H.R. 4505. To enable State homes to furnish nursing home care to parents any of whose children died while serving in the Armed Forces.

H.R. 6102. To amend the National Defense Authorization Act for Fiscal Year 2010 to extend the authority of the Secretary of the Navy to enter into multiyear contracts for F/A–18E, F/A–18F, and EA–18G aircraft.

H.R. 3562. To designate the federally occupied building located at 1220 Echelon Parkway in Jackson, Mississippi, as the ''James Chaney, Andrew Goodman, Michael Schwerner, and Roy K. Moore Federal Building''.

ADJOURNMENT

Mr. GOHMERT. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 11 o'clock and 52 minutes p.m.), the House adjourned until tomorrow, Wednesday, September 29, 2010, at 10 a.m.

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. 512, the Federal Election Integrity Act, as amended, for printing in the CONGRESSIONAL RECORD.

CBO ESTIMATE OF PAY-AS-YOU GO EFFECTS FOR H.R. 512, THE FEDERAL ELECTION INTEGRITY ACT OF 2010, AS PROVIDED TO CBO BY THE HOUSE COMMITTEE ON THE BUDGET ON SEPTEMBER 27, 2010

	By fiscal year, in millions of dollars—												
	2010	2011	2012	2013	2014	2015	2016	2017	2018	2019	2020	2010–2015	2010–2020
NET INCREASE OR DECREASE (−) IN THE DEFICIT													
Statutory Pay-As-You-Go Impact[a]	0	0	0	0	0	0	0	0	0	0	0	0	0

[a] H.R. 512 would amend the Federal Election Campaign Act of 1971 to prohibit any chief state election administration official from taking part in the political management or campaign for any federal office, except under specified circumstances. Enacting the legislation could affect federal revenues by increasing the collections of fines for violations of the law. Such collections are recorded in the budget as revenues and in certain cases, may be spent without further appropriation. CBO estimates that any additional revenues and direct spending would be insignificant because of the small number of anticipated violations.

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. 3421, the Medical Debt Relief Act, as amended, for printing in the CONGRESSIONAL RECORD.

CBO ESTIMATE OF THE STATUTORY PAY-AS-YOU GO EFFECTS FOR H.R. 3421, THE MEDICAL DEBT RELIEF ACT OF 2010, AS TRANSMITTED TO CBO ON SEPTEMBER 27, 2010

	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. 3421 would prohibit credit reporting agencies from listing certain medical debts in consumer credit reports. Enacting the bill could increase the collection of civil penalties and this could affect federal revenues; CBO estimates that those amounts would not be significant.

Pursuant to Public Law 111–139, after consultation with the Chairman of the Senate Budget Committee, and on behalf of both of us, Mr. SPRATT hereby submits, prior to the vote on passage, the attached estimate of the costs of the House amendment to the Senate amendment to the bill H.R. 3619, the Coast Guard Authorization Act, for printing in the CONGRESSIONAL RECORD.

CBO ESTIMATE OF THE STATUTORY PAY-AS-YOU-GO EFFECTS FOR A DRAFT RESOLUTION PROVIDING FOR THE CONCURRENCE BY THE HOUSE IN THE SENATE AMENDMENT TO H.R. 3619, THE COAST GUARD AUTHORIZATION ACT OF 2010, WITH AMENDMENTS, AS PROVIDED TO CBO BY THE HOUSE COMMITTEE ON TRANSPORTATION AND INFRASTRUCTURE ON SEPTEMBER 28, 2010

	By fiscal year, in millions of dollars—												
	2010	2011	2012	2013	2014	2015	2016	2017	2018	2019	2020	2010–2015	2010–2020
NET INCREASE OR DECREASE (−) IN THE DEFICIT													
Statutory Pay-As-You-Go Impact[a]	0	0	0	0	0	0	0	0	0	0	0	0	0

[a] Title VI of H.R. 3619 would authorize the U.S. Coast Guard (USCG) to extend certain expiring marine licenses, certificates of registry, and merchant mariners' documents. Because the extension could delay the collection of fees charged for renewal of such documents, enacting this provision could reduce offsetting receipts over the next year or two. Some of those receipts may be spent without further appropriation, however, to cover collection costs. CBO estimates that the net effect on direct spending from enacting this provision would be insignificant.

Title X of the legislation would establish new criminal and civil penalties. CBO estimates that any new revenues resulting from those penalties or related direct spending (of criminal penalties from the Crime Victims Fund) would be less than $500,00 a year.

Other provisions of H.R. 3619 would direct the USCG to donate certain real and personal property to local governments or other nonfederal entities. CBO expects that, under current law, nearly all of that property would either be retained by the USCG or eventually given to other federal or nonfederal entities; therefore, donating those assets under the legislation would result in no significant loss of offsetting receipts.

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. 4168, the Algae-based Renewable Fuel Promotion Act, as amended, for printing in the CONGRESSIONAL RECORD.

CBO ESTIMATE OF THE STATUTORY PAY-AS-YOU-GO EFFECTS FOR H.R. 4168, THE ALGAE-BASED RENEWABLE FUEL PROMOTION ACT OF 2010, AS TRANSMITTED TO CBO ON SEPTEMBER 28, 2010

	By fiscal year, in millions of dollars—												
	2010	2011	2012	2013	2014	2015	2016	2017	2018	2019	2020	2010–2015	2010–2020
NET INCREASE OR DECREASE (−) IN THE DEFICIT													
Statutory Pay-As-You-Go Impact[a]	0	0	0	0	0	0	0	0	0	0	0	0	0

[a] H.R. 4168 would allow certain algae-based renewable fuels to qualify for the cellulosic biofuel tax credit, and would make the production facilities of those fuels eligible for the bonus depreciation allowed to cellulosic fuel facilities. The staff of the Joint Committee on Taxation estimates that the effect of these changes on federal revenues would be insignificant in any year and over the 2010–2020 period.

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. 4337, the Regulated Investment Company Modernization Act, as amended, for printing in the CONGRESSIONAL RECORD.

CBO ESTIMATE OF THE STATUTORY PAY-AS-YOU-GO EFFECTS FOR H.R. 4337, THE REGULATED INVESTMENT COMPANY MODERNIZATION ACT OF 2010, AS TRANSMITTED TO CBO ON SEPTEMBER 28, 2010

	By fiscal year, in millions of dollars—												
	2010	2011	2012	2013	2014	2015	2016	2017	2018	2019	2020	2010–2015	2010–2020
NET INCREASE OR DECREASE (−) IN THE DEFICIT													
Statutory Pay-As-You-Go Impact[a]	0	−19	−24	−26	−27	−32	−37	−41	−46	−51	275	−131	−30

[a] H.R. 4337 would make a number of changes to the tax treatment of income from certain regulated investment companies. On net, the staff of the Joint Committee on Taxation estimates that these changes will increase federal revenues over the 2010–2020 period.

Note: Components may not sum to totals because of rounding.

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. 5360, the Blinded Veterans Adaptive Housing Improvement Act of 2010, as amended, for printing in the CONGRESSIONAL RECORD.

CBO ESTIMATE OF THE STATUTORY PAY-AS-YOU-GO EFFECTS FOR H.R. 5360, THE HOUSING, EMPLOYMENT, AND LIVING PROGRAMS FOR VETERANS ACT OF 2010, AS PROVIDED TO CBO ON SEPTEMBER 27, 2010

	By fiscal year, in millions of dollars—												
	2010	2011	2012	2013	2014	2015	2016	2017	2018	2019	2020	2010–2015	2010–2020
NET INCREASE OR DECREASE (−) IN THE DEFICIT													
Statutory Pay-As-You-Go Impact	0	54	−25	−36	−48	−58	−67	57	38	40	41	−113	−4

Note: H.R. 5360 contains several provisions that would both increase and decrease the costs of certain veterans' programs, including veterans' housing assistance, veterans's readjustment benefits, and employment.

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. 6026, the Access to Congressionally Mandated Reports Act, as amended, for printing in the CONGRESSIONAL RECORD.

CBO ESTIMATE OF PAY-AS-YOU-GO EFFECTS FOR H.R. 6026, THE ACCESS TO CONGRESSIONALLY MANDATED REPORTS ACT, AS PROVIDED TO CBO BY THE HOUSE COMMITTEE ON THE BUDGET ON SEPTEMBER 28, 2010

	By fiscal year, in millions of dollars—												
	2010	2011	2012	2013	2014	2015	2016	2017	2018	2019	2020	2010-2015	2010-2020
NET INCREASE OR DECREASE (−) IN THE DEFICIT													
Statutory Pay-As-You-Go Impact[a]	0	0	0	0	0	0	0	0	0	0	0	0	0

[a] H.R. 6026 would require that all congressionally mandated reports be made available to the public on a website operated by the Office of Management and Budget. Enacting the legislation could affect direct spending by agencies not funded through annual appropriations, such as the Tennessee Valley Authority and the Bonneville Power Administration. CBO estimates, however, that any net increase in spending by those agencies would not be significant. Enacting H.R. 6026 would not affect revenues.

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. 6132, the Veterans Benefits and Economic Welfare Improvement Act of 2010, as amended, for printing in the CONGRESSIONAL RECORD.

CBO ESTIMATE OF THE STATUTORY PAY-AS-YOU-GO EFFECTS FOR H.R. 6132, THE VETERANS BENEFITS AND ECONOMIC WELFARE ACT OF 2010, PROVIDED BY THE HOUSE COMMITTEE ON THE BUDGET ON SEPTEMBER 27, 2010

	By fiscal year, in millions of dollars—												
	2010	2011	2012	2013	2014	2015	2016	2017	2018	2019	2020	2010-2015	2010-2020
NET INCREASE OR DECREASE (−) IN THE DEFICIT													
Statutory Pay-As-You-Go Impact[a]	0	0	0	−4	−8	−11	4	4	4	4	4	−23	−3

[a] H.R. 6132 would exclude certain payments from the annual income determination for veterans pension purposes, extend the authority for the Department of Veterans Affairs to complete an income verification match with the Internal Revenue Service, and increase the amount of monthly pension payable to Medal of Honor recipients.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XIV, executive communications were taken from the Speaker's table and referred as follows:

9664. A letter from the Administrator, Department of Agriculture, transmitting the Department's final rule — Apricots Grown in Designated Counties in Washington; Increased Assessment Rate [Doc. No.: AMS-FV-10-0050; FV10-922-1 FR] received September 1, 2010, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

9665. A letter from the Administrator, Department of Agriculture, transmitting the Department's final rule — Perishable Agricultural Commodities Act: Increase in License Fees [Document No.: AMS-FV-08-0098] (RIN: 0581-AC92) received September 1, 2010, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

9666. A letter from the Administrator, Department of Agriculture, transmitting the Department's final rule — Walnuts Grown in California; Changes to the Quality Regulations for Shelled Walnuts [Doc. No.: AMS-FV-09-0036; FV09-984-4 FR] received September 1, 2010, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

9667. A letter from the Administrator, Department of Agriculture, transmitting the Department's final rule — National Organic Program; Amendment to the National List of Allowed and Prohibited Substances (Livestock) [Document Number: AMS-NOP-10-0051; NOP-10-041R] (RIN: 0581-AD04) received September 1, 2010, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

9668. A letter from the Congressional Review Coordinator, Department of Agriculture, transmitting the Department's final rule — Cold Treatment Regulations [Docket No.: APHIS-2006-0050] received September 1, 2010, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

9669. A letter from the Budget Coordinator, Research, Education & Economics, Department of Agriculture, transmitting the Department's final rule — United States Department of Agriculture Research Misconduct Regulations for Extramural Research (RIN:0524-AA34) received September 1, 2010, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

9670. A letter from the Administrator, Department of Agriculture, transmitting the Department's final rule — Milk in the Northeast and Other Marketing Areas; Order Amending the Orders [Doc. No.: AMS-DA-09-0062; AO-14-A73, et al,; DA-03-10] received September 1, 2010, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

9671. A letter from the Deputy Secretary, Department of Defense, transmitting the Department's annual Developing Countries Combined Exercise Program report of expenditures for Fiscal Year 2009, pursuant to 10 U.S.C. 2010; to the Committee on Armed Services.

9672. A letter from the Secretary, Department of the Army, transmitting determination that the Excalibur program has exceeded the program acquisition unit cost baseline, pursuant to 10 U.S.C. 2433(e)(1); to the Committee on Armed Services.

9673. A letter from the Director, Defense Procurement and Acquisition Policy, Department of Defense, transmitting the Department's final rule — Defense Federal Acquisition Regulation Supplement; Acquisition Strategies to Ensure Competition throughout the Life Cycle of Major Defense Acquisition Programs (DFARS Case 2009-D014) received September 1, 2010, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Armed Services.

9674. A letter from the Director, Defense Procurement and Acquisition Policy, Department of Defense, transmitting the Department's final rule — Defense Federal Acquisition Regulation Supplement; Transportation (DFARS Case 2003-D028) received September 1, 2010, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Armed Services.

9675. A letter from the Under Secretary, Department of Defense, transmitting a letter on the approved retirement Lieutenant General Keith W. Dayton, United States Army, and his advancement to the grade of lieutenant general on the retired list; to the Committee on Armed Services.

9676. A letter from the Under Secretary, Departmetnt of Defense, transmitting interim report on the submission of a plan for actions to eliminate the need for members of the Armed Forces and their dependants to rely on the supplemental nutrition assistance program; to the Committee on Armed Services.

9677. A letter from the Chair, Congressional Oversight Panel, transmitting the Panel's monthly report pursuant to Section 125(b)(1) of the Emergency Economic Stabilization Act of 2008, Pub. L. 110-343; to the Committee on Financial Services.

9678. A letter from the Acting Director, Single Family Housing Guaranteed Loan Division, Department of Agriculture, transmitting the Department's final rule — Guaranteed Single Family Housing Loans (RIN: 0575-AC85) received August 25, 2010, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Financial Services.

9679. A letter from the Chairman and President, Export-Import Bank, transmitting a report on transactions involving U.S. exports to Brazil pursuant to Section 2(b)(3) of the Export-Import Bank Act of 1945, as amended; to the Committee on Financial Services.

9680. A letter from the Chairman and President, Export-Import Bank, transmitting a report on transactions involving U.S. exports to New Zealand pursuant to Section 2(b)(3) of the Export-Import Bank Act of 1945, as amended; to the Committee on Financial Services.

9681. A letter from the Chairman and President, Export-Import Bank, transmitting a report on transactions involving U.S. exports to Turkey pursuant to Section 2(b)(3) of the Export-Import Bank Act of 1945, as amended; to the Committee on Financial Services.

9682. A letter from the Chairman and President, Export-Import Bank, transmitting a report on transactions involving U.S. exports to Ireland pursuant to Section 2(b)(3) of the Export-Import Bank Act of 1945, as amended; to the Committee on Financial Services.

9683. A letter from the Chairman and President, Export-Import Bank, transmitting a report on transactions involving U.S. exports to India pursuant to Section 2(b)(3) of the Export-Import Bank Act of 1945, as amended; to the Committee on Financial Services.

9684. A letter from the Chairman and President, Export-Import Bank, transmitting a report on transactions involving U.S. exports to Mexico pursuant to Section 2(b)(3) of the Export-Import Bank Act of 1945, as amended; to the Committee on Financial Services.

9685. A letter from the Chairman and President, Export-Import Bank, transmitting a report on transactions involving U.S. exports to Mexico pursuant to Section 2(b)(3) of the Export-Import Bank Act of 1945, as amended; to the Committee on Financial Services.

9686. A letter from the Chairman and President, Export-Import Bank, transmitting a report on transactions involving U.S. exports to Mexico pursuant to Section 2(b)(3) of the Export-Import Bank Act of 1945, as amended; to the Committee on Financial Services.

9687. A letter from the Chairman and President, Export-Import Bank, transmitting a report on transactions involving U.S. exports to Mexico pursuant to Section 2(b)(3) of the Export-Import Bank Act of 1945, as amended; to the Committee on Financial Services.

9688. A letter from the Chairman and President, Export-Import Bank, transmitting the transaction involving U.S. exports to the Republic of Panama; to the Committee on Financial Services.

9689. A letter from the Chairman and President, Export-Import Bank, transmitting a report involving U.S. exports to Kuwait; to the Committee on Financial Services.

9690. A letter from the Secretary, Department of Health and Human Services, transmitting first annual financial reoprt as required by the Animal Generic Drug User Fee Act of 2009; to the Committee on Energy and Commerce.

9691. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Federal Motor Vehicle Theft Prevention Standard; Final Listing of 2011 Light Duty Truck Lines Subject to the Requirements of This Standard and Exempted Vehicle Lines for Model Year 2011 [Docket No.: NHTSA-2010-0070] (RIN: 2127-AK68) received September 1, 2010, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

9692. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Federal Motor Vehicle Safety Standards; Electric-Powered Vehicles; Electrolyte Spillage and Electrical Shock Protection [Docket No.: NHTSA-2010-0021] (RIN: 2127-AK05) received September 1, 2010, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

9693. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Schedule of Fees Authorized by 49 U.S.C. 30141 [Docket No.: NHTSA 2010-0035; Notice 2] (RIN: 2127-AK70) received September 1, 2010, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

9694. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Federal Motor Vehicle Safety Standards; Theft Protection and Rollaway Prevention [Docket No.: NHTSA 2010-0043] (RIN: 2127-AK38) received September 1, 2010, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

9695. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Federal Motor Vehicle Safety Standards; Side Impact Protection; Fuel System Integrity; Electric-Powered Vehicles: Electrolyte Spillage and Electrical Shock Protection [Docket No.: NHTSA-2010-0032] (RIN: 2127-AK48) received September 1, 2010, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

9696. A letter from the Senior Regulation Analyst, Department of Transportation, transmitting the Department's final rule — List of Nonconforming Vehicles Decided To Be Eligible for Importation [Docket No.: NHTSA-2006-0134] received August 24, 2010, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

9697. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Department's final rule — Approval and Promulgation of Air Quality Implementation Plans; Louisiana; Baton Rouge 8-Hour Ozone Nonattainment Area; Determination of Attainment of the 8-Hour Ozone Standard [EPA-

R06-OAR-2010-0113; FRL-9197-8] received September 2, 2010, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

9698. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Department's final rule — Change of Address for Region 5 State and Local Agencies; Technical Correction [FRL-9198-2] received September 2, 2010, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

9699. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Department's final rule -Approval and Promulgation of Air Quality Implementation Plans; Minnesota; Carbon Monoxide (CO) Limited Maintenance Plan for the Twin Cities Area [EPA-R05-OAR-2010-0556; FRL-9197-9] received September 2, 2010, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

9700. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Department's final rule — Approval and Promulgation of Air Quality Implementation Plans; Maryland; Withdrawal of Direct Final Rule [EPA-R03-OAR-2010-0431; FRL-9197-5] received September 2, 2010, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

9701. A letter from the Secretary, Department of the Treasury, transmitting a six-month periodic report on the National Emergency with respect to persons who commit, threaten to commit, or support terrorism that was declared in Executive Order 13224 of September 23, 2001, pursuant to 50 U.S.C. 1641(c); to the Committee on Foreign Affairs.

9702. A letter from the Assistant Secretary, Legislative Affairs, Department of State, transmitting notification that effective August 1, 2010, the danger pay allowance for the Cote D'Ivoire has been eliminated, pursuant to 5 U.S.C. 5928; to the Committee on Foreign Affairs.

9703. A letter from the Acting Deputy Director, Defense Security Cooperation Agency, transmitting Transmittal No. 10-28, pursuant to the reporting requirements of Section 36(b)(1) of the Arms Export Control Act, as amended; to the Committee on Foreign Affairs.

9704. A letter from the Director, International Cooperation, Department of Defense, transmitting Pursuant to Section 27(f) of the Arms Export Control Act and Section 1(f) of Executive Order 11958, Transmittal No. 10-12 informing of an intent to sign a Memorandum of Understanding with Canada; to the Committee on Foreign Affairs.

9705. A letter from the Assistant Legal Advisor for Treaty Affairs, Department of State, transmitting report prepared by the Department of State concerning international agreements other than treaties entered into by the United States to be transmitted to the Congress within the sixty-day period specified in the Case-Zablocki Act; to the Committee on Foreign Affairs.

9706. A letter from the Assistant Secretary, Legislative Affairs, Department of State, transmitting a copy of the intention to obligate Fiscal Year 2010 Economic Support Funds (ESF) on behalf of the Bureau of East Asian and Pacific Affairs; to the Committee on Foreign Affairs.

9707. A letter from the Assistant Secretary, Legislative Affairs, Department of State, transmitting the Department's annual report on the extent and disposition of United States contributions to international organizations for fiscal year 2009, pursuant to 22 U.S.C. 287b(b); to the Committee on Foreign Affairs.

9708. A letter from the Acting Executive Secretary, Agency for International Development, transmitting a report pursuant to the Federal Vacancies Reform Act of 1998; to the Committee on Oversight and Government Reform.

9709. A letter from the Acting Exectutive Secretary, Agency for International Development, transmitting a report pursuant to the Federal Vacancies Reform Act of 1998; to the Committee on Oversight and Government Reform.

9710. A letter from the Chairman, National Transportation Safety Board, transmitting in accordance with Pub. L. 105-270, the Federal Activities Inventory Reform Act of 1998 (FAIR Act), the Board's inventory of commerical activities for 2009; to the Committee on Oversight and Government Reform.

9711. A letter from the Program Analyst, Department of Homeland Security, transmitting the Department's final rule — Airworthiness Directives; Agusta S.p.A. Model A119 and AW119 MKII Helicopters [Docket No.: FAA-2010-0806; Directorate Identifier 2010-SW-071-AD; Amendment 39-16397; AD 2010-15-51] (RIN: 2120-AA64) received August 24, 2010, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

9712. A letter from the Program Analyst, Department of Homeland Security, transmitting the Department's final rule — Airworthiness Directives; PILATUS AIRCRAFT LTD. Model PC-12/47E Airplanes [Docket No.: FAA-2010-0583; Directorate Identifier 2010-CE-028-AD; Amendment 39-16401; AD 2010-17-09] (RIN: 2120-AA64) received August 24, 2010, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

9713. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; McDonnell Douglas Corporation Model MD-90-30 Airplanes [Docket No.: FAA-2010-0433; Directorate Identifier 2009-NM-117-AD; Amendment 39-16388; AD 2010-16-11] (RIN: 2120-AA64) received August 24, 2010, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

9714. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Pratt & Whitney Canada Corp. PW617F-E Turbofan Engines [Docket No.: FAA-2010-0246; Directorate Identifier 2010-NE-16-AD; Amendment 39-16391; AD 2010-17-01] (RIN: 2120-AA64) received September 1, 2010, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

9715. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Pratt & Whitney Canada Corp. (P&WC) PW615F-A Turbofan Engines [Docket No.: FAA-2010-0245; Directorate Identifier 2010-NE-15-AD; Amendment 39-16398; AD 2010-17-06] (RIN: 2120-AA64) received September 1, 2010, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

9716. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Rolls-Royce Deutschland Ltd. & Co. KG. (RRD) Models Tay 650-15 and Tay 651-54 Turbofan Engines [Docket No.: FAA-2007-0037; Directorate Identifier 2007-NE-41-AD; Amendment 39-16404; AD 2010-17-12] (RIN: 2120-AA64) received September 1, 2010, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

9717. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Dowty Propellers R408/6-123F/17 Model Propellers [Docket No.: FAA-2009-0776; Directorate Identifier 2009-NE-32-AD; Amendment 39-16403; AD 2010-17-11] (RIN: 2120-AA64) received September 1, 2010, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

9718. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Rolls-Royce plc (RR) RB211-22B and RB211-524 Series Turbofan Engines [Docket No.: FAA-2009-1157; Directorate Identifier 2009-NE-26-AD; Amendment 39-16402; AD 2010-17-10] (RIN: 2120-AA64) received September 1, 2010, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

9719. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Dassault-Aviation Model FALCON 7X Airplanes [Docket No.: FAA-2010-0800; Directorate Identifier 2010-NM-162-AD; Amendment 39-16416; AD 2010-18-03] (RIN: 2120-AA64) received September 1, 2010, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

9720. A letter from the Senior Program Analyst, Department of Transportation, transmitting the Department's final rule — Establishment of Restricted Area R-3405; Sullivan, IN [Docket No.: FAA-2007-28633; Airspace Docket No. 07-ASW-7] received August 24, 2010, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

9721. 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.: 30738; Amdt. No. 3386] received September 1, 2010, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

9722. 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.: 30739; Amdt. No. 3387] received September 1, 2010, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

9723. A letter from the Senior Program Analyst, Department of Transportation, transmitting the Department's final rule — Amendment of Colored Federal Airway B-38; Alaska [Docket No.: FAA-2010-0365; Airspace Docket No. 10-AAL-12] (RIN: 2120-AA66) received September 1, 2010, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

9724. A letter from the senior Program Analyst, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Aircraft Industries a.s. (Type Certificate G24EU Previously Held by LETECKE ZAVODY a.s. and LET Aeronautical Works) Model L-13 Blanik Gliders [Docket No.: FAA-2010-0839; Directorate Identifier 2010-CE-042-AD; Amendment 39-16418; AD 2010-18-05] (RIN: 2120-AA64) received September 1, 2010, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

9725. A letter from the Senior Program Analyst, Department of Transportation, transmitting the Department's final rule — Re-Registration and Renewal of Aircraft Registration; OMB Approval of Information Collection [Docket No.: FAA-2008-0118; Amdt. Nos. 13-34, 47-29, 91-318] (RIN: 2120-AI89) received September 1, 2010, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

9726. A letter from the Senior Program Analyst, Department of Transportation, transmitting the Department's final rule — Amendment of the Pacific High and Low Offshore Airspace Areas; California [Docket No.: FAA-2010-0187; Airspace Docket No. 09-AWP-10] (RIN: 2120-AA66) September 1, 2010, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

9727. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Airbus Model A330-201, -202, -203, -223, -243, -301, -302, -303, -321, -322, -323, -341, -342, and -343 Airplanes, Model A340-211, -212, -213, -311, -312, and -313 Airplanes, and Model A340-541 and -642 Airplanes [Docket No.: FAA-2010-0041; Directorate Identifier 2009-NM-218-AD; Amendment 39-16392; AD 2010-17-02] (RIN: 2120-AA64) received August 24, 2010, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

9728. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; The Boeing Company Model 767-300 Series Airplanes [Docket No.: FAA-2010-0762; Directorate Identifier 2010-NM-011-AD; Amendment 39-16393; AD 2010-17-03] (RIN: 2120-AA64) received August 24, 2010, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

9729. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Rolls-Royce plc RB211-524C2 Series Turbofan Engines [Docket No.: FAA-2010-0521; Directorate Identifier 2009-NE-21-AD; Amendment 39-16405; AD 2010-17-13] (RIN: 2120-AA64) received August 24, 2010, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

9730. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Airbus Model A380-800 Series Airplanes [Docket No.: FAA-2010-0763; Directorate Identifier 2009-NM-253-AD; Amendment 39-16394; AD 2010-17-04] (RIN: 2120-AA64) received August 24, 2010, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

9731. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; The Boeing Company Model 737-600, -700, -700C, -800, and -900 Series Airplanes [Docket No.: FAA-2008-0269; Directorate Identifier 2007-NM-320-AD; Amendment 39-16395; AD 2010-17-05] (RIN: 2120-AA64) received August 24, 2010, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

9732. A letter from the Senior Program Analyst, Department of Transportation, transmitting the Department's final rule — Maneuvering Speed Limitation Statement [Docket No.: FAA-2009-0810; Amendment No. 25-130] (RIN: 2120-AJ21) received August 24, 2010, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

9733. 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-2010-0026] (RIN: 2105-AD95) received August 24, 2010, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

9734. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Airbus Model A330-223, -321, -322, and -323 Airplanes [Docket No.: FAA-2010-0278; Directorate Identifier 2009-NM-255-AD; Amendment 39-16399; AD 2010-17-07] (RIN: 2120-AA64) received August 24, 2010, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

9735. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Various Aircraft Equipped with Rotax Aircraft Engines 912 A Series Engines [Docket No.: FAA-2010-0329; Directorate Identifier 2010-CE-016-AD; Amendment 39-16400; AD 2010-17-08] (RIN: 2120-AA64) received August 24, 2010, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

9736. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Eurocopter France (Eurocopter) Model AS350B, BA, B1, B2, C, D, and D1 Helicopters and Model AS355E, F, F1, F2, and N Helicopters [Docket No.: FAA-2010-0782; Directorate Identifier 2010-SW-053-AD; Amendment 39-16396; AD 2010-11-51] (RIN: 2120-AA64) received August 24, 2010, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

9737. A letter from the Senior Program Analyst, Department of Transportation, transmitting the Department's final rule — Amendment and Establishment of Restricted Areas and Other Special Use Airspace, Avon Park Air Force Range, FL [Docket No.: FAA-2008-1261; Airspace Docket No. 06-ASO-18] received August 24, 2010, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

9738. A letter from the Senior Program Analyst, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Ontic Engineering and Manufacturing, Inc. Propeller Governors, Part Numbers C210776, T210761, D210760, and J21076 [Docket No.: FAA-2010-0102; Directorate Identifier 2010-NE-09-AD; Amendment 39-16341; AD 2010-13-10] (RIN: 2120-AA64) received August 24, 2010, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

9739. A letter from the Senior Program Analyst, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; BAE SYSTEMS (OPERATIONS) LIMITED Model Avro 146-RJ and BAe 146 Airplanes [Docket No.: FAA-2010-0222; Directorate Identifier 2008-NM-012-AD; Amendment 39-16387; AD 2010-16-10] (RIN: 2120-AA64) received August 24, 2010, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

9740. A letter from the Senior Program Analyst, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Rolls-Royce plc (RR) RB211-Trent 900 Series Turbofan Engines [Docket No.: FAA-2010-0748; Directorate Identifier 2010-NE-13-AD; Amendment 39-16384; AD 2010-16-07] (RIN: 2120-AA64) received August 24, 2010, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

9741. A letter from the Senior Program Analyst, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Airbus Model A300 B4-600, B4-600R, and F4-600R Series Airplanes, and Model C4-605R Variant F airplanes (Collectively Called A300-600 series airplanes); and A310 Series Airplanes [Docket No.: FAA-2010-0281; Directorate Identifier 2009-NM-184-AD; Amendment 39-16390; AD 2010-16-13] (RIN: 2120-AA64) received August 24, 2010, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

9742. A letter from the Assistant Chief Counsel for Pipeline Safety, Department of Transportation, transmitting the Department's final rule — Pipeline Safety: Periodic Updates of Regulatory References to Technical Standards and Miscellaneous Edits [Docket No.: PHMSA-2008-0301; Amdt. Nos. 192-114; 193-22; 195-94) (RIN: 2137-AE41) received August 24, 2010, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

9743. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Department's final rule — Ocean Dumping; Guam Ocean Dredged Material Disposal Site Designation [FRL-9197-6] received September 2, 2010, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

9744. A letter from the Administrator, Environmental Protection Agency, transmitting the Agency's report entitled, ''Report to Congress: Study of Discharges Incidental to Normal Operation of Commercial Fishing Vessels and Other Non-Recreational Vessels Less than 79 Feet''; to the Committee on Transportation and Infrastructure.

9745. A letter from the Director, Regulations Policy and Management, Office of the General Counsel, Department of Veterans Affairs, transmitting the Department's final rule — Disenrollment procedures (RIN: 2900-AN76) received September 1, 2010, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Veterans' Affairs.

9746. A letter from the Commissioner, Social Security Administration, transmitting the Administration's Fourteenth 2010 Annual Report of the Supplemental Security Income Program, pursuant to Public Law 104-193, section 231 (110 Stat. 2197); to the Committee on Ways and Means.

9747. A letter from the Chief, Trade and Commercial Regulations Branch, Department of Homeland Security, transmitting the Department's final rule — Customs Broker License Examination Individual Eligibility Requirements [RIN: 1651-AA74) received August 24, 2010, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

9748. A letter from the Chief, Trade and Commercial Regulations Branch, Department of Homeland Security, transmitting the Department's final rule — Technical Corrections To Customs and Border Protection Regulations [CBP Dec. 10-29] received August 24, 2010, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

9749. A letter from the Chief, Trade and Commericial Regulations Branch, Department of Homeland Security, transmitting the Department's final rule — Entry Requirements For Certain Softwood Lumber Products Exported From Any Country Into the United States (RIN: 1505-AB98) received August 24, 2010, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

9750. A letter from the Chief, Publications and Regulations, Internal Revenue Service, transmitting the Service's final rule — Announcement of the Results of 2009-10 Allocation Round of the Qualifying Advanced Coal Project Program and the Qualifying Gasification Project Program [CASE-MIS Number: ANN-132462-10] (Announcement 2010-56) received September 7, 2010, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

9751. A letter from the Chief, Publications and Regulations, Internal Revenue Service, transmitting the Service's final rule — Notice and Request for Comments Regarding Implementation of Information Reporting and Withholding Under Chapter 4 of the Code [Notice 2010-60] received September 2, 2010, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

9752. A letter from the Chairman, Federal Energy Regulatory Commission, transmitting the Commission's tenth report describing the progress made in licensing and constructing the Alaska natural gas pipeline and describing any issue impeding that progress; jointly to the Committees on Energy and Commerce and Transportation and Infrastructure.

9753. A letter from the Program Manager, Department of Health and Human Services, transmitting the Department's final rule — Medicare Program; Establishing Additional Medicare Durable Medical Equipment, Prosthetics, Orthotics, and Supplies (DMEPOS) Supplier Enrollment Safeguards [CMS-6063-F] (RIN: 0938-AO90) received August 30, 2010, pursuant to 5 U.S.C. 801(a)(1)(A); jointly to the Committees on Ways and Means and Energy and Commerce.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. FILNER: Committee on Veterans' Affairs. H.R. 3685. A bill to require the Secretary of Veterans Affairs to include on the main page of the Internet website of the Department of Veterans Affairs a hyperlink to the VetSuccess Internet website and to publicize such Internet website (Rept. 111–624). Referred to the Committee of the Whole House on the State of the Union.

Mr. FILNER: Committee on Veterans' Affairs. H.R. 3787. A bill 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; with an amendment (Rept. 111–625). Referred to the Committee of the Whole House on the State of the Union.

Mr. FILNER: Committee on Veterans' Affairs. H.R. 5360. A bill to amend title 38, United States Code, to modify the standard of visual acuity required for eligibility for specially adapted housing assistance provided by the Secretary of Veterans Affairs; with an amendment (Rept. 111–626). Referred to the Committee of the Whole House on the State of the Union.

Mr. FILNER: Committee on Veterans' Affairs. H.R. 5630. A bill to amend title 38, United States Code, to provide for qualifications for vocational rehabilitation counselors and vocational rehabilitation employment coordinators employed by the Department of Veterans Affairs (Rept. 111–627). Referred to the Committee of the Whole House on the State of the Union.

Mr. FILNER: Committee on Veterans' Affairs. H.R. 5993. A bill to amend title 38, United States Code, to ensure that beneficiaries of Servicemembers' Group Life Insurance receive financial counseling and disclosure information regarding life insurance payment, and for other purposes; with an amendment (Rept. 111–628). Referred to the Committee of the Whole House on the State of the Union.

Mr. FRANK of Massachusetts: Committee on Financial Services. H.R. 3421. A bill to exclude from consumer credit reports medical debt that has been in collection and has been fully paid or settled, and for other purposes; with an amendment (Rept. 111–629). Referred to the Committee of the Whole House on the State of the Union.

Mr. FILNER: Committee on Veterans' affairs. H.R. 6132. A bill to amend title 38, United States Code, to establish a transition program for new veterans, to improve the disability claim system, and for other purposes; with an amendment (Rept. 111–630). Referred to the Committee of the Whole House on the State of the Union.

Mr. WAXMAN: Committee on Energy and Commerce. H.R. 2408. A bill to expand the research and awareness activities of the National Institute of Arthritis and Musculoskeletal and Skin Diseases and the Centers for Disease Control and Prevention with respect to scleroderma, and for other purposes; with an amendment (Rept. 111–631). Referred to the Committee of the Whole House on the State of the Union.

Mr. WAXMAN: Committee of Energy and Commerce. H.R. 1347. A bill to amend title III of the Public Health Service Act to provide for the establishment and implementation of concussion management guidelines with respect to school-aged children, and for other purposes; with amendments (Rept. 111–632). Referred to the Committee of the Whole House on the State of the Union.

Mr. WAXMAN: Committee of Energy and Commerce. H.R. 5354. A bill to establish an Advisory Committee on Gestational Diabetes, to provide grants to better understand and reduce gestational diabetes, and for other purposes; with amendments (Rept. 111–633). Referred to the Committee of the Whole House on the State of the Union.

Mr. WAXMAN: Committee on Energy and Commerce. H.R. 2999. A bill to amend the Public Health Service Act to enhance and increase the number of veterinarians trained in veterinary public health; with an amendment (Rept. 111–634). Referred to the Committee of the Whole House on the State of the Union.

Mr. WAXMAN: Committee on Energy and Commerce. H.R. 2941. A bill to reauthorize and enhance Johanna's Law to increase public awareness and knowledge with respect to gynecologic cancers; with an amendment (Rept. 111–635). Referred to the Committee of the Whole House on the State of the Union.

Mr. WAXMAN: Committee on Energy and Commerce. H.R. 1362. A bill to amend the Public Health Service Act to provide for the establishment of permanent national surveillance systems for multiple schlerosis, Parkinson's disease, and other neurological diseases and disorders; with an amendment (Rept. 111–636). Referred to the Committee of the Whole House on the State of the Union.

Mr. WAXMAN: Committee on Energy and Commerce. H.R. 1230. A bill to amend the Public Health Service Act to provide for the establishment of a National Acquired Bone Marrow Failure Disease Registry, to authorize research on acquired bone marrow failure diseases, and for other purposes; with amendments (Rept. 111–637). Referred to the Committee of the Whole House on the State of the Union.

Mr. WAXMAN: Committee on Energy and Commerce. H.R. 1210. A bill to amend the Public Health Service Act to provide for arthritis research and public health, and for other purposes; with an amendment (Rept. 111–638). Referred to the Committee of the Whole House on the State of the Union.

Mr. WAXMAN: Committee on Energy and Commerce. H.R. 1032. A bill to amend the Federal Food, Drug, and Cosmetic Act and the Public Health Service Act to improve the prevention, diagnosis, and treatment of heart disease, stroke, and other cardiovascular diseases in women; with amendments (Rept. 111–639). Referred to the Committee of the Whole House on the State of the Union.

Mr. WAXMAN: Committee on Energy and Commerce. H.R. 758. A bill to amend title IV of the Public Health Service Act to provide for the establishment of pediatric research consortia; with an amendment (Rept. 111–640). Referred to the Committee of the Whole House on the State of the Union.

Mr. WAXMAN: Committee on Energy and Commerce. H.R. 2818. A bill to amend the Public Health Service Act to provide for the establishment of a drug-free workplace information clearinghouse, to support residential methamphetamine treatment programs for pregnant and parenting women, to improve the prevention and treatment of methamphetamine addiction, and for other purposes; with an amendment (Rept. 111–641). Referred to the Committee of the Whole House on the State of the Union.

Mr. WAXMAN: Committee on Energy and Commerce. H.R. 5462. A bill to authorize the Secretary of Health and Human Services, acting through the Director of the Centers for Disease Control and Prevention, to establish and implement a birth defects prevention, risk reduction, and public awareness program; with amendment (Rept. 111–642). Referred to the Committee of the Whole House on the State of the Union.

Mr. WAXMAN: Committee on Energy and Commerce. H.R. 6081. A bill to amend the Stem Cell Therapeutic and Research Act of 2005; with an amendment (Rept. 111–643). Referred to the Committee of the Whole House on the State of the Union.

Mr. GORDON of Tennessee: Committee on Science and Technology. H.R. 6160. A bill to develop a rare earth materials program, to amend the National Materials and Minerals Policy, Research and Development Act of 1980, and for other purposes; with an amendment (Rept. 111–644). Referred to the Committee of the Whole House on the State of the Union.

Mr. OBERSTAR: Committee on Transportation and Infrastructure. H.R. 305. A bill to amend title 49, United States Code, to prohibit the transportation of horses in interstate transportation in a motor vehicle containing 2 or more levels stacked on top of one another (Rept. 111–645). Referred to the Committee of the Whole House of the State of the Union.

Mr. LEVIN: Committee on Ways and Means. H.R. 2378. A bill to amend title VII of the Tariff Act of 1930 to clarify that fundamental exchange-rate misalignment by any foreign nation is actionable under United States countervailing and antidumping duty laws, and for other purposes; with an amendment (Rept. 111–646). Referred to the Committee of the Whole House on the State of the Union.

Mr. WAXMAN: Committee on Energy and Commerce. H.R. 903. A bill to amend the Public Health Service Act to enhance the roles of dentists and allied dental personnel in the Nation's disaster response framework, and for other purposes; with an amendment (Rept. 111–647). Referred to the Committee of the Whole House on the State of the Union.

PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XII, public bills and resolutions of the following titles were introduced and severally referred, as follows:

By Mr. CARDOZA (for himself, Mr. LARSON of Connecticut, Ms. DELAURO, Mr. GEORGE MILLER of California, Ms. ESHOO, Mr. KAGEN, Mr. GARAMENDI, Mr. WELCH, Ms. CASTOR of Florida, Ms. BERKLEY, Mr. BACA, Mr. HASTINGS of Florida, Mr. COSTA, Ms. WASSERMAN SCHULTZ, Mr. MCNERNEY, Ms. GIFFORDS, and Mr. SIRES):

H.R. 6218. A bill to prevent foreclosure of home mortgages and provide for the affordable refinancing of mortgages held by Fannie Mae and Freddie Mac; to the Committee on Financial Services.

By Mr. FRANK of Massachusetts:

H.R. 6219. A bill to amend the Small Business Jobs Act of 2010 to enhance the provisions of the Small Business Lending Fund Program, to amend the Small Business Investment Act of 1958 to create a Small Business Early-Stage Investment Program, and to create the Small Business Borrower Assistance Program; to the Committee on Financial Services.

By Ms. PINGREE of Maine:

H.R. 6220. A bill to amend title 38, United States Code, to ensure that the Secretary of Veterans Affairs provides veterans with information concerning service-connected disabilities at health care facilities; to the Committee on Veterans' Affairs.

By Mr. YOUNG of Alaska:

H.R. 6221. A bill to authorize the Secretary of the Interior to issue permits for a microhydro project in nonwilderness areas within the boundaries of Denali National Park and Preserve, to acquire land for Denali National Park and Preserve from Doyon Tourism, Inc., and for other purposes; to the Committee on Natural Resources.

By Mr. MCGOVERN:

H.R. 6222. A bill to establish the National Competition for Community Renewal to encourage communities to adopt innovative strategies and design principles to programs related to poverty prevention, recovery and response, and for other purposes; to the Committee on Ways and Means, and in addition to the Committees on Education and Labor, and Energy and Commerce, 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. YOUNG of Alaska:

H.R. 6223. A bill to establish a Congressional Office of Regulatory Analysis, to require the periodic review and automatic termination of Federal regulations, and for other purposes; to the Committee on the Judiciary, and in addition to the Committee on Oversight and Government Reform, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mrs. CAPPS (for herself and Mr. PALLONE):

H.R. 6224. A bill to modernize cancer research, increase access to preventative cancer services, provide cancer treatment and survivorship initiatives, and for other purposes; 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. PAULSEN:

H.R. 6225. A bill to amend the Emergency Economic Stabilization Act of 2008 to terminate authority under the Troubled Asset Relief Program; to the Committee on Financial Services.

By Mr. FOSTER:

H.R. 6226. A bill to amend the Small Business Act to permit agencies to count certain contracts toward contracting goals; to the Committee on Small Business.

By Mr. BILIRAKIS (for himself and Mr. MILLER of Florida):

H.R. 6227. A bill to establish a temporary prohibition on termination of coverage under the TRICARE program for age of dependents under the age of 26 years; to the Committee on Armed Services.

By Mr. BURGESS:

H.R. 6228. A bill to repeal certain amendments to the Clean Air Act relating to the expansion of the renewable fuel program, and for other purposes; to the Committee on Energy and Commerce.

By Ms. CHU (for herself, Mr. LOEBSACK, and Ms. SHEA-PORTER):

H.R. 6229. A bill to strengthen student achievement and graduation rates and prepare young people for college, careers, and citizenship through innovative partnerships that meet the comprehensive needs of children and youth; to the Committee on Education and Labor, and in addition to the Committee on Energy and Commerce, 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. DRIEHAUS:

H.R. 6230. A bill to amend title 37, United States Code, to exclude bonus payments made by a State or political subdivision thereof to a member of the Armed Forces, including a reserve component member, on account of the service of the member in the Armed Forces from consideration in determining the eligibility of the member (or the member's spouse or family) for benefits or assistance, or the amount or extent of benefits or assistance, under any Federal program or under any State or local program financed in whole or in part with Federal funds; to the Committee on Armed Services.

By Ms. GIFFORDS (for herself and Mr. MANZULLO):

H.R. 6231. A bill to amend the Export Enhancement Act of 1988 to further enhance the promotion of exports of United States goods and services, and for other purposes; to the Committee on Foreign Affairs.

By Mr. HASTINGS of Florida (for himself, Mr. RANGEL, Mr. JACKSON of Illinois, Ms. NORTON, Ms. FUDGE, Ms. CORRINE BROWN of Florida, and Ms. CLARKE):

H.R. 6232. A bill to establish a scholarship program in the Department of State for Haitian students whose studies were interrupted as a result of the January 12, 2010, earthquake, and for other purposes; to the Committee on Foreign Affairs.

By Ms. HERSETH SANDLIN (for herself, Mr. KILDEE, Mr. COLE, and Mr. YOUNG of Alaska):

H.R. 6233. A bill to establish a Native American entrepreneurial development program in the Small Business Administration; to the Committee on Small Business.

By Ms. HERSETH SANDLIN (for herself and Mr. HINCHEY):

H.R. 6234. A bill to amend the Internal Revenue Code of 1986 to allow individuals a deduction for qualified long-term care insurance premiums, a credit for individuals who care for those with long-term care needs, and for other purposes; to the Committee on Ways and Means.

By Mr. MCMAHON (for himself, Mr. HOYER, Mr. CUMMINGS, Mr. HALL of New York, Mr. PATRICK J. MURPHY of Pennsylvania, Mrs. MALONEY, Ms. BORDALLO, Mrs. CHRISTENSEN, Mr. FALEOMAVAEGA, and Mr. PIERLUISI):

H.R. 6235. A bill to encourage, enhance, and integrate Blue Alert plans throughout the United States in order to disseminate information when a law enforcement officer is seriously injured or killed in the line of duty; to the Committee on the Judiciary.

By Mr. SCHIFF:

H.R. 6236. A bill to require Federal agencies, and persons engaged in interstate commerce, in possession of data containing sensitive personally identifiable information, to disclose any breach of such information; to the Committee on Energy and Commerce, and in addition to the Committees on Oversight and Government Reform, Financial Services, and the Judiciary, 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. THOMPSON of California (for himself, Mr. BACA, Mr. BECERRA, Mr. BERMAN, Mr. BILBRAY, Mrs. BONO MACK, Mr. CALVERT, Mr. CAMPBELL, Mrs. CAPPS, Mr. CARDOZA, Ms. CHU, Mr. COSTA, Mrs. DAVIS of California, Mr. DREIER, Ms. ESHOO, Mr. FARR, Mr. FILNER, Mr. GALLEGLY, Mr. GARAMENDI, Ms. HARMAN, Mr. HERGER, Mr. HONDA, Mr. HUNTER, Mr. ISSA, Ms. LEE of California, Mr. LEWIS of California, Ms. ZOE LOFGREN of California, Mr. DANIEL E. LUNGREN of California, Mr. MCKEON, Ms. MATSUI, Mr. MCCARTHY of California, Mr. MCCLINTOCK, Mr. MCNERNEY, Mr. GARY G. MILLER of California, Mr. GEORGE MILLER of California, Mrs. NAPOLITANO, Mr. RADANOVICH, Ms. RICHARDSON, Mr. ROHRABACHER, Ms. ROYBAL-ALLARD, Mr. ROYCE, Ms. LINDA T. SÁNCHEZ of California, Ms. LORETTA SANCHEZ of California, Mr. SCHIFF, Mr. SHERMAN, Ms. SPEIER, Mr. STARK, Ms. WATERS, Ms. WATSON, Mr. WAXMAN, Ms. WOOLSEY, Mr. NUNES, and Ms. PELOSI):

H.R. 6237. A bill to designate the facility of the United States Postal Service located at 1351 2nd Street in Napa, California, as the ''Tom Kongsgaard Post Office Building''; to the Committee on Oversight and Government Reform.

By Mr. TONKO:

H.R. 6238. A bill to direct the Secretary of Veterans Affairs to establish a registry of certain veterans who were stationed at Fort McClellan, Alabama, and for other purposes; to the Committee on Veterans' Affairs, and in addition to the Committee on Armed Services, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. BARTON of Texas:

H. Con. Res. 320. Concurrent resolution recognizing the 45th anniversary of the White House Fellows program; to the Committee on Oversight and Government Reform.

By Mr. BILBRAY (for himself, Mr. OLSON, Mrs. MCMORRIS RODGERS, and Mr. BAIRD):

H. Res. 1660. A resolution expressing support for the goals and ideals of the inaugural USA Science & Engineering Festival in Washington, D.C., and for other purposes; to the Committee on Science and Technology. considered and agreed to. considered and agreed to.

By Mr. PITTS (for himself, Mr. SALAZAR, Mr. TONKO, Mr. GOODLATTE, Mr. BOEHNER, Ms. ROS-LEHTINEN, Mr. LARSEN of Washington, Mr. JORDAN of Ohio, Mr. WOLF, Mr. WHITFIELD, Ms. GIFFORDS, Mr. WILSON of South Carolina, Mr. THOMPSON of Pennsylvania, Mr. POSEY, Mr. WALDEN, Mr. LEWIS of California, Mrs. MYRICK, Mr. DUNCAN, Mr. PLATTS, Mr. BILIRAKIS, Mr. LAMBORN, Mr. DICKS, Mr. INGLIS, Mr. SHUSTER, Mr. BARTLETT, Mr. TIM MURPHY of Pennsylvania, Mr. GERLACH, Mr. ROSKAM, Mr. DENT, Mr. GARAMENDI, Mr. MANZULLO, Mr. MCCAUL, Mr. ROYCE, Mr. MACK, Mr. POE of Texas, Mr. BOOZMAN, and Mr. BURTON of Indiana):

H. Res. 1661. A resolution honoring the lives of the brave and selfless humanitarian aid workers, doctors, and nurses who died in the tragic attack of August 5, 2010, in northern Afghanistan; to the Committee on Foreign Affairs. considered and agreed to. considered and agreed to.

By Mr. MACK (for himself, Mr. ENGEL, Mr. BURTON of Indiana, Mr. BILIRAKIS, Mr. PAYNE, Ms. JACKSON LEE

of Texas, Mr. FALEOMAVAEGA, Mr. BERMAN, Ms. ROS-LEHTINEN, and Mr. SMITH of New Jersey):

H. Res. 1662. A resolution expressing support for the 33 trapped Chilean miners following the Copiapo mining disaster and the Government of Chile as it works to rescue the miners and reunite them with their families; to the Committee on Foreign Affairs. considered and agreed to. considered and agreed to.

By Ms. FUDGE (for herself and Mr. DAVIS of Illinois):

H. Res. 1663. A resolution supporting the goals and ideals of Sickle Cell Disease Awareness Month; to the Committee on Education and Labor. considered and agreed to. considered and agreed to.

By Mr. SMITH of New Jersey (for himself, Mr. STUPAK, Mr. BURTON of Indiana, and Mr. GRIJALVA):

H. Res. 1664. A resolution supporting the goals and ideals of Spina Bifida Awareness Month, recognizing the importance of increasing access to health care for individuals with disabilities, including those with Spina Bifida, and raising awareness of the need for health care facilities and examination rooms to be accessible for individuals with disabilities; to the Committee on Energy and Commerce.

By Mr. OBERSTAR:

H. Res. 1665. A resolution providing for the concurrence by the House in the Senate amendment to H.R. 3619, with amendments; considered and agreed to. considered and agreed to.

By Mr. BOSWELL (for himself, Mr. LOEBSACK, Mr. GRAVES of Missouri, and Mr. TERRY):

H. Res. 1666. A resolution expressing support for designation of October 2010 as ''Crime Prevention Month''; to the Committee on the Judiciary.

By Mrs. CAPPS (for herself, Mr. LATOURETTE, and Mr. TOWNS):

H. Res. 1667. A resolution congratulating the National Institute of Nursing Research on the occasion of its 25th anniversary; to the Committee on Energy and Commerce.

By Mr. CARDOZA:

H. Res. 1668. A resolution recognizing the 100th anniversary of the formation of the California Almond Growers Exchange, a cooperative to market almonds produced by members of the cooperative; to the Committee on Agriculture.

By Mr. DUNCAN:

H. Res. 1669. A resolution congratulating the National Air Transportation Association for celebrating its 70th anniversary; to the Committee on Transportation and Infrastructure.

By Ms. GIFFORDS (for herself, Mr. TONKO, Mr. CHILDERS, Mr. DEFAZIO, Ms. RICHARDSON, Ms. WATSON, Mr. CROWLEY, Mr. COURTNEY, Mr. HARE, Ms. SHEA-PORTER, Mr. FILNER, Mr. HINCHEY, Mr. CONYERS, Mr. RAHALL, Ms. FUDGE, Mr. FARR, Mr. RANGEL, Mr. CRITZ, Mr. DEUTCH, Mr. BOREN, Mr. CARSON of Indiana, Mr. KILDEE, Mr. HEINRICH, Mr. MAFFEI, Mrs. HALVORSON, Ms. PINGREE of Maine, Mr. ARCURI, Ms. KILROY, Mr. WILSON of Ohio, Mr. COSTELLO, Mr. KISSELL, Mr. SCHAUER, Ms. DELAURO, Mr. LANGEVIN, Mr. BOUCHER, Mr. NADLER of New York, Mr. PATRICK J. MURPHY of Pennsylvania, Mr. PETERS, Mr. OLVER, Mr. FOSTER, Mr. FRANK of Massachusetts, Mr. LEWIS of Georgia, Mr. OBERSTAR, Mr. WU, Mr. STARK, Ms. KAPTUR, Mr. ROTHMAN of New Jersey, Mr. RYAN of Ohio, Ms. LORETTA SANCHEZ of California, Mr. MITCHELL, Ms. CORRINE BROWN of Florida, Mr. BRADY of Pennsylvania, Mr. HALL of New York, Mr. HODES, Ms. LEE of California, Ms. SUTTON, and Mr. CUMMINGS):

H. Res. 1670. A resolution expressing the sense of the House of Representatives with respect to legislation relating to raising the retirement age under title II of the Social Security Act; to the Committee on Ways and Means.

By Mr. MCDERMOTT (for himself, Mr. DICKS, Mr. INSLEE, Mr. BAIRD, and Mr. LARSEN of Washington):

H. Res. 1671. A resolution congratulating the Seattle Storm for their remarkable season and winning the 2010 Women's National Basketball Association Championship; to the Committee on Oversight and Government Reform.

By Mr. MICHAUD (for himself, Mr. ALEXANDER, Mr. BARTLETT, Mr. BILIRAKIS, Ms. BORDALLO, Mr. CONNOLLY of Virginia, Mr. CRITZ, Mr. DELAHUNT, Mr. FILNER, Ms. GIFFORDS, Mr. GENE GREEN of Texas, Mr. INGLIS, Mr. JOHNSON of Georgia, Mr. KINGSTON, Mr. KISSELL, Mr. KRATOVIL, Mr. LIPINSKI, Mr. MEEKS of New York, Mr. MITCHELL, Mr. MURPHY of New York, Mr. NYE, Ms. PINGREE of Maine, Mr. POE of Texas, Mr. ROGERS of Alabama, Mr. ROSS, Mr. RYAN of Ohio, Mr. SABLAN, Mr. SCOTT of Georgia, Ms. SHEA-PORTER, Mr. SIRES, Mr. SPRATT, Ms. SUTTON, Mr. TANNER, Mr. TAYLOR, Mr. TEAGUE, Mr. THORNBERRY, Mr. WILSON of South Carolina, and Mr. WITTMAN):

H. Res. 1672. A resolution commemorating the Persian Gulf War and reaffirming the commitment of the United States towards Persian Gulf War veterans; to the Committee on Foreign Affairs, and in addition to the Committees on Armed Services, and Veterans' Affairs, 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. PAUL:

H. Res. 1673. A resolution recognizing 75 Texas World War II veterans visiting Washington, D.C., on September 27, 2010, to visit the memorials built in their honor; to the Committee on Veterans' Affairs.

MEMORIALS

Under clause 4 of rule XXII, memorials were presented and referred as follows:

386. The SPEAKER presented a memorial of the General Assembly of the State of New Jersey, relative to Assembly Resolution No. 317 supporting the unification of Northern ireland with the Republic of Ireland; to the Committee on Foreign Affairs.

387. Also, a memorial of the Council of the of District Of Columbia, relative to Resolution 18-541 to declare the sense of the Council that the United States Congress must not adopt legislation restricting the District government's ability to legislate the regulation of firearms; to the Committee on Oversight and Government Reform.

388. Also, a memorial of the Council of the of District Of Columbia, relative to Resolution 18-537 to approve the proposed transfer of jurisdiction over a portion of U.S. Reservation 495 from the National Park Service to the District of Columbia; to the Committee on Natural Resources.

389. Also, a memorial of the Senate of the State of California, relative to Senate Joint Resolution No. 34 urging the Congress to protect and preserve the ability of California wineries, as well as all American wineries, to ship wine directly to consumers without discrimination between in-state and out-of-state wine producers; to the Committee on the Judiciary.

390. Also, a memorial of the General Assembly of the State of New Jersey, relative to Assembly Resolution No. 54 urging the Port Authority of New York and New Jersey to formulate an engineering solution to the impasse at Bayonne Bridge; to the Committee on Transportation and Infrastructure.

391. Also, a memorial of the General Assembly of the State of California, relative to Assembly Joint Resolution No. 12 requesting the Congress and the President of the United States to enact legislation to close corporate federal tax loopholes; to the Committee on Ways and Means.

392. Also, a memorial of the General Assembly of the State of California, relative to Assembly Joint Resolution No. 29 requesting that for tax years beginning before January 1, 2011 that the Revenue Ruling referred to allowing same-sex married couples may, but are not required to, amend their returns to report income in accordance with the Revenue Ruling; to the Committee on Ways and Means.

393. Also, a memorial of the Council of the of District Of Columbia, relative to Resolution 18-538 to approve the transfer of jurisdiction over 2 portions of U.S. Reservations 334 and 334-I from the National Park Service to the District of Columbia; jointly to the Committees on Natural Resources and Oversight and Government Reform.

394. Also, a memorial of the General Assembly of the State of California, relative to Assembly Joint Resolution No. 42 requesting the Congress and the President of the United States enact the federal Medicare Secondary Payer Enhancement Act of 2010; jointly to the Committees on Ways and Means and Energy and Commerce.

ADDITIONAL SPONSORS

Under clause 7 of rule XII, sponsors were added to public bills and resolutions as follows:

H.R. 147: Mr. PASCRELL.
H.R. 197: Mr. DINGELL.
H.R. 305: Mr. PLATTS and Ms. GIFFORDS.
H.R. 333: Mr. ACKERMAN.
H.R. 393: Mr. ROE of Tennessee.
H.R. 503: Mr. FILNER.
H.R. 523: Mr. SMITH of Nebraska.
H.R. 571: Mr. SESTAK.
H.R. 615: Mr. SCHIFF.
H.R. 678: Mr. KING of New York and Mr. MCNERNEY.
H.R. 704: Mr. ISRAEL.
H.R. 707: Mr. CALVERT.
H.R. 758: Mr. REICHERT.
H.R. 868: Ms. BALDWIN and Mr. WU.
H.R. 903: Mr. LEE of New York.
H.R. 932: Mr. PRICE of North Carolina.
H.R. 1024: Mr. MOORE of Kansas.
H.R. 1034: Mr. CARNAHAN.
H.R. 1079: Ms. BALDWIN and Mr. BONNER.
H.R. 1179: Mr. PASCRELL.
H.R. 1339: Mr. MILLER of North Carolina and Ms. MATSUI.
H.R. 1347: Ms. ESHOO and Mr. BACA.
H.R. 1414: Mrs. BACHMANN.
H.R. 1443: Mr. SCHRADER.
H.R. 1551: Mr. MICHAUD.
H.R. 1616: Mr. LÚJAN, Mr. ANDREWS, Mr. DAVIS of Illinois, Mr. GARAMENDI, and Ms. LINDA T. SÁNCHEZ of California.
H.R. 1625: Ms. NORTON, Ms. SUTTON, and Mr. DOYLE.
H.R. 1670: Mrs. LOWEY.
H.R. 1718: Mr. CALVERT.
H.R. 1751: Ms. SPEIER and Mr. PERLMUTTER.

H.R. 1792: Mr. MOORE of Kansas.
H.R. 1806: Ms. FUDGE and Mr. HONDA.
H.R. 1831: Mr. MANZULLO.
H.R. 1927: Mr. GARAMENDI.
H.R. 1966: Mr. BACA.
H.R. 2030: Mr. PETRI and Mr. LIPINSKI.
H.R. 2049: Mr. CRITZ.
H.R. 2104: Mr. HONDA and Mr. GARAMENDI.
H.R. 2159: Mr. DOYLE.
H.R. 2378: Mr. AL GREEN of Texas, Mr. HALL of New York, Mr. CLEAVER, and Ms. MATSUI.
H.R. 2381: Mr. CRITZ and Mr. DEUTCH.
H.R. 2414: Mr. CONYERS.
H.R. 2443: Mr. COSTA.
H.R. 2578: Ms. SUTTON and Ms. WASSERMAN SCHULTZ.
H.R. 2624: Mr. PRICE of North Carolina.
H.R. 2625: Ms. EDWARDS of Maryland, Mr. BERMAN, Mr. PALLONE, Ms. MATSUI, Mr. LÚJAN, Ms. RICHARDSON, Ms. SCHWARTZ, Mr. MARKEY of Massachusetts, Ms. CLARKE, and Mr. CUMMINGS.
H.R. 2672: Mr. JOHNSON of Georgia.
H.R. 2673: Mr. SABLAN.
H.R. 2692: Ms. PINGREE of Maine.
H.R. 2698: Mr. SABLAN and Mr. VISCLOSKY.
H.R. 2699: Mr. SABLAN.
H.R. 2746: Mr. MELANCON.
H.R. 2766: Mr. DELAHUNT and Mr. THOMPSON of California.
H.R. 2906: Ms. SUTTON, Mr. DEUTCH, and Mr. BACA.
H.R. 3012: Mr. MCMAHON.
H.R. 3118: Mr. SHERMAN.
H.R. 3149: Mr. DOYLE.
H.R. 3212: Mr. PRICE of North Carolina.
H.R. 3567: Mr. GARAMENDI, Mr. GRAYSON, Ms. RICHARDSON, and Mr. DAVIS of Illinois.
H.R. 3586: Mr. BOSWELL and Mr. AKIN.
H.R. 3652: Mr. CLAY, Mr. ROSKAM, Mr. RYAN of Wisconsin, and Mr. HARPER.
H.R. 3666: Mr. TONKO, Mr. CARNEY, Mr. TIM MURPHY of Pennsylvania, Ms. DELAURO, Mr. MOORE of Kansas, and Mr. PATRICK J. MURPHY of Pennsylvania.
H.R. 3724: Mr. DJOU and Mr. AKIN.
H.R. 3753: Mr. GUTIERREZ.
H.R. 3781: Mr. LAMBORN.
H.R. 4063: Mr. BUTTERFIELD.
H.R. 4121: Mr. KLINE of Minnesota, Mr. COURTNEY, Mr. EDWARDS of Texas, Mrs. LOWEY, Mr. BRADY of Pennsylvania, Mr. CONYERS, Mr. SCHIFF, Mr. BOCCIERI, Mr. PATRICK J. MURPHY of Pennsylvania, and Mr. WILSON of Ohio.
H.R. 4210: Mr. WELCH.
H.R. 4436: Mr. SHIMKUS, Mr. MCKEON, and Mr. KIRK.
H.R. 4594: Mr. CASTLE, Mr. COURTNEY, Mr. BOSWELL, Mr. CARDOZA, and Mr. ISRAEL.
H.R. 4645: Mr. DAVIS of Illinois, Mr. PAYNE, Mr. MICHAUD, and Mr. CARNAHAN.
H.R. 4676: Mr. TONKO.
H.R. 4677: Ms. NORTON and Mr. JACKSON of Illinois.
H.R. 4690: Mr. PRICE of North Carolina, Mr. MAFFEI, and Ms. SCHAKOWSKY.
H.R. 4787: Mr. TEAGUE and Mr. TURNER.
H.R. 4796: Mr. KIND.
H.R. 4808: Mr. SHERMAN and Mr. CUMMINGS.
H.R. 4830: Ms. SLAUGHTER.
H.R. 4844: Mr. MCNERNEY and Mr. NADLER of New York.
H.R. 4959: Ms. CHU, Mr. CLAY, Mr. VAN HOLLEN, and Mr. FARR.
H.R. 5010: Mr. HOLT.
H.R. 5028: Mr. CLAY and Mr. FILNER.
H.R. 5034: Ms. FALLIN and Mr. SMITH of New Jersey.
H.R. 5081: Mr. ELLISON.
H.R. 5106: Mr. ROSS.
H.R. 5141: Mr. PETERSON.
H.R. 5209: Mrs. CAPPS.
H.R. 5211: Mr. PRICE of North Carolina and Mr. SHERMAN.
H.R. 5321: Mr. MORAN of Virginia.
H.R. 5360: Ms. SLAUGHTER.
H.R. 5400: Mr. EDWARDS of Texas, Mr. CLAY, Mr. SCHIFF, Mr. CONYERS, Mr. BRADY of Pennsylvania, Mr. BOCCIERI, Mr. WILSON of Ohio, Mr. BRALEY of Iowa, Mr. MICHAUD, Mr. PLATTS, Ms. TITUS, and Mr. PASTOR of Arizona.
H.R. 5434: Mr. MAFFEI, Mr. ADERHOLT, Mr. SHERMAN, and Ms. BALDWIN.
H.R. 5441: Ms. MCCOLLUM.
H.R. 5462: Mr. BILBRAY and Mr. LIPINSKI.
H.R. 5475: Mr. FILNER.
H.R. 5504: Mr. INSLEE, Ms. KILPATRICK of Michigan, and Mr. FALEOMAVAEGA.
H.R. 5549: Mr. SERRANO, Mr. HINCHEY, Mr. SMITH of Washington, Mr. COURTNEY, Mr. EDWARDS of Texas, Mrs. LOWEY, Mr. TIM MURPHY of Pennsylvania, Mr. BRADY of Pennsylvania, Mr. CONYERS, Mr. SCHIFF, Mr. BLUMENAUER, Mr. BOCCIERI, Mr. PATRICK J. MURPHY of Pennsylvania, Mr. WILSON of Ohio, Mr. BRALEY of Iowa, Mr. LIPINSKI, Mr. MICHAUD, Mr. HARE, Ms. MATSUI, Mr. JACKSON of Illinois, Mr. PLATTS, Mr. PASTOR of Arizona, Mr. DOYLE, and Mr. MURPHY of New York.
H.R. 5575: Ms. WASSERMAN SCHULTZ.
H.R. 5588: Mrs. NAPOLITANO and Ms. GIFFORDS.
H.R. 5645: Mrs. BONO MACK.
H.R. 5652: Mr. DEFAZIO and Ms. WASSERMAN SCHULTZ.
H.R. 5718: Mr. GUTIERREZ.
H.R. 5723: Mr. SERRANO.
H.R. 5740: Mr. CUMMINGS.
H.R. 5746: Mr. MOORE of Kansas, Mr. POLIS of Colorado, Mr. CARNEY, Mr. HIGGINS, Mr. LANGEVIN, Mrs. DAHLKEMPER, Ms. DEGETTE, Mr. HOLT, Mr. MAFFEI, Mr. TIERNEY, Mr. GARAMENDI, and Mr. FOSTER.
H.R. 5766: Mr. COSTA, Ms. MARKEY of Colorado, Ms. ROS-LEHTINEN, Mr. INSLEE, Mrs. NAPOLITANO, and Mr. BACA.
H.R. 5791: Mr. LANGEVIN.
H.R. 5792: Ms. BALDWIN.
H.R. 5806: Mrs. CAPPS and Mr. CONNOLLY of Virginia.
H.R. 5842: Mr. COBLE.
H.R. 5843: Mrs. KIRKPATRICK of Arizona and Mr. COSTELLO.
H.R. 5853: Mr. SHADEGG, Mr. MARCHANT, Mr. BONNER, Mr. OLSON, and Mr. CONAWAY.
H.R. 5894: Mr. TOWNS.
H.R. 5907: Mr. STARK.
H.R. 5928: Mr. COURTNEY, Mr. EDWARDS of Texas, Mr. SCHIFF, Mr. CONYERS, Mr. BRADY of Pennsylvania, Mr. BLUMENAUER, Mr. BOCCIERI, Mr. WILSON of Ohio, Mr. BRALEY of Iowa, Mr. MICHAUD, Mr. HARE, Ms. MATSUI, Mr. PLATTS, Mr. PASTOR of Arizona, and Mr. DOYLE.
H.R. 5931: Mr. HONDA.
H.R. 5939: Mr. PETRI, Mr. DRIEHAUS, Mr. WALDEN, Mr. ROONEY, Mr. ROYCE, and Mr. BILBRAY.
H.R. 5957: Mr. COBLE.
H.R. 5967: Ms. SLAUGHTER, Mr. DOGGETT, Ms. RICHARDSON, and Mr. WU.
H.R. 5976: Mr. MCDERMOTT and Mr. ELLISON.
H.R. 5983: Ms. RICHARDSON, Mr. LYNCH, Mr. HINCHEY, Mrs. MALONEY, Mr. YOUNG of Alaska, Mr. LARSEN of Washington, Mr. CASTLE, Mrs. MCMORRIS RODGERS, Mr. FRANK of Massachusetts, Mr. PETERSON, Mr. BISHOP of Georgia, Mr. MCGOVERN, Mr. DELAHUNT, Mr. JOHNSON of Georgia, Mr. TIERNEY, Ms. NORTON, Mr. CLAY, Mr. CLEAVER, and Mr. LINDER.
H.R. 5987: Mr. BOUCHER, Mr. EDWARDS of Texas, Mr. CONYERS, Mr. HEINRICH, Ms. SLAUGHTER, Mr. BACA, Mr. SPACE, Ms. HERSETH SANDLIN, and Mr. CLEAVER.
H.R. 5993: Ms. SLAUGHTER, Mr. MICHAUD, and Mr. CUMMINGS.
H.R. 6003: Mr. VAN HOLLEN.
H.R. 6057: Mr. MURPHY of New York and Mr. TONKO.
H.R. 6067: Mr. HONDA.
H.R. 6072: Mr. MCGOVERN, Ms. TITUS, and Mr. HINCHEY.
H.R. 6081: Mr. ELLISON.
H.R. 6095: Mr. CONYERS.
H.R. 6099: Mr. HONDA.
H.R. 6117: Mr. STARK.
H.R. 6118: Mr. CONNOLLY of Virginia.
H.R. 6123: Mr. TEAGUE.
H.R. 6128: Ms. CHU, Mr. HILL, Mr. SIRES, Ms. PINGREE of Maine, Mr. WALZ, Mr. FARR, Mr. DOGGETT, Mr. DAVIS of Illinois, Ms. NORTON, Mr. VISCLOSKY, Mr. WELCH, Ms. JACKSON LEE of Texas, Mr. BOSWELL, Mr. HIGGINS, Ms. LINDA T. SÁNCHEZ of California, Mr. OBERSTAR, Ms. EDDIE BERNICE JOHNSON of Texas, Mr. CUMMINGS, Mr. BRALEY of Iowa, and Mr. PALLONE.
H.R. 6132: Mr. HASTINGS of Florida, Mr. WELCH, and Mr. VISCLOSKY.
H.R. 6133: Mr. KLEIN of Florida.
H.R. 6134: Mr. SHADEGG.
H.R. 6139: Ms. SLAUGHTER.
H.R. 6143: Mr. GRIJALVA and Mrs. NAPOLITANO.
H.R. 6150: Ms. ZOE LOFGREN of California and Mr. RADANOVICH.
H.R. 6160: Mr. MCMAHON and Mr. LIPINSKI.
H.R. 6174: Mr. MEEKS of New York.
H.R. 6184: Mr. INSLEE, Mr. BLUMENAUER, Mr. SIMPSON, Mr. WU, Mrs. MCMORRIS RODGERS, and Mr. MCDERMOTT.
H.R. 6192: Ms. DELAURO, Mr. CONYERS, and Mr. CARDOZA.
H.R. 6198: Mr. SMITH of Texas and Mr. COHEN.
H.R. 6211: Mr. NYE.
H. Con. Res. 224: Mr. LAMBORN.
H. Con. Res. 259: Mr. LATOURETTE, Mr. MAFFEI, and Mr. DOYLE.
H. Con. Res. 267: Mr. QUIGLEY Mrs. BACHMANN, Mr. ROHRABACHER, and Mr. FALEOMAVAEGA.
H. Con. Res. 303: Mr. CAMPBELL.
H. Con. Res. 312: Mr. AKIN, Mr. LINDER, Mr. DUNCAN, Mr. BILBRAY, Mr. NEUGEBAUER, Mr. FORTENBERRY, Mrs. LUMMIS, Mr. THOMPSON of Pennsylvania, Mr. BARTON of Texas, Mr. GOHMERT, Mr. FRANKS of Arizona, Mr. SHIMKUS, Mr. FLEMING, Mr. CONAWAY, Mr. KING of Iowa, Mr. HERGER, Mr. POSEY, and Mr. SESSIONS.
H. Con. Res. 319: Mr. PETRI, Mr. FORBES, Mr. ANDREWS, Mr. KISSELL, Ms. SHEA-PORTER, and Mr. TURNER.
H. Res. 111: Mr. TAYLOR and Mr. MAFFEI.
H. Res. 155: Mr. QUIGLEY.
H. Res. 397: Mr. THOMPSON of Pennsylvania.
H. Res. 510: Mr. MCGOVERN.
H. Res. 767: Mr. COHEN.
H. Res. 840: Mr. THOMPSON of Pennsylvania.
H. Res. 929: Mr. CALVERT.
H. Res. 1207: Mr. GERLACH.
H. Res. 1217: Mr. DJOU.
H. Res. 1226: Mr. NYE and Mr. LARSON of Connecticut.
H. Res. 1343: Mr. PITTS.
H. Res. 1378: Mr. JONES, Mrs. BONO MACK, and Mr. FORBES.
H. Res. 1431: Mr. MURPHY of New York, Ms. MCCOLLUM, Mr. SPACE, Mr. HARE, Mrs. BONO MACK, Mr. JACKSON of Illinois, Mr. SCHAUER, Mr. LIPINSKI, Mr. GRIJALVA, Mr. LINCOLN DIAZ-BALART of Florida, Ms. BALDWIN, and Mr. MOORE of Kansas.
H. Res. 1476: Mr. BAIRD, Ms. CASTOR of Florida, Mr. INSLEE, Ms. JACKSON LEE of Texas, and Ms. HIRONO.
H. Res. 1485: Ms. KILROY, Mr. LIPINSKI, and Ms. ZOE LOFGREN of California.
H. Res. 1488: Mr. SNYDER, Mrs. LOWEY, and Ms. DEGETTE.
H. Res. 1501: Ms. GRANGER, Mrs. SCHMIDT, Mr. ROGERS of Alabama, Ms. NORTON, Mr. ISSA, and Mrs. MYRICK.
H. Res. 1531: Mr. LOBIONDO, Mr. POMEROY, Mr. PETERSON, Ms. MARKEY of Colorado, Mrs. NAPOLITANO, Mr. KISSELL, Mr. JONES, Mr. MURPHY of New York, Mr. MORAN of Kansas,

Mr. SCOTT of Georgia, Ms. MCCOLLUM, and Mrs. BLACKBURN.

H. Res. 1563: Mr. PASCRELL, Mr. PAYNE, and Mr. PALLONE.

H. Res. 1570: Mr. OLVER.

H. Res. 1576: Mr. BOCCIERI and Mr. LAMBORN.

H. Res. 1588: Mr. HOYER, Mr. LOBIONDO, Mr. SMITH of Washington, and Ms. TSONGAS.

H. Res. 1590: Mr. ROGERS of Alabama, Mr. PITTS, and Mr. BROUN of Georgia.

H. Res. 1598: Ms. WOOLSEY, Ms. BALDWIN, Mr. FILNER, Mr. GRIJALVA, Mr. CLEAVER, Mr. TOWNS, and Mr. MCGOVERN.

H. Res. 1600: Mrs. DAHLKEMPER, Mr. LATTA, Mr. BURGESS, Mr. OLVER, Mr. CLAY, Mr. SPRATT, Mr. WELCH, Mr. BRIGHT, Mr. JACKSON of Illinois, Ms. EDWARDS of Maryland, Mrs. MILLER of Michigan, Ms. BERKLEY, Mr. MATHESON, Mr. TOWNS, Mr. MCKEON, Mrs. CAPPS, Mr. BUTTERFIELD, Mr. CHANDLER, Mr. KENNEDY, Mr. BARROW, Mr. MCDERMOTT, Ms. MARKEY of Colorado, Mr. HOLT, Mr. SCALISE, Mr. HOLDEN, Mr. KIND, Mr. FARR, Ms. Linda T. Sánchez of California, Mr. GRIFFITH, Mr. SCHIFF, Mr. SALAZAR, Mr. ROSS, Mr. CAO, Mr. DOYLE, Mrs. KIRKPATRICK of Arizona, Ms. DEGETTE, Mr. RYAN of Ohio, Mr. BAIRD, Mr. OBERSTAR, and Mr. ELLISON.

H. Res. 1615: Mr. CALVERT and Ms. GINNY BROWN-WAITE of Florida.

H. Res. 1617: Mr. MARIO DIAZ-BALART of Florida, Mr. KAGEN, Mrs. MYRICK, and Mr. SESTAK.

H. Res. 1621: Mr. PASCRELL, Mr. MCGOVERN, Mr. MELANCON, Ms. KAPTUR, and Mr. HARE.

H. Res. 1624: Mr. HODES and Ms. PINGREE of Maine.

H. Res. 1628: Ms. SUTTON.

H. Res. 1630: Mr. WALDEN and Mr. ISSA.

H. Res. 1631: Mr. BERMAN, Mr. GALLEGLY, Mr. COSTA, and Mr. GENE GREEN of Texas.

H. Res. 1636: Mr. GALLEGLY.

H. Res. 1637: Ms. TITUS, Mrs. CAPITO, Mr. GORDON of Tennessee, Ms. EDWARDS of Maryland, Ms. SLAUGHTER, and Mr. PERRIELLO.

H. Res. 1641: Mr. CONNOLLY of Virginia, Mr. GONZALEZ, Mr. HALL of New York, Mr. ISSA, Mr. RADANOVICH, and Mr. RYAN of Ohio.

H. Res. 1645: Mrs. NAPOLITANO, Mr. MCGOVERN, Mr. COURTNEY, Ms. LORETTA SANCHEZ of California, Mr. POLIS of Colorado, Mr. CONYERS, Mr. TOWNS, and Ms. CHU.

H. Res. 1646: Mr. LARSON of Connecticut.

H. Res. 1648: Mr. BOCCIERI, Ms. GINNY BROWN-WAITE of Florida, Mr. COSTELLO, Mr. GALLEGLY, Ms. JENKINS, Mr. LAMBORN, Mr. PETERSON, Mr. ROGERS of Michigan, Mr. SABLAN, and Mrs. SCHMIDT.

H. Res. 1651: Mr. RANGEL, Mr. CLEAVER, and Mr. AL GREEN of Texas.

H. Res. 1655: Mrs. MCCARTHY of New York, Mr. COURTNEY, Mr. ELLISON, and Mr. JOHNSON of Georgia.

H. Res. 1656: Mr. SCOTT of Georgia.

PETITIONS, ETC.

Under clause 3 of rule XII:

170. The SPEAKER presented a petition of City of Conover, North Carolina, relative to Resolution 27-10 expressing opposition to federally mandated collective bargaining; which was referred to the Committee on Education and Labor.